

Part 4 Operational requirements

21 Hours of operation

- (1) If there are existing conditions on a development consent applying to hours of operation, the development must not be operated outside the hours specified in those conditions.
- (2) If there are no existing conditions on a development consent applying to hours of operation, the development must not be operated outside the following hours—
 - (a) if the development involves a new use as specialised retail premises or other commercial premises—7.00 am to 10.00 pm Monday to Saturday and 7.00 am to 8.00 pm on a Sunday or a public holiday,
 - (b) if the development involves a new use as something other than a specialised retail premises or other commercial premises and adjoins or is opposite a residential lot within a residential zone or Zone RU5 Village—7.00 am to 7.00 pm Monday to Saturday and no operation on a Sunday or a public holiday,
 - (c) in any other case not referred to in paragraph (a) or (b)—7.00 am to 7.00 pm Monday to Saturday and 9.00 am to 6.00 pm on a Sunday or a public holiday.

22 Noise

- (1) The development must comply with the requirements for industrial premises contained in the Noise Policy.
- (2) Noise emitted by the development—
 - (a) must not exceed an L A (15 min) of 5dB(A) above background noise when measured at any lot boundary of the property where the development is being carried out, and
 - (b) must not cause the relevant amenity criteria in Table 2.1 in the Noise Policy to be exceeded.
- (3) In this clause, ***the Noise Policy*** means the document entitled *NSW Industrial Noise Policy* (ISBN 0 7313 2715 2) published in January 2000 by the Environment Protection Authority.

23 Lighting

- (1) All new external lighting must—
 - (a) comply with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
 - (b) be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- (2) Lighting at vehicle access points to the development must be provided in accordance with the following standards—
 - (i) AS/NZS 1158.0:2005, *Lighting for roads and public spaces, Part 0: Introduction*,
 - (ii) AS/NZS 1158.1.1:2005, *Lighting for roads and public spaces, Part 1.1: Vehicular traffic (Category V) lighting—Performance and design requirements*,
 - (iii) AS/NZS 1158.1.2:2010, *Lighting for roads and public spaces, Part 1.2: Vehicular traffic (Category V) lighting—Guide to design, installation, operation and maintenance*,
 - (iv) AS/NZS 1158.2:2020, *Lighting for roads and public spaces, Part 2: Computer procedures for the calculation of light technical parameters for Category V and Category P lighting*,
 - (v) AS/NZS 1158.3.1:2020, *Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements*,
 - (vi) AS/NZS 1158.4:2015, *Lighting for roads and public spaces, Part 4: Lighting of pedestrian crossings*,
 - (vii) AS/NZS 1158.5:2014, *Lighting for roads and public spaces, Part 5: Tunnels and underpasses*.

24 Use of driveways and parking areas

- (1) All driveways and parking areas must be unobstructed at all times.
- (2) Except as otherwise permitted by an existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises, driveways and car spaces—
 - (a) must not be used for the manufacture, storage or display of goods, materials or any other equipment, and
 - (b) must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

25 Landscaped area (planting and maintenance)

- (1) Any tree or shrub that fails to establish within 2 years of the initial planting date must be replaced with the same species of tree or shrub.
- (2) All landscaped areas on the site must be maintained on an on-going basis