

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Sydney

9 April 2020

File: EF19/29734

SCHEDULE 1

Application Number:	SSD 10397
Applicant:	Goodman Property Services (Aust) Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 11 DP 1178389 2 Aldington Road, Kemps Creek NSW 2178
Development:	Oakdale West Estate Stage 2 Development including construction, subdivision, fitout, operation and use of a four-level automated warehouse, associated office space, internal roads and parking.

TABLE OF CONTENTS

DEFINITIONS	III
PART A ADMINISTRATIVE CONDITIONS.....	1
Obligation to Minimise Harm to the Environment.....	1
Terms of Consent	1
Limits of Consent.....	1
Notification of Commencement.....	2
Evidence of Consultation	2
Staging, Combining and Updating Strategies, Plans or Programs	2
Protection of Public Infrastructure.....	2
Structural Adequacy	3
Compliance.....	3
Operation of Plant and Equipment.....	3
External Walls and Cladding.....	3
Utilities and Services	3
Subdivision	3
Works as Executed Plans.....	3
Applicability of Guidelines.....	4
PART B ENVIRONMENTAL PERFORMANCE CONDITIONS	5
Visual Amenity.....	5
Traffic, Access and Parking	5
Noise	7
Soils and Water	9
Air Quality.....	10
Waste Management.....	10
Bushfire Protection	11
Hazards and Risk	11
Heritage.....	11
Community Engagement	11
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	12
Environmental Management.....	12
Construction Environmental Management Plan.....	12
Operational Environmental Management Plan	12
Revision of Strategies, Plans and Programs	13
Reporting and Auditing	13
Access to Information	14
APPENDIX 1 DEVELOPMENT PLANS.....	15
APPENDIX 2 NOISE RECEIVERS AND NOISE WALL LOCATIONS	18
APPENDIX 3 APPLICANT’S MANAGEMENT AND MITIGATION MEASURES	19
APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	24

DEFINITIONS

Applicant	Goodman Property Services (Aust) Pty Ltd, or any person carrying out any development to which this consent applies
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
CAQMP	Construction Air Quality Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Consent Authority	The relevant consent authority for development in accordance with the EP&A Act
Construction	The carrying out of works for the purpose of the development, including detailed earthworks, erection of building 2B, internal fit-out and construction of associated infrastructure permitted by this consent
Council	Penrith City Council
CTMP	Construction Traffic Management Plan
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment (DPIE)
Development	The development described in the EIS and RtS, referred to as Stage 2 development in the Oakdale West Estate, including construction and operation of a four-storey warehouse and associated office space and infrastructure, as shown on the plans in Appendix 1
DA	Development Application submitted in accordance with the EP&A Act
EIS	The Environmental Impact Statement titled <i>Oakdale West Industrial Estate Concept Plan and Stage 1 Modification and Stage 2 Development Application Environmental Impact Statement</i> , prepared by GHD dated January 2020, including any additional information provided by the Applicant in support of the application
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6 pm to 10 pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Fibre ready facility	As defined in Section 372W of the <i>Telecommunications Act 1997</i>
GLA	Gross lettable area
GFA	Gross floor area
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> (NSW), and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> (NSW), the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: "material harm" is defined in this consent</i>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that:

- a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
- b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
NCC	National Construction Code
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The use of building 2B for storage and distribution of goods upon completion of construction as described in the EIS
OTMP	Operational Traffic Management Plan
OWE	Oakdale West Estate including the approved Concept Plan for 22 warehouse buildings and associated infrastructure and Stage 1 development including bulk earthworks across the site, construction and operation of 3 warehouses and the West-North-South Link Road, as described in the development consent SSD 7348, approved on 13 September 2019, as modified
PCA	Principal Certifying Authority in accordance with the EP&A Act
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RMS	(former) NSW Roads and Maritime Services (now TfNSW)
RtS	The Response to Submissions titled <i>Oakdale West Estate SSD 7348 MOD 1, 2, 3 Consolidated Response to Submissions</i> prepared by Goodman dated 25 March 2020
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
SLR	Proposed Southern Link Road as shown in the WSEA SEPP and the document titled <i>Broader WSEA SLRN Options Refinement Report</i> prepared by AECOM, 2014
TfNSW	Transport for New South Wales
Vicinity of the site	Bakers Lane, Kemps Creek
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Water Pipelines	Two Sydney drinking water pipelines located on land owned by Water NSW along the northern boundary of the site
WNSLR	Western North-South Link Road as shown in the WSEA SEPP and approved under the OWE development consent SSD 7348
WSEA	Western Sydney Employment Area
WSEA SEPP	State Environmental Planning Policy (Western Sydney Employment Area) 2009
Year	A period of 12 consecutive months

SCHEDULE 2
PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and RTS;
 - (d) in accordance with the Development Layout in **Appendix 1**; and
 - (e) in accordance with the management and mitigation measures in **Appendix 3**.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition (c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition (c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five (5) years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.
- A6. The total area of warehousing and office space at the development must not exceed a maximum gross lettable area of 200,700 square metres.
- A7. The Applicant must ensure construction of the development does not generate more than 935 vehicle trips (1,870 total vehicle movements) during the day, evening and night, on the public road network.
- Note: This condition does not apply to construction vehicles using the West-North-South Link Road.*
- A8. The Applicant must keep accurate records of the number of vehicles entering or leaving the site, for the duration of construction and provide these records to the Planning Secretary on request.
- A9. The development must be consistent with the development controls in the OWE, as shown in **Table 1**.

Table 1 Development Controls

Development Aspect	Control
Minimum building setbacks from:	
• Southern Link Road	20 m
• Western North-South Link Road	20 m
• Local estate Roads	7.5 m
• Western site boundary	40 m
• Southern site boundary	20 m (excluding parking areas)
Rear boundary setbacks within the estate	5 m

Development Aspect	Control
Side boundary setbacks within the estate	0 m, subject to compliance with fire rating requirements
Building height – Building 2B	28 m
Minimum lot size	5,000 m ²
Minimum frontage	40 m (excluding cul-de-sacs) 35 m minimum lot width at the building line
Site coverage	Maximum of 65 per cent (excluding awnings)

NOTIFICATION OF COMMENCEMENT

- A10. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date:
- (a) construction, excluding any early pre-construction works, such as installation of erosion and sediment controls or laydown of construction materials; and
 - (b) operation.
- A11. If the construction or operation or decommissioning of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A13. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A16. Before the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of Aldington Road and Abbots Road (between the site and Mamre Road), including roads, gutters and footpaths; and
 - (c) submit a copy of the dilapidation report the Planning Secretary and Council.

- A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development, including but not limited to, Bakers Lane, Aldington Road and Abbotts Road; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development, including but not limited to, Bakers Lane, Aldington Road and Abbotts Road.

STRUCTURAL ADEQUACY

- A18. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the National Construction Code (NCC).

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

COMPLIANCE

- A19. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A20. All plant and equipment used on site, or to monitor the performance of the development must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

EXTERNAL WALLS AND CLADDING

- A21. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.
- A22. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the NCC.
- A23. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

UTILITIES AND SERVICES

- A24. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A25. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994* (NSW).
- A26. Before the issue of a Subdivision or Construction Certificate for the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for the provision of communication facilities to the development.
- A27. The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.
- A28. The Applicant must comply with the requirements of Endeavour Energy for the location and design of the pad-mounted substations for the development. The Applicant must submit evidence of compliance prepared by a Level 3 Accredited Service Provider to the satisfaction of Endeavour Energy, prior to the commencement of construction.
- A29. The Applicant must obtain any other relevant approvals from Endeavour Energy, prior to the commencement of construction.

SUBDIVISION

- A30. The Applicant shall subdivide the site generally in accordance with the subdivision plan included in the EIS.

WORKS AS EXECUTED PLANS

- A31. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.

APPLICABILITY OF GUIDELINES

- A32. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A33. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B ENVIRONMENTAL PERFORMANCE CONDITIONS

VISUAL AMENITY

Building Design

- B1. The Applicant must construct Building 2B in accordance with the EIS and RTS and as shown on the figures in **Appendix 1**.

Landscape Plan

- B2. Prior to the commencement of construction of Building 2B, the Applicant must prepare a detailed Landscape Plan in consultation with Council and to the satisfaction of the Planning Secretary. The Landscape Plan must:
- (a) detail the plant species and layouts for all areas of the development;
 - (b) include a diverse mix of species to provide canopy trees and understorey planting, to assist in achieving the objectives of Council's Cooling the City Strategy;
 - (c) detail monitoring and maintenance procedures, including irrigation requirements.
- B3. The Applicant must:
- (a) not commence construction of Building 2B until the Landscape Plan is approved by the Planning Secretary.
 - (b) must implement the most recent version of the Landscape Plan approved by the Planning Secretary; and
 - (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Plan for the life of the development. If the monitoring carried out as part of condition B2 indicates that any aspect of the landscaping has not been successful, the Applicant must undertake replanting and rehabilitation works, as reasonably practicable.

Reflectivity

- B4. The visible light reflectivity from building materials used in the façades and roof of the warehouse building must be designed to minimise glare. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Lighting and Security Cameras

- B5. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-1997 – *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.
- B6. The Applicant must ensure any security cameras or illuminated signage installed as part of the development are directed away from adjacent private properties.

Signage and Fencing

- B7. All signage and fencing must be erected in accordance with the development plans included in the EIS and RTS.
Note: This condition does not apply to temporary construction and safety related signage and fencing.
- B8. All fencing along building frontages must be located behind the landscape setbacks and not along the front boundary. The fencing must be a maximum height of 2.1 metre and be an open style.

TRAFFIC, ACCESS AND PARKING

Roadworks

- B9. Prior to any use of Aldington Road and Abbots Road for construction traffic, the Applicant must submit a Construction Traffic Management Plan (CTMP) to the satisfaction of Council. The CTMP shall be:
- (a) prepared in accordance with Council's Engineering Construction Specification for Civil Works
 - (b) be prepared by a suitably qualified consultant with appropriate training and certification from TfNSW;
 - (c) be approved by Council, prior to any construction traffic using Aldington Road and Abbots Road;
 - (d) include but not be limited to:
 - (i) swept path analysis at critical points (bends and intersections) along the entire Aldington Road / Abbots Road route for the largest proposed vehicle to use this route;
 - (ii) a detailed road safety audit of the Aldington Road / Abbots Road route that factors the increase in traffic volumes (both in light & heavy vehicles), and proposes measures such that the road can safely accommodate this increase (including upgrades to road infrastructure, signage and line marking)

treatments, vehicle length restrictions and temporary traffic control measures during the construction period);

(iii) left-in, left-out restrictions at the intersection with Mamre Road for construction vehicles.

- B10. The CTMP and any proposed measures must be to the satisfaction of Council and will be subject to Local Traffic Committee and Council approval.
- B11. Prior to any works (infrastructure, signage and line marking) that are on or affect a local road, a Section 138 *Roads Act, 1993* application shall be lodged and approved by Council. All works shall be carried out in accordance with the Roads Act approval, and Council's specification, guidelines and best engineering practice.
- B12. The Applicant must provide written evidence to the satisfaction of the Planning Secretary, demonstrating the roadworks required by condition B9 and B10 have been completed to the satisfaction of Council, prior to using Abbots Road and Aldington Road for construction access.

Construction Access

- B13. The Applicant must ensure:
- (a) no fill material is transported to the site via Bakers Lane or Aldington Road;
 - (b) construction traffic does not use Bakers Lane during the hours of 8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday when schools are in use, to avoid conflict with peak school traffic on Bakers Lane;
 - (c) construction traffic only uses Abbots Road and Aldington Road to access the site during the hours of 8 am – 9.30 am and 2.30 pm – 4pm, Monday to Friday, when schools are in use, subject to Conditions B9 and B12; and
 - (d) all construction traffic associated with the development ceases to use Bakers Lane and Aldington Road when the Western North-South Link Road opens to traffic.

Operational Access

- B14. The Applicant must ensure all traffic associated with operation of the development accesses the site from the Western North-South Link Road, and the future Southern Link Road, and does not use Bakers Lane or Aldington Road.

Construction Traffic Management Plan

- B15. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council, TfNSW, Mamre Anglican School, Emmaus Catholic College, Emmaus Catholic Care Village and Trinity Catholic Primary School;
 - (c) detail specific measures to manage construction traffic to avoid school drop-off and pick-up times (8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday), when the schools are in use, and Higher School Certificate exam periods, including any temporary infrastructure arrangements and traffic safety measures;
 - (d) detail the measures to be implemented to ensure road safety and network efficiency during construction, including scheduling deliveries of heavy plant and equipment outside of peak periods, or during school holidays where possible;
 - (e) detail heavy vehicle routes, access and parking arrangements;
 - (f) include a Driver Code of Conduct to:
 - (i) minimise the impacts of construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise, particularly during night-time periods; and
 - (iv) ensure truck drivers use specified routes;
 - (g) include a program to monitor the effectiveness of these measures; and
 - (h) detail procedures for early notification for residents and the community (including local schools), of any potential disruptions to routes.
- B16. The Applicant must:
- (a) not commence construction of the development until the CTMP required by condition B15 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Operational Traffic Management Plan

B17. The Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development. The OTMP must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced expert, in consultation with Council and TfNSW;
- (b) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
- (c) include measures to maintain road safety and network efficiency;
- (d) detail measures to minimise noise from development related traffic, including, procedures for receiving and addressing complaints from the community about development related traffic and noise;
- (e) include a Driver's Code of Conduct that addresses:
 - (i) designated routes, ensuring no use of Bakers Lane or Aldington Road for operational access;
 - (ii) travelling speeds and adherence to site-specific speed limits;
 - (iii) procedures to ensure drivers adhere to designated heavy vehicle routes; and
 - (iv) procedures to ensure drivers implement safe driving practices.

B18. The Applicant must:

- (a) not commence operation of the development until the OTMP required by condition B17 is approved by the Planning Secretary; and
- (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation.

Operating Conditions

B19. The Applicant must ensure:

- (a) all access points, internal driveways, turning areas and parking are designed and constructed in accordance with the latest version of *AS 2890.1:2004 Parking facilities off-street car parking* (Standards Australia, 2004) and *AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2002);
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on site;
- (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Parking

B20. The Applicant must provide sufficient parking facilities on site for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

NOISE

Hours of Work

B21. The Applicant must comply with the hours detailed in **Table 2**, unless otherwise agreed in writing by the Planning Secretary.

Table 2 Hours of Work

Activity	Day	Time
Construction	Monday – Sunday	6 am to 10 pm
Concrete works (internal to building only)	Monday – Sunday	3 am to 10 pm
Operation	Monday – Sunday (including public holidays)	24 hours

Note: Concrete works (internal to building only) include concrete pours inside Building 2B, following the installation of all building walls and the building roof.

- B22. Works outside of the hours identified in condition B21 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Operational Noise Limits

- B23. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits for the OWE, as shown in **Table 3**.

Table 3 Noise Limits dB(A)

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _A Max
N1 Emmaus Village Residential	44	43	41	52
N3 Kemps Creek – nearest residential property	39	39	37	52
N4 & N5 Kemps Creek – other residences	39	39	37	52
All other non-associated residences	40 ²	35 ²	35 ²	52
N2 Emmaus Catholic College (school)	When in use: 45 L _{eq} (1h)			

Notes:

1. Noise generated by the development is to be measured in accordance with the relevant procedures and modifications, including certain meteorological conditions, of the Noise Policy for Industry (EPA, 2017). Refer to the plan in Appendix 2 for the location of residential sensitive receivers.
2. or background + 5 dB, whichever is higher.

- B24. The noise limits in **Table 3** do not apply to receivers N3, N4 & N5 if the Applicant has Noise Agreement/s with the relevant landowner/s to exceed the noise limits, and the Applicant has provided written evidence to the Planning Secretary that agreement/s are in place.

Design and Validation

- B25. The Applicant shall design and install all rooftop mechanical plant and services to ensure cumulative noise levels do not exceed 37 dB(A) at the western site boundary or 41 dB(A) at the southern site boundary. The Applicant shall provide written evidence to the satisfaction of the Planning Secretary, prior to the commencement of operation, confirming that rooftop mechanical plant and services have been installed to achieve these noise levels.
- B26. Within 6 months of the commencement of operation, the Applicant must undertake noise validation monitoring to confirm the rooftop mechanical plant and services comply with the predictions in the EIS, to the satisfaction of the Planning Secretary. If the results of monitoring show that noise from the development is exceeding the noise limits in Condition B23, the Applicant must investigate and implement all reasonable and feasible noise mitigation measures to achieve compliance.

Construction Noise

- B27. The Applicant must implement all feasible and reasonable noise mitigation measures to minimise construction noise from the development. Any activities that could exceed the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009), must be identified and managed in accordance with the Construction Noise Management Plan required by condition B30.
- B28. The Applicant must maintain the temporary noise curtain installed adjacent to Emmaus Catholic Care Village for the duration of construction, unless otherwise agreed with the Planning Secretary, or until such time as the permanent noise wall shown in **Appendix 2** is completed.
- B29. The Applicant must maintain a real-time noise monitor at the western boundary of the site for the duration of construction. Where monitoring identifies any exceedance of the construction noise management levels, the Applicant must implement further feasible and reasonable mitigation measures to reduce construction noise levels. The environmental representative for the OWE must review and provide the results of noise monitoring to the Planning Secretary on request, including details of the measures taken to minimise noise to ensure compliance with the noise goals.

Construction Noise Management Plan

- B30. The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The CNMP must form part of the CEMP in accordance with condition C2 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be approved by the Planning Secretary prior to the commencement of construction;
 - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009), as may be updated or replaced from time to time;
 - (d) describe the measures to be implemented to manage noise generating activities during sensitive periods, including evenings, night-time and on Sundays, including but not limited to:
 - (i) maintenance of the temporary noise curtain along the western boundary of the Emmaus Catholic Care Village for the duration of construction;
 - (ii) minimising coinciding use of multiple high noise generating equipment;
 - (iii) orienting noisy equipment away from the sensitive receivers on the western boundary;
 - (iv) ensuring concrete trucks for internal concreting works (between 3 am and 6 am) are located to the east of Building 2B to maximise noise shielding for the Emmaus Catholic Care Village;
 - (v) ensuring all equipment has non-tonal reversing alarms;
 - (vi) regular maintenance and compliance checks of plant and equipment;
 - (vii) consultation with adjacent sensitive receivers prior to and during construction;
 - (e) include measures to minimise noise from construction vehicles on the public road network and on site, including but not limited to, a Driver Code of Conduct and induction training for drivers to minimise road traffic noise;
 - (f) include a monitoring program that:
 - (i) includes quarterly attended noise monitoring at the nearest sensitive receivers to determine compliance with the construction noise management levels in the *Interim Construction Noise Guideline*;
 - (ii) evaluates and reports on the effectiveness of the noise management measures;
 - (iii) includes procedures to relocate, modify, mitigate or stop work to ensure compliance with the construction noise management levels; and
 - (g) include procedures for recording and responding to complaints.
- B31. The Applicant must:
- (a) not commence construction of the development until the CNMP required by condition B30 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.

SOILS AND WATER

Discharge Limits

- B32. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.

Erosion and Sediment Control

- B33. The Applicant must prepare an Erosion and Sediment Control Plan (ESCP) for the development to the satisfaction of the Planning Secretary. The ESCP must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be generally consistent with the Erosion and Sediment Control Plan(s) for the OWE;
 - (c) include detailed erosion and sediment controls developed in accordance with the relevant requirements of *Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book* (Landcom, 2014) guideline; and
 - (d) include procedures for maintaining erosion and sediment controls in efficient working order for the duration of construction, to ensure the development complies with condition B32.
- B34. The Applicant must:
- (a) not commence construction of the development until the ESCP required by condition B33 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the ESCP approved by the Planning Secretary for the duration of construction.

B35. The Applicant must install the erosion and sediment control measures approved in accordance with Condition B34, prior to the commencement of construction.

Stormwater Management System

B36. The Applicant must install and operate a stormwater management system for the development, to the satisfaction of the Planning Secretary. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally consistent with the *Civil, Stormwater and Infrastructure Services Report*, prepared by AT&L, dated January 2020;
- (c) be in accordance with applicable Australian Standards and Penrith City Council's *Design Guidelines for Engineering Works, Water Sensitive Urban Design Policy December 2013* and *Water Management Development Control Plan*;
- (d) ensure peak stormwater flows from the site do not exceed pre-development flows in any downstream areas for all rainfall events up to and including the 1 in 100-year average recurrence interval;
- (e) ensure peak stormwater flows from the site do not exceed existing flows in the Water NSW drainage lines and water pipelines corridor; and
- (f) incorporate rainwater harvesting measures to supplement non-potable water demand for the development.

B37. All stormwater drainage infrastructure on the site, including bio-retention basins, shall remain under the care, control and ownership of the registered proprietor of the lots.

AIR QUALITY

Dust Minimisation

B38. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B39. During construction, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network; and
- (d) public roads used by these trucks are kept clean.

Construction Air Quality Management Plan

B40. Prior to the commencement of construction, the Applicant must update the Construction Air Quality Management Plan (CAQMP) for the OWE, to include the development. The updated CAQMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) identify the control measures to be implemented to minimise emissions from all construction sources;
- (c) detail procedures for measuring the performance of the control measures and triggers for implementing additional reasonable and feasible measures, if required, to minimise emissions; and
- (d) include procedures for complaints handling and response.

B41. The Applicant must:

- (a) not commence construction of the development until the updated CAQMP required by condition B40 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of construction.

WASTE MANAGEMENT

Waste Storage

B42. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

Waste Management Plan

B43. The Applicant must implement the Waste Management Plan (WMP) in the EIS for the duration of construction and operation of the development.

Statutory Requirements

- B44. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014)* and dispose of all wastes to a facility that may lawfully accept the waste.
- B45. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

BUSHFIRE PROTECTION

- B46. The Applicant shall ensure the development complies with:
- the relevant provisions of *Planning for Bushfire Protection 2006*;
 - the construction standards and asset protection zone requirements recommended in the Oakdale Industrial Estate - West Bushfire Protection Assessment, prepared by Australian Bushfire Protection Planners Pty Ltd, dated September 2016 and updated 13 January 2020; and
 - AS2419.1 – 2005 Fire Hydrant Installations for firefighting water supply.

HAZARDS AND RISK

Dangerous Goods

- B47. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

Bunding

- B48. The Applicant must store all chemicals, fuels and oils used on site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

HERITAGE

Unexpected Finds Protocol

- B49. If any item or object of Aboriginal heritage significance is identified on site:
- all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - the Biodiversity and Conservation Division of the Department must be contacted immediately.
- B50. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974* (NSW).
- B51. If any archaeological relics are uncovered during construction of the development, then all works in the immediate vicinity of the relic must cease immediately. Unexpected finds must be evaluated and recorded in accordance the requirements of Department of Premier and Cabinet, Heritage Division.

COMMUNITY ENGAGEMENT

- B52. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in **Appendix 2**, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders. Community engagement shall be undertaken in accordance with the Community Communication Strategy for the OWE.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (c) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (e) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (f) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (g) a protocol for periodic review of the plan.

Note: *the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary. The CEMP must be reviewed by the Environmental Representative for the OWE to ensure it is consistent with the requirements of this consent and the relevant requirements of the OWE consent.
- C3. As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see Condition B15);
 - (b) Construction Noise Management Plan (see Condition B30);
 - (c) Erosion and Sediment Control Plan (see Condition B33);
 - (d) Construction Air Quality Management Plan (see Condition B40)
 - (e) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:

- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Operational Traffic Management Plan (see Condition B17); and
 - (ii) Noise Validation Monitoring (see Condition B26).

C7. The Applicant must:

- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
- (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Within three months of:

- (a) the submission of a Compliance Report under condition C15;
- (b) the submission of an incident report under condition C10;
- (c) the approval of any modification of the conditions of this consent; or
- (d) the issue of a direction of the Planning Secretary under condition (a) which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

C9. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.

Non-Compliance Notification

C11. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.

C12. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

C14. No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary.

- C15. Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- C16. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Monitoring and Environmental Audits

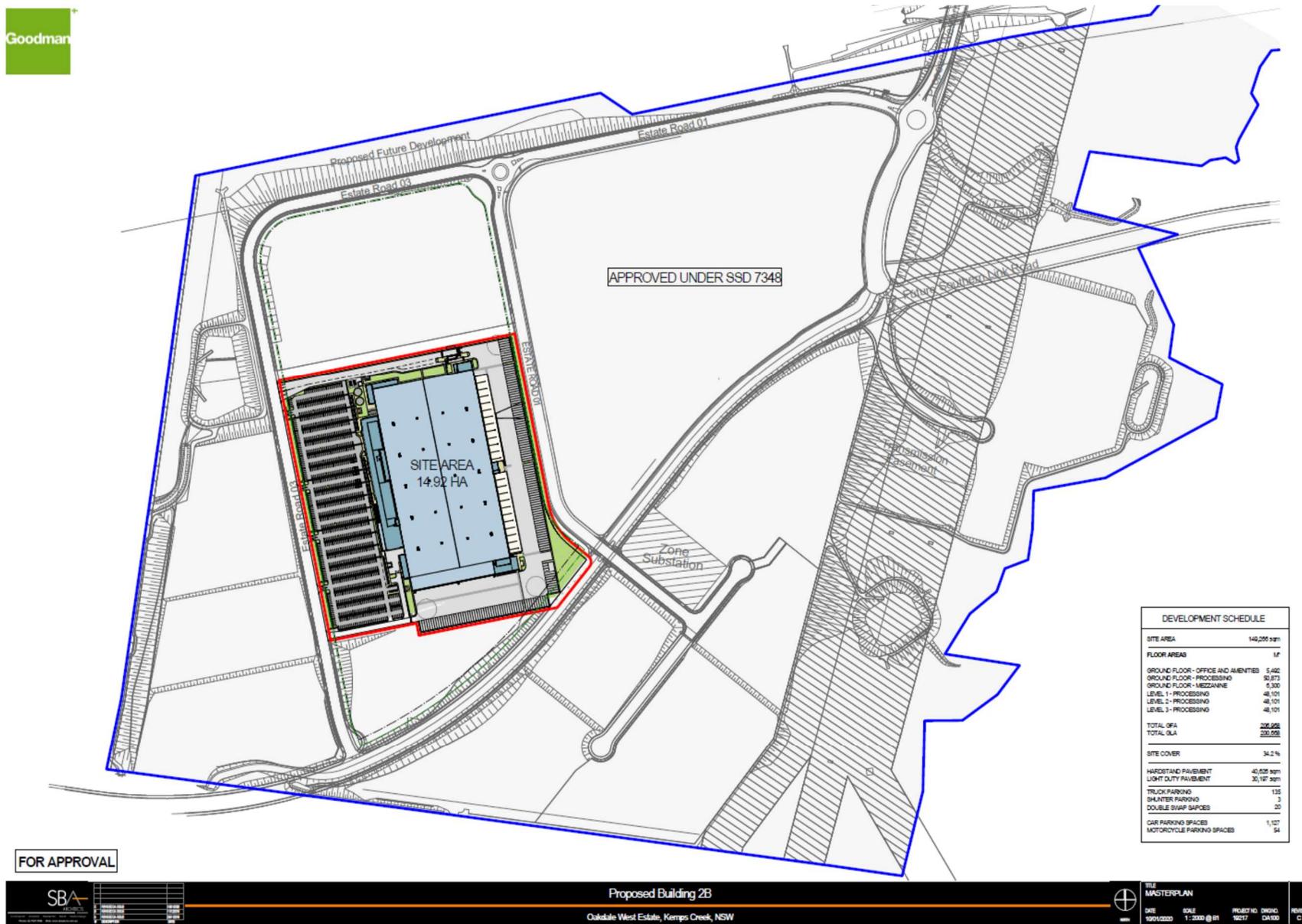
- C17. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

ACCESS TO INFORMATION

- C18. At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
- (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) minutes of CCC meetings;
 - (vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (viii) a summary of the current stage and progress of the development;
 - (ix) contact details to enquire about the development or to make a complaint;
 - (x) a complaints register, updated monthly;
 - (xi) the Compliance Report of the development;
 - (xii) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xiii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT PLANS



FOR APPROVAL



Proposed Building 2B

Oakdale West Estate, Kempsey Creek, NSW



Figure 1: Location Plan

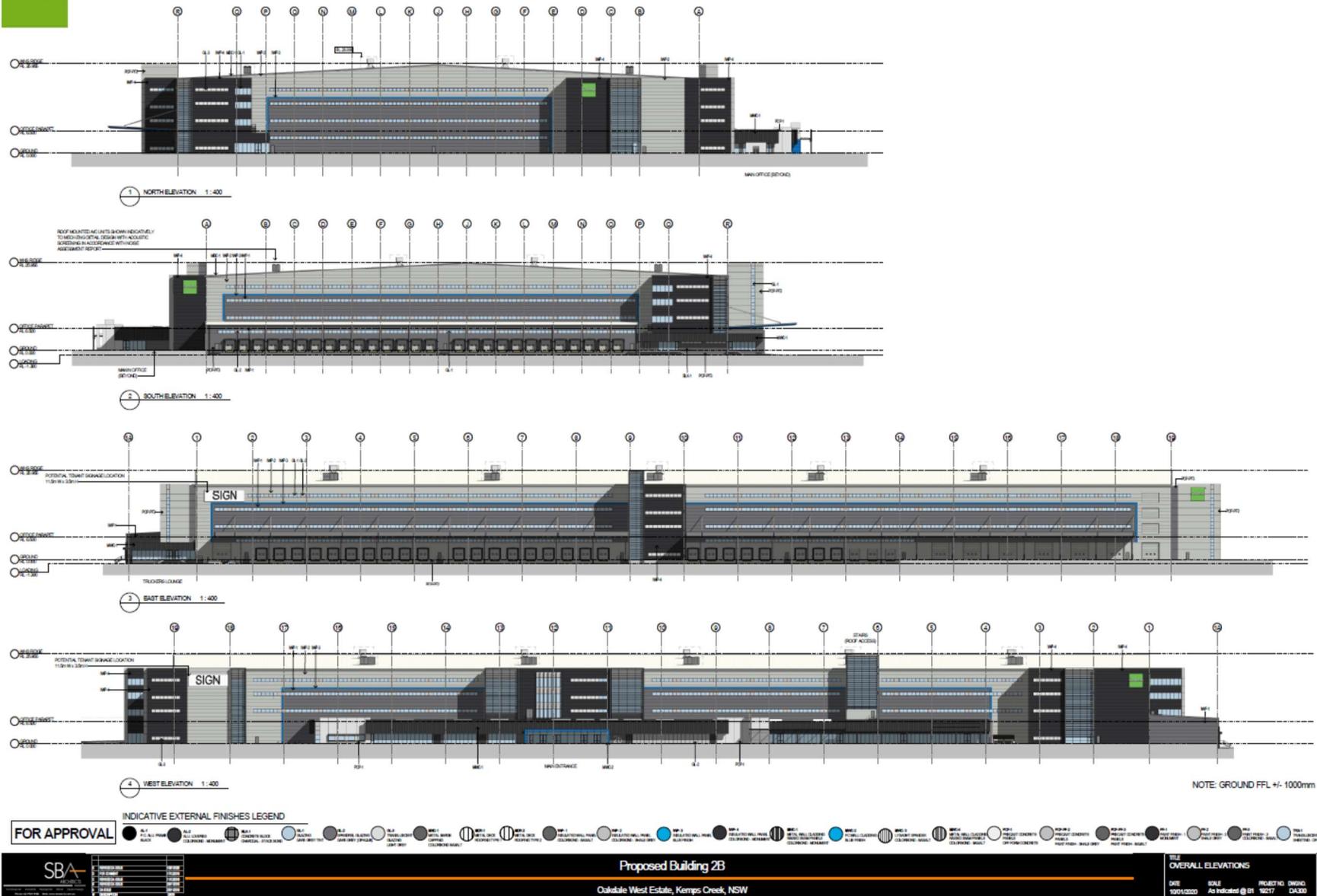


Figure 3: Building Elevations

APPENDIX 2 NOISE RECEIVERS AND NOISE WALL LOCATIONS

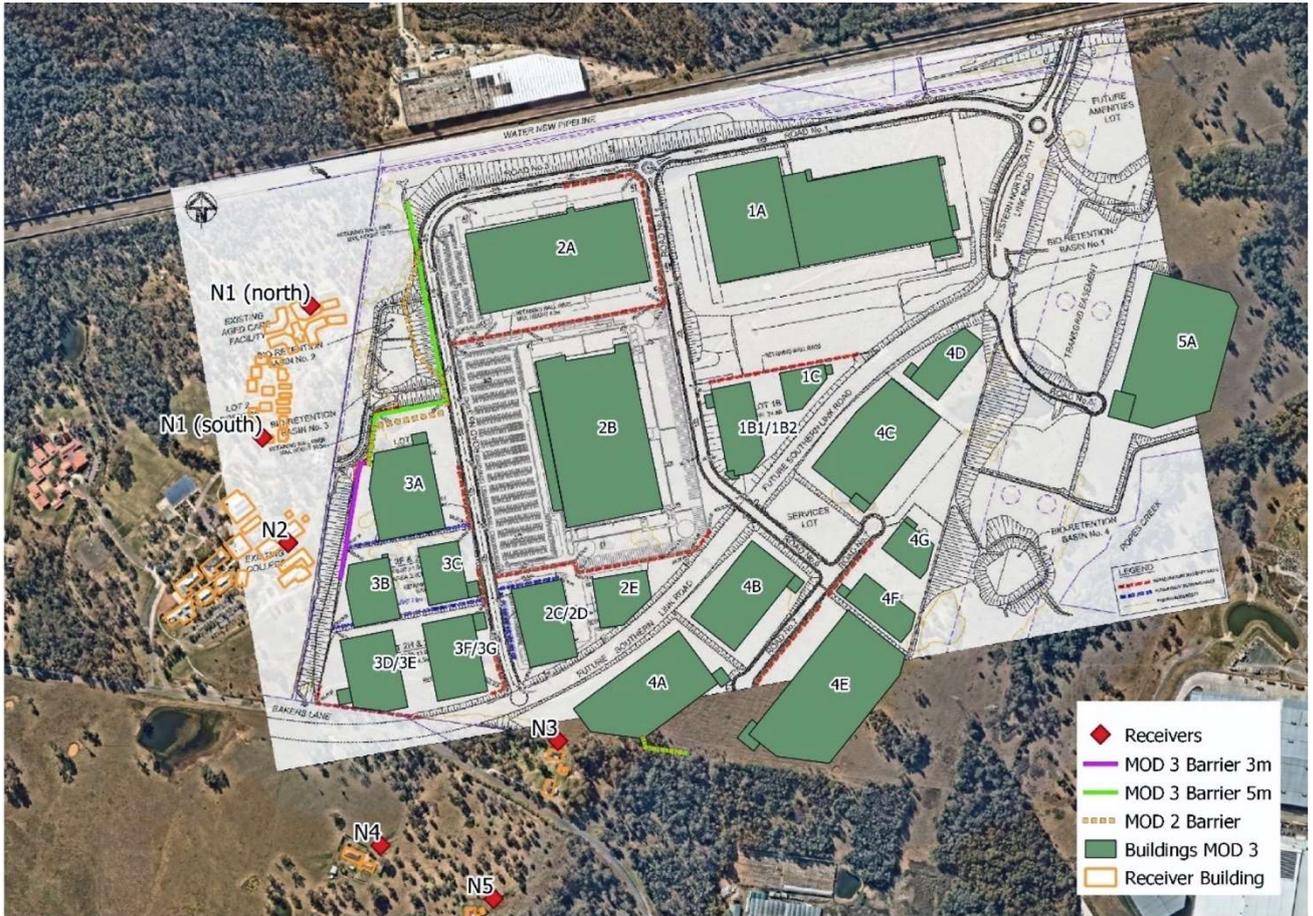


Figure 4: Noise Receivers and Noise Wall Locations

APPENDIX 3 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

9.2.2 Operational Environmental Management Plan

An overarching OEMP has been prepared for the OWE to guide the ongoing operations of the site once development is completed. This document would capture standard and specific operational management measures addressing issues such as:

- Control of noise and air emissions
- Biodiversity and vegetation management
- Management of water and waste
- Emergency procedures and protocols
- Engagement with adjoining landowners
- Sustainability and energy efficiency
- Compliance and approvals
- Environmental management and reporting.

The OEMP was prepared prior to the commencement of operations at the site and would continue to be reviewed as each stage and Lot of the OWE is completed and becomes operational.

9.3 Consolidated mitigation measures

[Table 9-1](#) provides a consolidated summary of the proposed environmental management and mitigation measures for the proposal.

Table 9-1 Summary of safeguards and mitigation measures

Issue	Mitigation measures
General	<ul style="list-style-type: none">• Preparation of updated CEMP for OWE Stage 2 Development and MOD 3 to Concept Proposal• Preparation of updated OEMP for for Stage 2 Development
Visual amenity	<ul style="list-style-type: none">• The existing vegetation on the eastern, southern and western boundary be retained where possible to assist filtering views to the proposed buildings, additional landscaping to be included to provide a further buffer• The proposed landscape design provides sufficient visual mitigation of the development by creating a 40 metre vegetated embankment with extensive tree and understorey planting along the western boundary bordering Emmaus Catholic College and Emmaus Village• Landscaped embankment along the western boundary will be completed six months post commencement of the estate infrastructure works
Traffic and transport	<ul style="list-style-type: none">• Temporary use of Bakers Lane until WNSLR is operational• Alternate Stage 2 construction vehicle route via Aldington Road/Abbotts Road during school peak hours• Ban Right-Out movements at Abbotts Road/Mamre Road intersection (left-in/left-out only)

Issue	Mitigation measures
Noise and vibration	<ul style="list-style-type: none"> • Detailed CTMP including minor upgrade works to Aldington Road / Abbotts Road in line with plans provided. • Detailed Construction Noise and Vibration Management Plan • Vibratory rollers and plate compactors have the potential to be operated within 20 m and within the recommended safe working distances of structures in Emmaus Village, Emmaus Catholic School and immediately adjacent to the south boundary in Kemps Creek. Locations for vibration intensive equipment should be reviewed during the preparation of the site specific Construction Noise and Vibration Management Plans (CNVMPs) for construction works adjacent to the most affected receivers. • Noise Agreements in place with N3, N4, and N5. • Construction hours to be 3.00am - 10.00pm (with works to occur between 3am and 7am limited to concrete works internally) • Where construction noise levels are predicted to be above the NMLs, all feasible and reasonable work practices are investigated to minimise noise emissions. • If construction noise levels are still predicted to exceed the NMLs, potential noise impacts would be managed via site specific construction noise management plans, to be prepared during the detailed design phase. • Noise barriers possessing surface mass of no less than 15 kg/m² to be installed at the locations and to the heights detailed in Appendix H and shown on Figure 7-19. Construction of noise barriers as shown in Figure 7-19. • On-site speed limits of 25 km/hour for heavy vehicles and 40 km/hr for light vehicles to be imposed. • During detailed design, Lot 2B rooftop mechanical services plant to be reviewed to ensure that cumulatively emissions are controlled to not exceed LAeq,15min 37 dBA at the western site boundary or LAeq,15min 41 dBA at the southern site boundary. The inclusion of silencers/attenuators and/or barrier solutions may be considered to ensure these acoustic design standards are achieved, as confirmed by noise modelling. • Subject to the findings of further detailed design, the provision of mechanical ventilation systems to receivers N4 and N5 to be considered, to enable windows to be closed without compromising internal air quality/amenity. • Cumulative sound power levels of fixed plant for each building within the OWE to be limited to 95dBA • Further assessment of potential operational noise impacts to be undertaken in respect of any specific operations proposed within the OWE with an atypical noise profile.

Issue	Mitigation measures
Soil and water	<ul style="list-style-type: none"> • All stormwater drainage within the lot 2B will be the responsibility of Goodman. • Finished Floor Levels (FFL) of proposed buildings within the precinct (separate approval) to have minimum 500mm freeboard to 100 year overland flows. • A gross pollutant trap (GPT) will be installed within Lot 2B on the final downstream stormwater pit prior to discharging. As these GPT's will be located on-lot as they will be owned and maintained by Goodman. The GPT will capture 90% of Gross Pollutants from Lot 2B as per water sensitive urban design guidelines. • all design, documentation, installation and maintenance of sediment and erosion controls will be in accordance with the correct requirements • a SWMP will be prepared for the construction phase of the development • site inspection and maintenance specified in Section 5.2 of the report provided in Appendix I • sediment basin maintenance, including drainage within 5 days, implementation of flocculation when the 5 day target cannot be met.
Waste management	<ul style="list-style-type: none"> • Detailed Construction Waste Management Plan and Waste Management Plan • Installation of a baler and compactor in Lot 2B
Biodiversity	<ul style="list-style-type: none"> • Preparation of a Flora and Fauna Management Plan for the site to inform the CEMP and OEMP as relevant to manage potential impacts to biodiversity during construction and operation. • Implement a Vegetation Management Plan for the restoration and rehabilitation and ongoing management of 4.2 ha of Riparian Corridor adjacent to Ropes Creek. • Ongoing management of retained native vegetation to be in accordance the Vegetation Management Plan • Ongoing maintenance and management of other areas of planted native vegetation including road batters, embankments and bio-retention basins in accordance with the Landscape Management Plan.
Air quality	<ul style="list-style-type: none"> • CEMP to include standard air quality control measures, contingency plans and response procedures and suitable reporting and performance monitoring procedures. • CEMP to include standard odour mitigation measures for construction including keeping excavation surfaces moist, covering excavation faces and/or stockpiles, use of soil

Issue	Mitigation measures
	<p>vapour extraction systems and regular monitoring of discharges as appropriate.</p> <ul style="list-style-type: none"> • Specific operations proposed within the OWE with the potential for generation of odour would be subject to further assessment. • Further assessment of potential air quality impacts to be undertaken in respect of any specific operations proposed within the OWE with an atypical air emissions profile.
Energy efficiency	<ul style="list-style-type: none"> • all purchased electricity and energy which is consumed by stationary equipment on site • energy consumed by mobile equipment (e.g. forklifts) • sub-metering should be implemented for all major energy consuming processes or items of equipment including sub-metering for all loads greater than 100 kVA • electrical equipment should be maintained to Australian Standards. • Detailed Energy Management Plan - updated regularly <p>An energy audit and management review on a half-yearly basis to identify:</p> <ul style="list-style-type: none"> • if employees are following energy savings procedures correctly • if additional employee training is needed • if signage and procedures need to be re-examined • to identify opportunities for improvement.
BCA	<ul style="list-style-type: none"> • Preparation of the Performance Solutions and corresponding fire safety measures during detailed design to ensure compliance with BCA and International Fire Engineering Guidelines
Flooding	<ul style="list-style-type: none"> • OSD designed to ensure that development does not increase stormwater peak flows in downstream areas for events up to and including 1:100 year ARI • OSD designed to mitigate post-development flows to pre-development flows for peak ARI events • Finished floor levels to have minimum 500mm freeboard to 100 year overland flows • Flood impacts on Transgrid easement would be mitigated through minor compensatory earthworks on the floodplain to convey locally diverted flows. These works are detailed in the civil drawings at Appendix J.
Heritage	<ul style="list-style-type: none"> • Implementation of unexpected finds procedure

Issue	Mitigation measures
	<ul style="list-style-type: none"> • Archaeological salvage excavation and monitoring to be undertaken in the presence of relevant Aboriginal stakeholders prior to ground disturbance and excavation work in identified areas. • Results of detailed archaeological excavation and any suitable salvaged materials to be managed in accordance with the NPW Act and direction from relevant Aboriginal stakeholders.
Fire safety	<ul style="list-style-type: none"> • Preparation of Performance Solutions and fire safety measures will be presented in the building design phase
Bushfire	<ul style="list-style-type: none"> • The downpipe/stormwater system to the internal box gutters shall be sized to provide a self flushing of combustible materials from the roof/gutter. This shall include increased fall in the box gutters to the sumps; • any operable windows shall be fitted with aluminium/stainless steel mesh flyscreens having a maximum mesh aperture size of 2mm; • access doors [PA and Vehicle] to the buildings shall be fitted with seals that seal the bottom, stiles and head of the door against the opening/frame to prevent the entry of embers into the building. Particular attention shall be given to the gap at the head of the curtain of the roller doors, where mohair type seals can be used; • External timber doors shall be fitted with a stainless steel/Colorbond kick plate of 400mm high on the outside of the door; • External glazed doors and windows shall comply with the requirements for glazing less than 400mm above finished ground level; paths / pavement and elevated roofs; • Any external vents, grilles and ventilation louvres shall have stainless steel mesh with a maximum aperture of 2mm square fitted to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm. • Roof ventilators shall be fitted with stainless steel flymesh [2mm aperture] to prevent the entry of embers into the building or be fitted with a louvre system which can be closed in order to maintain a maximum aperture or gap of no more than 2mm.

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the Applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.