SYDNEY BUSINESS PARK STAGE 3 WAREHOUSE 1

Construction Environmental Management Plan
SSD 10477

Prepared for:

FDC Construction (NSW) Pty Ltd
22 - 24 Junction Street
FOREST LODGE NSW 2037



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BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with FDC Construction (NSW) Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
631.30116-R01-v1.0	24 February 2021	Chelsey Zuiderwyk & Megan Crowhurst	Renae Gifford	Renae Gifford

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1 Introduction

1.1 Development Overview

The Sydney Business Park Stage 3 was approved on 28 January 2021 by the Department of Planning, Industry and Environment (DPIE) under Development Consent SSD 10477. Sydney Business Park Stage 3 includes a nine lot subdivision, the construction of two estate roads and associated infrastructure, earthworks, vegetation clearing, the construction and operation of four warehouse and distribution facilities, ancillary car parking, infrastructure provisions and landscaping (159,000m^2 total).

Sydney Business Park forms a large part of the Marsden Park Industrial Precinct, one of the key employment precincts in the North West Growth Centre. The site is zoned for employment purposes under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP), and is subject to a Precinct Plan under the SEPP.

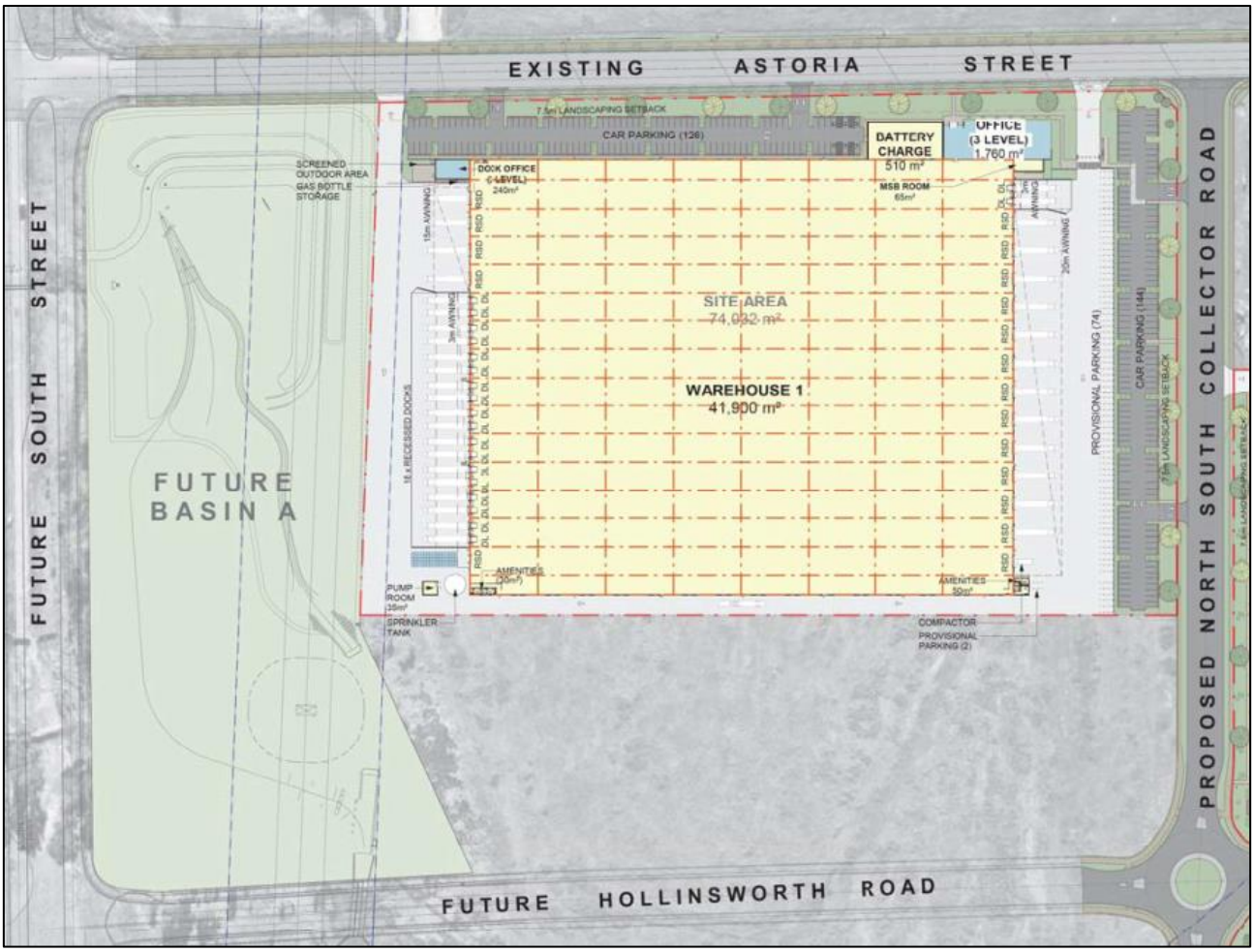
The construction of Warehouse 1, with a total building area of 44,495m^2, is for the operation of TJX Distribution Centre Marsden Park and key features/aspects include:

- Warehouse used for storage and distribution of TJX's range of general consumer products, including clothing, footwear, home wares, beauty products, accessories and related consumer products. The warehouse would be temperature-controlled (for staff amenity), and include standard racking and associated warehouse facilities;
- Three-storey ancillary office attached to the north-eastern corner of the warehouse building, to be used to provide administrative support for the business. It would also include a kitchen and dining area (including indoor and outdoor dining) for staff on the top level;
- 1,000 kilowatt rooftop photovoltaic solar system and 175kL rainwater harvesting tank;
- 270 car parking spaces;
- Service vehicle parking, including 2 trailer parking spaces and 33 prime mover parking spaces;
- A total of 20 bicycle spaces;
- Two maintenance parking bays located at truck entry and loading areas;
- Associated hardstand vehicle parking, access, loading and manoeuvring areas. This includes dedicated truck and van entry-only/exit-only points. A separate car entry/exit aisle is also provided to the car park;
- Parking and manoeuvring areas are configured in a contraflow direction and include weighbridges for trucks to ensure compliance with road transport regulations. All truck and van accesses are secured by gatehouse and boom gate checkpoints;
- Site utilities and infrastructure, including a fire pump room and fire sprinkler tanks, a goods lift, protection railing along site boundaries, bio-retention basin, mechanical equipment on the roof and the like; and
- Site landscaping works to the perimeter of the building and a landscaped roof top to the main office building.

This Construction Environmental Management Plan (CEMP) has been prepared to cover the construction at Warehouse 1 by FDC Construction (FDC) (see **Figure 1**).

A copy of Development Consent SSD 10477 is attached as **Appendix A**.

Figure 1 Site Layout & Office Elevation North



1 WH1 - OFFICE ELEVATION NORTH
1 : 200



1.2 Construction Environmental Management Plan

This CEMP has been prepared to address the specific requirements of SSD 10477 and in consideration of the *Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources 2004). As required by SSD 10477, the following have been prepared to support this CEMP for Warehouse 1:

- Construction Traffic Management Plan (CTMP) (Roadwork Solutions, 2021);
- Erosion and Sediment Control Plan (ESCP) (Orion Consulting, 2021);
- Construction Noise Management Plan (CNMP) (Acoustic Logic, 2021);
- Aboriginal Cultural Heritage Management Plan (ACHMP) (PJEP Environmental Planning, 2021);
- Unexpected Finds Protocol – Contamination (Douglas Partners, 2021);
- Landscape Management Plan (Site Image, 2021); and
- Community Consultation and Complaints Handling (detailed in Sections 1.2.3 and 3.6).

1.2.1 Scope

This CEMP has been prepared to satisfy Conditions C1 – C4 of SSD 10477. The specific requirements of these consent conditions, along with where these requirements have been addressed within this CEMP and are listed in **Table 1**.

Table 1 CEMP Context

SSD 10477 Consent Condition	CEMP Section
C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	
a) Detailed baseline data;	Refer to specialist management plans
b) 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;	(i) Section 3.3 (ii) Section 4 (iii) Refer to specialist management plans
c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Section 4
d) 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;	Section 5
e) 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;	Section 5.4

SSD 10477 Consent Condition	CEMP Section
f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Section 6
g) 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	(i) Section 3.5 and 5.2 (ii) Section 3.6 and 5.2 (iii) Section 5.2
h) 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*	Section 6
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.	This Plan
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 B1);	Section 4.2
b) Erosion and Sediment Control Plan (see Condition B11);	Section 4.3
c) Construction Noise Management Plan (see Condition B18);	Section 4.4
d) Aboriginal Cultural Heritage Management Plan (see Condition 24)	Section 4.5
e) Unexpected Finds Protocol (see Condition B18);	Section 4.7
f) Landscape Management Plan (see Condition B46); and	Section 4.9
g) Community Consultation and Complaints Handling.	Section 3.6
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.	Noted

1.2.2 Objectives

The objectives of this CEMP are to:

- Establish the framework for managing and mitigating the potential for adverse environmental impacts as a result of the construction of Warehouse 1;
- Clearly and concisely document the commitments made in the EIS (PJEP Environmental Planning, 2020) and Response to Submissions (RTS), including relevant management plans, that are required to be implemented during construction;
- Demonstrate to DPIE how the applicant proposes to meet all of its regulatory obligations including those outlined in the Development Consent;
- Outline the controls to be implemented by the contractor in order to meet those obligations;

- Clearly and concisely document the conditions imposed by SSD 10477 that are required to be implemented and/or complied with during the construction phase; and
- Assist to establish the site in a manner that avoids (where possible) or minimises impact to the surrounding environment and populace.

1.2.3 Consultation

In accordance with SSD 10477, consultation has been undertaken with the applicable stakeholders. All evidence of consultation related to the specialist sub-plans which form part of this CEMP are summarised below and attached as **Appendix B**.

Blacktown City Council

As required by Condition B1(b) of SSD 10477, consultation was undertaken with Blacktown City Council (Council) with regards to the CTMP. A copy of the CTMP was provided to Council on 15th February 2021, to date no response has been received from Council, however this does not preclude any future advise from Council being implemented in a revised CTMP. Correspondence with council is attached as **Appendix B**.

Registered Aboriginal Parties

As required by Condition B24(a) of SSD 10477, consultation was undertaken with various Registered Aboriginal Parties (RAP) with regards to the ACHMP. Twenty Three RAP's were engaged, with five providing feedback on the ACHMP including Darug Custodian Aboriginal Corporation, Dhinawan Culture and Heritage Pty Ltd, Murra Bidgee Mullangari Aboriginal Corporation, Muragadi Heritage Indigenous Corporation and Tocomwall.

Details of the consultation outcomes are included in the ACHMP undertaken by PJEP Environmental Planning attached as Appendix M in the ACHMP. All RAPs will continue to be consulted during the implementation of the ACHMP.

2 Development Description

2.1 Location

Warehouse 1 is located in Marsden Park, Western Sydney, within the Blacktown City Council Local Government Area (LGA). The site has frontages to Astoria Street to the north and a proposed North South collector road to the east. It is bound by a future water detention basin to the west, an industrial development currently under construction and proposed Warehouse 2 to the east and vacant land to the north and south.

2.2 Construction Staging and Activities

Construction at Warehouse 1 is scheduled to commence in early March 2021 and will likely extend until end of 2021. The construction activities will be staged and are summarised in **Table 2**.

Table 2 Construction Staging

Stage	Indicative Duration
Civil works	December 2020
Establishment of site sheds and fencing	Early March 2021
Warehouse and office construction	Early March 2021
Warehouse and office fit out	December 2021

Construction activities include:

- Detailed excavation;
- Pouring of concrete slabs on ground and suspended slabs to the office building;
- Erection of structural steel warehouse;
- Install of civil stormwater infrastructure;
- Roofing and cladding to warehouse;
- Internal fit out of warehouse and office;
- Install of loading dock facilities and building services; and
- Building ring road, paving and landscaping.

2.3 Construction Hours

Construction hours will be in accordance with Conditions B15 and B16 of Development Consent SSD 10477, which are reproduced below:

B15. The Applicant must comply with the hours detailed in Table 1.

***Table 1**: Hours of Work*

Activity	Day	Time
Earthworks and Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm

B16. Works outside of the hours identified in Condition B15 may be undertaken in the following circumstances:

a) works that are inaudible at the nearest sensitive receivers;

b) works agreed to in writing by the Planning Secretary;

c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or

d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

The construction hours will be provided to all staff and contractors in the induction. The movements of staff and contractors will be recorded for this project.

2.4 Construction Contact Details

Table 3 lists the key contacts during the construction of TJK Distribution Centre.

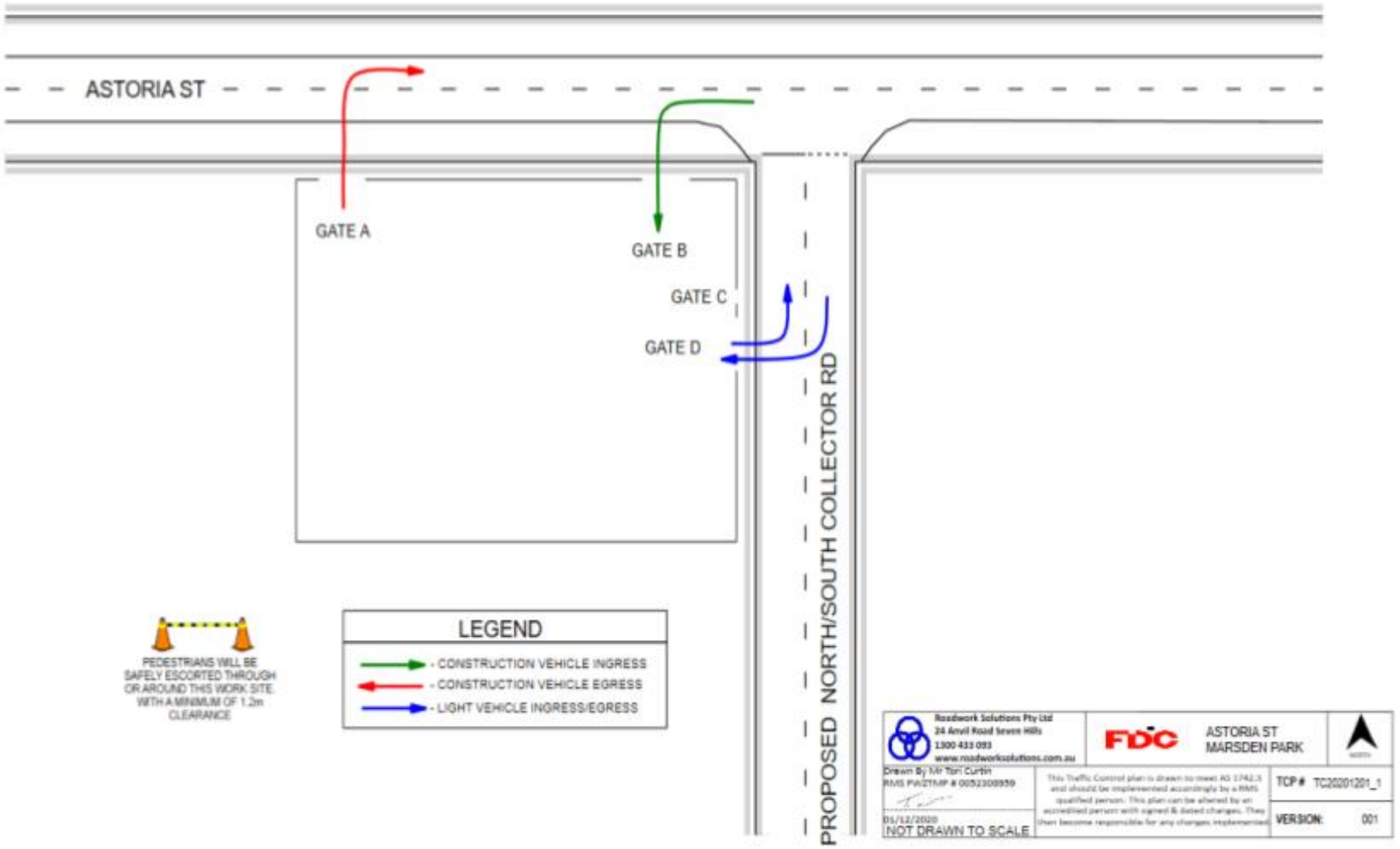
Table 3 Construction Contact List

Role	Name	Company	Contact Details
Project Manager	Troy Thomas	FDC	0403 605 441 troyt@fdcbuilding.com.au
Site Manager	Ben Woods	FDC	0466 745 390 benw@fdcbuilding.com.au

2.5 Construction Site Access

As seen in **Figure 2**, construction vehicles will enter and exit the site in forward moving manner via Astoria Street through Gate A and Gate B. Movements will occur outside of peak hours. Light vehicles will enter and exit the site in forward moving manner via the proposed north/south collector road through Gate C and Gate D.

Figure 2 Site Access



3 Environmental Management Framework

3.1 Environmental Policy

FDC implements an Integrated Management System which assists in meeting their corporate responsibilities. FDC management intends that all employees, relevant sub-contractors and suppliers are made aware of their environmental responsibilities and the environmental impacts associated with their activities, products and services.

FDC's Environmental Policy (2019) is certified to AS/NZS ISO 14001:2016 Environmental Management Systems. A copy of the Environmental Policy is attached as **Appendix C**.

3.2 Roles and Responsibilities

The key personnel responsible for environmental management during construction of Warehouse 1 are listed in **Table 4**.

Table 4 Personnel Responsible for Environmental Management

Role	Responsibilities
Project Manager	• Overall responsibility for environmental management and compliance with SSD 10477 and relevant legislation; • Oversee the implementation of this CEMP and request adequate resources to enable implementation of this CEMP; • Liaise with The Trust Company (Australia) Limited to keep them informed of the project's progress; • Coordinate environmental inspections and reporting and authority liaisons; • Record, notify, investigate and respond to any environmental incidents and, where necessary, develop and implement corrective actions; • Be the primary daily contact to the public handling of enquiries / complaints management / interface issues; • Be available for contact by local residents and the community at all reasonable times to answer any questions; • Direct reasonable steps to be taken to avoid or minimise any unintended or adverse environmental impacts, and, failing the effectiveness of such steps, direct that the relevant actions cease immediately should an adverse impact on the environment be likely to occur; and • Provide adequate environmental inductions/training to employees and contractors regarding their requirements under this CEMP.
Site Manager	• Ensure the legislative and corporate safety, health and environment management measures and controls are implemented and maintained; • Participate in risk and hazard identification and control; • Participate in incident investigations and management; and • Participate in health and safety inspections.

Role	Responsibilities
All employees and contractors	• Ensure familiarity, implementation and compliance with this CEMP and appended management plans; • Support FDC's commitment to sustainability, environmental management and compliance; • Work in a manner that will not harm the environment or impact on surrounding receptors; • Report all environmental incidents and complaints to the Project Manager without delay; and • Report any inappropriate construction practices and/or environmental management practices to the Project Manager without delay.

3.3 Statutory Requirements

Development Consent SSD 10477 was granted to Marsden Park Developments Pty Ltd on 28 January 2021 for the construction and operation of a warehouse used for the storage and distribution of TJX's range of general consumer products. Further details are provided in **Section 1.1**.

The conditions relevant to the construction of Warehouse 1 are outlined in **Table 5**. A copy of SSD 10477 is attached as **Appendix A**.

Table 5 Relevant Consent Conditions for Environmental Performance and Management

Development Consent SSD 10477	Relevance to this Report
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.	Section 4.1
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 Response to Submissions; (d) in accordance with the Development Layout in Appendix 1; and in accordance with the management and mitigation measures in Appendix 3.	Noted
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 A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Noted

Development Consent SSD 10477	Relevance to this Report
Notification of Commencement	
A6. 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 (or as otherwise agreed by the Planning Secretary) before that date: (a) construction; (b) operation; or (c) cessation of operations.	Noted
A7. If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month (or as otherwise agreed by the Planning Secretary) before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Noted
Evidence of Consultation	
A8. 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.	Section 1.2.3
Protection of Public Infrastructure	
A12. 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 all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and c) submit a copy of the dilapidation report to the Planning Secretary and Council.	This has been completed separate to the CEMP and provided to DPIE.
Demolition	
A14. All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Section 4.1
Structural Adequacy	
A15. 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 BCA. 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.*	Section 4.1
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.	Section 3.4

Development Consent SSD 10477	Relevance to this Report
Operation of Plant and Equipment	
A23. 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.	Section 4.1
Transgrid Requirements	
A24. Prior to commencement of works within the TransGrid easement the Applicant must submit Final design plans to TransGrid. The final design plans must demonstrate: (a) a vertical clearance of 8.0 m over the roadway (b) fencing within the easement to not exceed 2.5 m in height (c) a dust management plan is in place to ensure excessive dust is not deposited on the towers or insulators.	Noted
A25. Height restrictions shall be applied to cranes, elevated work platforms and any other plant and equipment proposed to operate on the easement. This restriction applies to all mobile plant and equipment capable of exceeding a height of 4.2 m.	Section 4.1
A27. The Applicant must formally notify TransGrid of any amendments or modifications to the development, including to ground surface levels within the easement.	Noted
External Walls and Cladding	
A28. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Section 4.1
A29. Prior to the issuing of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); the Applicant must provide the Certifier 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 BCA.	Section 4.1
A30. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Noted
Utilities and Services	
A31. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Section 4.1
Monitoring and Environmental Audits	
A37. 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, Annual Review and independent environmental 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.*	Section 3.5.5

Development Consent SSD 10477	Relevance to this Report
Schedule 2, Part B – Specific Environmental Conditions	
Traffic and Access	
Construction Traffic Management Plan B1. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Section 4.2 and Appendix F
B2. The Applicant must: (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.	Noted
Roadworks and Access B3. Prior to the commencement of operation of the development, the Applicant must complete the construction of the north-south collector road between Hollinsworth Road and Astoria Street and the extension of Hollinsworth Road to the western side of the site, to the satisfaction of Council. The Applicant must obtain approval all works in the existing public road reserve under section 138 of the Roads Act 1993.	Section 4.2
B4. The Applicant must submit design plans to Council which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a 30 m Super B-double vehicles.	Section 4.2

<table>
<tr><th>Development Consent SSD 10477</th><th>Relevance to this Report</th></tr>
<tr><td>Intersection Works
B5. The Applicant must undertake upgrade works to the Hollinsworth Road and Richmond Road intersection to the satisfaction of TfNSW. As part of these upgrade works, the Applicant must:
(a) submit concept civil design and Traffic Control Signal (TCS) plans to the satisfaction of TfNSW prior to the issue of a Construction Certificate for any stage of the development. The concept design plans must include:
i) a left turn slip lane from Hollinsworth Road onto Richmond Road; and
ii) an additional right turn lane on the south bound approach to the intersection on Richmond Road
(b) provide written evidence to the Planning Secretary demonstrating the detailed design plans have been approved by TfNSW;
(c) enter into a Works Authorisation Deed (WAD) with TfNSW prior to the issue of an Occupation Certificate to undertake these intersection upgrade works; and
(d) complete the intersection upgrade works to the satisfaction of TfNSW on Hollinsworth Road and Richmond Road prior to the commencement of operation of the final stage of the development.</td><td>Section 4.2</td></tr>
<tr><td>B6. Notwithstanding the requirements specified in condition B5(a) and B5(b), the Applicant may carry out early preparatory construction works (including tree clearing, earthworks, retaining walls and infrastructure provision) prior to satisfying the requirements of condition B5(a) subject to traffic movements to and from the site not exceeding the following limits:
(a) 24 total traffic movements (12 in, 12 out) for the delivery and removal of equipment (graders, dozers, excavator, scrapers etc);
(b) 30 daily traffic movements (15 in, 15 out) for construction staff light vehicles; and
(c) No truck movements on Richmond Road for the importation or exportation of fill materials outside of the site.</td><td>Section 4.2</td></tr>
<tr><td>Parking
B7. The Applicant must provide sufficient parking facilities on-site, including 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.</td><td>Section 4.2</td></tr>
<tr><td colspan="2">Soils, Water Quality and Hydrology</td></tr>
<tr><td>Erosion and Sediment Control
B11. Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.</td><td>Section 4.3</td></tr>
<tr><td>B12. The Applicant must not commence any construction works on site until the temporary sediment basin in the Basin A area has been commissioned.</td><td>Section 4.3</td></tr>
<tr><td colspan="2">Noise</td></tr>
<tr><td>Hours of Work
B15. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.
Table 1 Hours of Work
<table>
<tr><th>Activity</th><th>Day</th><th>Time</th></tr>
<tr><td>Earthworks and Construction</td><td>Monday – Friday
Saturday</td><td>7 am to 6 pm
8 am to 1 pm</td></tr>
</table></td><td>Section 2.3 and 4.4</td></tr>
</table>

Development Consent SSD 10477	Relevance to this Report
B16. Works outside of the hours identified in condition B15 may be undertaken in the following circumstances: (a) works that are inaudible at the nearest sensitive receivers; (b) works agreed to in writing by the Planning Secretary; (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Section 2.3 and 4.4
Construction Noise Limits B17. The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.	Section 4.4
Construction Noise Management Plan B18. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a 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 of the development; (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 high noise generating works such as piling; (e) include strategies that have been developed with the community for managing high noise generating works; (f) describe the community consultation undertaken to develop the strategies in condition B18(e); and (g) include a complaints management system that would be implemented for the duration of the development.	Section 4.4 and Appendix H
B19. The Applicant must: (a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B18 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.	Noted
Noise Walls B21. The Applicant must construct the noise walls shown in Drawing GA-505, Revision P1 of the EIS, prior to the commencement of operation of any part of the development. *Note: If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate that the development will comply with the noise limits in condition B20 at all times.*	Section 4.4

Development Consent SSD 10477	Relevance to this Report
Aboriginal Heritage	
Aboriginal Cultural Heritage Management Plan (ACHMP) B24. Before the commencement of any clearing or construction works for the development, the Applicant must prepare an ACHMP for the development to protect and manage extant Aboriginal sites and objects located within the project area. The plan must form part of the CEMP required by Condition C2 and must: (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties; (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and (c) include a long-term care and control management procedure for any Aboriginal objects from the project area, including any extant sites.	Section 4.5 and Appendix I
B25. The Applicant must: (a) not commence construction until the ACHMP is approved by the Planning Secretary; and (b) implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the development.	Noted
Unexpected Finds Protocol B.26 If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) the EES must be contacted immediately.	Section 4.5
B27. 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*.	Section 4.5
Fire Protection and Management	
Design and Construction B29. The Applicant must ensure each warehouse building and the identified elevations and building elements in the development complies with the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate or the specified bushfire attack levels (BAL) under Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas'.	Section 4.6
Access B30. Property access roads and public access roads must comply with the general requirements of Table 5.3b of Planning for Bush Fire Protection 2019.	Section 4.6
Hazard and Risk	
Dangerous Goods B32. 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.	Section 4.7

Development Consent SSD 10477	Relevance to this Report
B33. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997).	Section 4.7
B34. In the event of an inconsistency between the requirements B31(a) to B31(c), the most stringent requirement must prevail to the extent of the inconsistency.	Noted
Bunding B35. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded 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).	Section 4.7
Waste	
B37. The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area. *Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.*	Section 4.8
B38. Prior to the commencement of construction of each warehouse, the Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse.	Section 4.8
B39. 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.	Section 4.8
Statutory Requirements B40. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Section 4.8
B41. 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.	Section 4.8
B42. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	Section 4.8
B43. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	Section 4.8
Contamination	
Unexpected Finds B44. Prior to the commencement of earthworks for the development, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Section 4.7

Development Consent SSD 10477	Relevance to this Report
Asbestos B45. The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (a) Work Health and Safety Regulation 2017; (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016; (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and (d) Protection of the Environment Operations (Waste) Regulation 2014.	Section 4.7
Visual Amenity	
Landscaping B46. Prior to the commencement of construction of the development, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan in Condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) detail the species to be planted on-site; (c) include a Street Tree Plan which must: i) include cross-sections showing dimensions of tree pits; ii) detail tree species iii) detail root protection barriers iv) detail soil specifications v) detail the location of tree pits in relation to services, intersections and future driveway, light poles, stormwater pits, sewerage infrastructure and utilities; and vi) detail street tree maintenance. (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and (e) be consistent with the Applicant's Management and Mitigation Measures at Appendix	Section 4.9 and Appendix M
Lighting B48. 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.	Section 4.9
Signage and Fencing B49. All signage and fencing must be erected in accordance with the development plans included in the RTS. *Note: This condition does not apply to temporary construction and safety related signage and fencing.*	Section 4.9
Community Engagement	
B50. 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.	Section 1.2.3

Development Consent SSD 10477	Relevance to this Report
Schedule 2, Part C – Environmental Management, Reporting and Auditing	
Construction Environmental Management Plan	
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 B1); (b) Erosion and Sediment Control Plan (see Condition B11); (c) Construction Noise Management Plan (see Condition B18); (d) Unexpected Finds Protocol (see Condition B44); (e) Landscape Management Plan (see Condition B46); and (f) Community Consultation and Complaints Handling.	This document See **Table 1**
Revision of Strategies, Plans and Programs	
C5. Within three months of: (a) the submission of a Compliance Report under condition C11; (b) the submission of an incident report under condition C7; (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 A2(b) which requires a review, (e) the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.	Section 6
C6. 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.*	Section 6
Reporting and Auditing	
Incident Notification, Reporting and Response C7. The Planning Secretary must be notified in writing via the Major Projects website 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.	Section 3.5
Non-Compliance Notification C8. The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	Section 3.5
C9. 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.	Section 3.5
C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Section 3.5

Development Consent SSD 10477	Relevance to this Report
Access to Information	
C13. 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.*	Noted
C14. At least 48 hours before the commencement of construction until the completion of all works under this consent, 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) 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; (v) 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; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) the Compliance Report of the development; (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (xi) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Section 4.1 and Section 6

3.4 Inductions and Environmental Training

The Project Manager will ensure that all employees and contractors involved in the construction of Warehouse 1 are appropriately inducted and trained prior to commencing work on site. Training in relation to environmental responsibilities and implementation of this CEMP will take place initially through the site induction training and then on an ongoing basis through 'toolbox talks' (or similar).

The environmental induction training will cover all elements of the CEMP and will include, as a minimum, the following:

- Purpose and objectives of the CEMP;
- Requirements of due diligence and duty of care;
- Conditions of any environmental licences, permits and approvals;
- Potential environmental emergencies on site and the emergency response procedures, locations and training in the use of emergency spill kits for spills on water and on land;
- Reporting, notification and management requirements for pollution, contamination and other environmental incidents, and for damage and maintenance to environmental controls;
- High-risk activities and associated environmental safeguards i.e. earthworks, vegetation clearing, night works, operation and maintenance of concrete washouts, and washing, refuelling and maintenance of plant and equipment;
- Working in or near environmentally sensitive areas; and
- Site-specific issues including:
  - Incident management processes (see **Section 3.5**).
  - Requirement to minimise disruption to traffic flow, pedestrians and cyclists; and comply with road safety and traffic management principles (see **Section 4.2**);
  - Erosion and sediment controls, water quality controls and sediment basin management (see **Section 4.3**);
  - Noise management controls (see **Sections 4.4**);
  - Responsibilities under the *National Parks and Wildlife Act 1974*, including the need to cease work immediately and report any object of potential Aboriginal heritage unearthed during clearing, grubbing and earthworks operations (see **Section 4.5**);
  - Site Emergency Procedures (see **Section 3.5 and 4.6**)
  - Location of reuse bins, washing, refuelling and maintenance of vehicles, plant and equipment;
  - Identification, reporting and management of contaminated land as per Unexpected Finds Protocol (see **Section 4.7**); and
  - Waste minimisation principles (See **Section 4.8**).

Toolbox talks will be held to identify environmental issues and controls when works commence in a new area of the site or a new activity, as well as when environmental issues arise on site. The toolbox talk will include but not be limited to:

- A description of the activity and the area;

- Identification of the environmental issues and risks for the area; and
- Outline the mitigations measures for the works and the area (see **Section 4**).

All employees conducting environmental training and site staff assigning work activities will demonstrate that they are competent and appropriately trained to train and manage construction site specific environmental issues.

A register of all environmental training carried out, including dates, names of persons trained and trainer name and qualification details will be established and maintained for the duration of works.

3.5 Incident and Non-Compliance Response and Handling Procedure

For the purposes of this CEMP, SSD 10477 describes an 'incident' as "*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*". SSD 10477 describes a 'non-compliance' as "*an occurrence, set of circumstances or development that is a breach of the consent*".

3.5.1 Performance Objective

To ensure that any incident and/or non-compliance caused by or relating to the construction of Warehouse 1 is effectively responded to, and any resulting adverse environment and/or human health impact is promptly prevented or effectively managed.

3.5.2 Responsibility

The Project Manager is responsible for ensuring that the appropriate management response and handling procedures are instigated and carried through in the event of an incident and/or non-compliance. All employees, contractors and subcontractors are to:

- Notify the Project Manager of any hazard or potential hazard that may result in an incident and/or non-compliance, regardless of the nature or scale; and
- Take immediate action (where it is safe to do so) to prevent, stop, contain and/or minimise any adverse impact associated with an incident and/or non-compliance.

The induction and toolbox talks outlined in **Section 3.4** will be used to ensure all site employees, contractors and subcontractors are aware of and understand their obligations for incident and/or non-compliance response.

3.5.3 Notification Requirements

3.5.3.1 Incidents

Section 147 of the *Protection of the Environment Operations Act 1997* (POEO Act) defines material harm as:

> *(a) harm to the environment is material if:*
>
> *(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or*
>
> *(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000 (or such other amount as is prescribed by the regulations), and*

(b) 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.

Notification responsibilities for incidents that have caused or threaten to cause material harm to the environment are detailed in Section 148 of the POEO Act. In summary, these are broadly categorised as:

Duty of an employee or any person undertaking an activity:

Any person engaged as an employee or undertaking an activity with regard to Warehouse 1 will, immediately after becoming aware of any potential incident (even if outside of normal business hours), notify the Project Manager of the incident and all relevant information about it. The Project Manager will be available 24 hours a day, seven days a week and have the authority to stop or direct works.

Duty of an employer or occupier of the premises to notify:

The employer or occupier of the premises (in this case, the Project Manager) on which the incident occurred, who is notified (or otherwise becomes aware of) of the incident, will immediately notify the relevant authorities about the incident and all relevant information.

Under the POEO Act, "relevant authority" means any of the following:

- The appropriate regulatory authority – the Environment Protection Authority (EPA);
- If the EPA is not the appropriate regulatory authority – the local authority for the area in which the pollution incident occurs (i.e. Council);
- NSW Public Health Unit;
- SafeWork NSW; and
- Fire and Rescue NSW.

Table 6 lists the contact details for these authorities. The person reporting the pollution incident will provide the following key details:

- Location of the pollution incident/emergency;
- Nature of the pollution incident/emergency;
- Their name and contact details; and
- Details of any required assistance.

Table 6 Regulatory Authority Contact List

Regulatory Authority / Stakeholder	Key Contact	Contact Details	
Department of Planning, Industry and Environment (DPIE)	Compliance Unit	1300 305 695	
Environment Protection Authority (EPA)	Environment Line	131 555 info@environment.nsw.gov.au	
	Head office (Sydney)	02 9995 5000	
Blacktown City Council	Main switchboard	02 9839 6000 council@blakctown.nsw.gov.au	
NSW Public Health Unit	Sydney Local Health District	Business hours: 02 9515 9600	
SafeWork NSW	Incident Notification Hotline	131 050 Select Option 1 to report a "Serious Incident or Fatality" – this will result in the incident being recorded and the appropriate person being contacted.	
Emergency Services	NSW Police NSW Fire and Rescue NSW Ambulance Service	131 444 (Police Assistance Line 24 hours, 7 days) Business hours: 02 9265 2999 Business hours: 02 9320 7777	In case of emergency – 000

In accordance with Condition C7 of Development Consent SSD 10477, once becoming aware of an incident, FDC is required to immediately (within 24 hours) notify the DPIE, via the Major Projects website, and other relevant agencies if an incident, or potential incident, causes (or may cause) harm to the environment. A detailed incident report is then to be provided to the DPIE within 30 days of the incident.

3.5.3.2 Non-Compliances

In accordance with Condition C8 of SSD 10477, the DPIE will be notified via the Major Projects website within seven days of becoming aware of any non-compliance.

C9 and C10 of SSD 10477 states a non-compliance notification will 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.

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

3.5.4 Incidents and Non-Compliance Handling Procedure

Upon becoming aware of an incident and/or non-compliance, the procedure outlined below will be followed.

1. Preventative Action

Where possible and safe to do so, immediate action will be taken to prevent, stop, contain and/or minimise the environmental impact of the incident and/or non-compliance.

In the unlikely event that an incident and/or non-compliance requires the evacuation of the site, actions will be completed in accordance with evacuation procedures. All employees and contractors are to be made aware of the location of emergency assembly areas through site inductions, signage and regular toolbox talks.

2. Assistance

If adequate internal resources are not available and the incident and/or non-compliance threatens public health, property or the environment, it is essential that Fire and Rescue NSW be contacted by telephoning "000" for emergency assistance.

Contacting Fire and Rescue NSW does not negate the notification requirements in **Section 3.5.3**.

3. Notify

Under the provisions of the POEO Act, there is a duty to notify any incident that has caused or threatens to cause material harm to the environment and all relevant information about the incident. The specific duties to notify are outlined above in **Section 3.5.3**.

In the event of a serious incident or emergency, it is more than likely that Fire and Rescue NSW will take control and manage the required investigation and remedial activities. Any instructions issued will be strictly adhered to.

Condition C7 and Appendix 2 of Development Consent SSD 10477 requires that the DPIE and other relevant authorities be provided with a written incident notification via the Major Projects website within 24 hours after the incident.

A written notification will:

- Identify the development and application number;
- Provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- Identify how the incident was detected;
- Identify when the Applicant became aware of the incident;
- Identify any actual or potential non-compliance with conditions of consent;
- Describe what immediate steps were taken in relation to the incident;
- Identify further action(s) that will be taken in relation to the incident; and
- Identify a project contact for further communication regarding the incident.

Non-compliances will be notified in accordance with **Section 3.5.3.2**.

4. Investigate

Undertake immediate investigative work to determine the cause of the incident and/or non-compliance.

5. Remedial Action

Undertake appropriate remedial action to address the cause of the incident and/or non-compliance and mitigate any further environmental impact. In some instances, outside resources such as specialist contractors/consultants may be required.

6. Record

It is imperative that an honest assessment of the situation is carried out and documented in order to minimise the potential for similar events in the future. On this basis, every incident is to be recorded in an Incident Report (**Appendix D**). A copy of the completed report will be maintained for at least five years by FDC.

Condition C7 and Appendix 2 of Development Consent SSD 10477 requires that a detailed incident report be provided to the DPIE within 30 days of the incident occurring.

The detailed incident report will include:

- A summary of the incident;
- Outcomes of an incident investigation, including identification of the cause of the incident;
- Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- Details of any communication with other stakeholders regarding the incident.

All non-compliances are recorded in accordance with Condition C9 of SSD 10477.

7. Preventative Action

Once the incident and/or non-compliance has been suitably handled, appropriate measures will be identified and implemented to reduce the possibility of re-occurrence.

3.5.5 Incidents and Non-Compliance Register

An Incidents and Non-Compliance Register will be maintained during construction and will contain the following:

- A copy of the environmental incident and non-compliance notification requirements and handling procedure contained above in **Section 3.5.3** and **3.5.4**;
- Site evacuation procedures;
- A separate reference sheet containing the contact details for the contacts listed in **Table 3** and the contact details for the regulatory authorities listed in **Table 6**;
- Blank hard copies of the Incident Report; and
- Copies of all completed Incident Report which are to be maintained for at least five years after the event to which they relate.

3.5.6 Minor Environmental Incidents

There is the possibility of minor environmental incidents occurring as part of this project. 'Minor Environmental Incident' may be defined as an incident where there has been no potential or actual material harm to the environment (see 'material harm' definition outlined in **Section 3.5.3**). Examples may include excessive dust impacts sighted by the project team or a small contained hydrocarbon spill that does not leave a site boundary and are cleaned up without residual on-site environmental harm.

Minor environmental incidents will still be handled under the process outlined in **Section 3.5.4** except there will be no requirement for government notification. All minor or major incidents will be recorded in the Incidents and Non-Compliance Register. A minor incident does not constitute a non-compliance with the Development Consent.

3.6 Complaints Response and Handling Procedure

3.6.1 Performance Objective

To ensure that all environmental complaints in relation to the construction of Warehouse 1 are promptly and effectively received, handled and addressed.

3.6.2 Responsibility

The Project Manager is responsible for ensuring that the appropriate management response and handling procedures are instigated and carried through in the event of an environmental complaint. The induction and toolbox talks outlined in **Section 3.4** will be used to ensure all site employees are aware of and understand their obligations for complaints response.

All employees who take receipt of a complaint, either verbal or written, are to immediately notify the Project Manager.

3.6.3 Complaints Handling Procedure

Upon becoming aware of a complaint, the protocol outlined below will be followed.

1. Record and Acknowledge

Any employee who take receipt of a complaint, either verbal or written, are to immediately notify the Project Manager. The Project Manager will be available 24 hours a day, seven days a week and have the authority to stop or direct works. All relevant contact details are available in **Table 3**.

In the normal course of events, the first contact for complaints will usually be made in person or by telephone. The complainant's name, address and contact details, along with the nature of the complaint, will be requested. If the complainant refuses to supply the requested information, a note will be made on the form and complainant advised of this.

2. Assess and Prioritise

The Project Manager will prioritise all complaints by considering the seriousness of the complaint including risk to health and safety and will attempt to provide an immediate response via phone or email.

3. Investigate

A field investigation will be initiated in an attempt to confirm details relevant to the complaint and the cause of the problem. Any monitoring information and/or records at and around the time of the complaint will be reviewed for any abnormality or incident that may have resulted in the complaint.

If the complaint is due to an incident, the notification requirements and handling procedures outlined in **Section 3.5.3** and **3.5.4** respectively will be followed.

4. Action or Rectify

Once the cause of the complaint has been established, every possible effort will be made to undertake appropriate action to rectify the cause of the complaint and mitigate any further impact. The Project Manager will assess whether the complaint is founded or unfounded and delegate the remediation, as required.

5. Respond to Complainant

The Project Manager will oversee the rectification of the issue and respond to the complainant once the issue has been resolved. The complainant will be provided with a follow up verbal response on what action is proposed within 24 hours. Where a complaint cannot be resolved by the initial or follow-up verbal response, a written response will be provided to the complainant within ten days.

6. Record

It is imperative that an assessment of the situation is carried out and documented in order to minimise the potential for similar complaints in the future. On this basis, every complaint received is to be recorded in the Complaints Register (**Appendix E**). A copy of the Complaints Register will be maintained for at least five years. In accordance with Condition C14 of SSD 10477, the Complaints Register will be uploaded to the website 48 hours prior to commencing construction and will be updated monthly.

7. Preventative Action

Once the complaint has been suitably handled, appropriate measures will be identified and implemented to negate the possibility of re-occurrence. The Complaints Register is not finalised until the preventative actions are completed and recorded on the form.

3.6.4 Complaints Register

The Complaints Register will be updated monthly on the website and maintained onsite during construction with a copy of the following:

- The environmental complaint handling procedure contained in **Section 3.6.3**;
- A separate reference sheet containing the contact details listed in **Table 3**; and
- Hard copies of FDC's Complaints Register (see **Appendix E**) which is to be maintained for at least five years after the event to which it relates.

3.7 Dispute Resolution

In the event that a dispute arises between Sydney Business Park / FDC and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the construction of Warehouse 1, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's determination of any such dispute will be final and binding on the parties.

In the case of a dispute between Sydney Business Park / FDC and a community member/complainant, either party may refer the matter to the DPIE and/or relevant regulatory authority for consideration, advice and/or negotiation. If the matter escalates, a third party mediator may be required.

4 Environmental Management Commitments

Environmental aspects with the potential to be impacted through the construction of Warehouse 1 are addressed in the following sub-sections. These issues have specific regulatory requirements imposed by SSD 10477 and/or are considered to have the highest potential to result in a non-compliance with a legislative requirement or generate community complaints. The tables in this section are a compliance management tool outlining how controls are to be implemented.

4.1 General

Table 7 lists the general environmental controls that will be implemented throughout the construction of Warehouse 1 to minimise the potential for adverse impacts on the local environmental and surrounding receptors.

Table 7 General Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
All reasonable and feasible measures will be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from construction.	FDC	Ongoing	SSD 10477 Condition A1
FDC will carry out all demolition in accordance with Australian Standard AS 2601-2001.			SSD 10477 Condition A14
FDC will construct new buildings in accordance with the relevant BCA requirements.			SSD 10477 Condition A15
Construction employees and contractors will be suitably inducted and trained prior to commencing any work on site.		Prior to commencing construction and ongoing	CEMP Section 3.4 SSD 10477 Condition A19
All plant and equipment will be maintained in a proper and efficient condition and operated in a proper and efficient manner.		Ongoing	SSD 10477 Condition A23
FDC will ensure height restrictions are applied to cranes, elevated work platforms and any other plant and equipment operating on the easement.			SSD 10477 Condition A25
FDC will obtain relevant approvals from service providers before the construction of any utility works.		Prior to commencing construction	SSD 10477 Condition A31
The incidents and complaints management strategies contained within **Sections 3.5** and **3.6** will be implemented to ensure that any incidents and/or complaints relating to the construction activities are promptly and effectively addressed.		Ongoing	CEMP Sections 3.5 and 3.6 SSD 10477 Condition A37

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
FDC will ensure all licences, permits, approvals and consents as required by law are obtained and maintained as required for the development.	FDC	Prior to commencing construction	SSD 10477 Condition AN1
The information listed in Condition C14 will be uploaded to the website and kept up to date.		At least 48 hours prior to commencing construction	SSD 10477 Condition C14

4.2 Traffic

A Construction Traffic Management Plan (CTMP) was prepared by Roadwork Solutions (2021) in accordance with Condition B1 and is attached as **Appendix F**.

The CTMP seeks to minimise traffic impacts on the surrounding road network, ensure safety and efficiency for workers, pedestrians and other road users, and provide information regarding the construction vehicle access routes and any changed road conditions.

Construction vehicles likely to travel to and from site are likely to include:

- Floats for Earthwork and Piling machines;
- Heavy and medium rigid trucks for construction spoil removal;
- Heavy and medium rigid trucks for construction material delivery ;
- Mobile cranes and concrete pumps;
- Concrete Agitators; and
- Trade vehicles.

The daily construction vehicle movements anticipated to be generated by the project's construction activities as listed above are outlined in **Table 8** below:

Table 8 Construction Vehicle Movements

Task	Duration	Vehicle movement per day
Excavation	8 weeks	10
General construction	8 weeks	10
Landscaping	8 weeks	10
Touch up	8 weeks	10

The environmental management controls in **Table 9** will be implemented to ensure road safety and network efficiency during construction.

Table 9 Traffic Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
The CTMP approved by the Planning Secretary will be implemented for the duration of construction.	FDC	Ongoing	SSD 10477 Condition B2
Site workers and contractors will park within the site compound.			SSD 10477 Condition B7
Heavy vehicles and bins will not be parked on local roads or footpaths in the vicinity of the site.			SSD 10477 SSD Condition B8
The turning areas in the car park will be kept clear of any obstacles, including parked cars, at all times.	FDC	Ongoing	

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
All trucks entering or leaving the site will do so in a forward direction and have their loads covered and will not track dirt onto the public road network.			
Vehicles will be scheduled in such a manner as to not require queuing or parking on the road network surrounding the site.			SSD 10477 Condition B8 and CTMP Section 2.1
All vehicles will be wholly contained on site before being required to stop.			
All loading and unloading of materials will be carried out on-site within the designated loading/unloading areas and will not obstruct vehicle movements within the site.			
Each work site will have a Traffic Control Plan (TCP) which will address traffic flow and the movement of pedestrians, cyclists and plant as per section 5 of the CTMP.			CTMP Section 5.0
Pedestrian and Cyclist using the footpath fronting the Site or Work Zone are to be managed as per section 5.2 in the CTMP.		As required	CTMP Section 5.2
Signage is to be installed for clear notification of potential hazards as per section 5.3 of the CTMP.		Prior to Construction and Ongoing	CTMP Section 5.3 and Section 9.0
Barriers will be installed as required as per section 5.4 of the CTMP.		As required	CTMP Section 5.4
FDC will obtain the appropriate Road Occupancy Licences and comply with road safety and traffic management principles as per section 6.1 of the CTMP.			CTMP Section 6.1
Temporary no stopping signage to be erected along the Southern side of Astoria St as per section 6.2 of the CTMP.		Prior to construction and ongoing	CTMP Section 6.2
Construction Workers Parking to be located as outlined in section 6.3 of the CTMP.		Ongoing	CTMP Section 6.3
FDC will manage all incidents which may contribute to congestion, aggravate the free flow of traffic, or threaten the wellbeing of any road user within the Project boundaries.			CTMP Section 6.4
Blacktown City Council and Transport for NSW (TfNSW) events calendar will be considered when programming this work.			CTMP Section 6.5
No public transport services or networks will be affected by works.			CTMP Section 6.6

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
All surrounding property accesses will be maintained wherever possible. Any restrictions to property access will be extensively communicated to stakeholders prior to works commencing.	FDC	Ongoing	CTMP Section 6.7
There will be minimal impact on emergency vehicles. Emergency Services will be provided advance notice of any changes via the site management team and email updates.			CTMP Section 6.8
The use of an inspection checklist will be implemented to monitor the effectiveness of the traffic control measures in place, with traffic control safety inspections occurring as per section 6.9 of the CTMP.			CTMP Section 6.9 and Section 12.0
All street trees and trees on private property will be retained and protected during demolition and construction works as per section 6.10 of the CTMP.			CTMP Section 6.10
Traffic Control Plan/Traffic Guidance Scheme will be implemented as per the figures in section 9.0 of the CTMP.			CTMP Section 9.0
All drivers will adhere to the Driver Code of Conduct outlined in Section 11 of the CTMP.			CTMP Section 11.0

4.3 Soil and Water

As required by Condition C3(b), an Erosion and Sediment Control Plan (ESCP) was prepared by Orion Consulting (2021) and is attached as **Appendix G**.

While the ESCP should be referred to for specifics, the environmental management controls are summarised in **Table 10**.

Table 10 Soil and Water Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Suitable erosion and sediment control measures will be installed and maintained on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom 2004) guideline and the ESCP.	FDC	Prior to commencing construction and ongoing	SSD 10477 Condition B11
FDC will not commence any construction works on site until the temporary sediment basin in the Basin A area has been commissioned.		Prior to Construction	SSD 10477 Condition B12
All dimensions to be checked on site by the contractor prior to construction.		Prior to Construction	ESCP
Sediment fencing will be installed as per ESCP along the full eastern boundary as well as most of the northern boundary.		Prior to commencing construction and ongoing	ESCP
Straw bales will be installed as per ESCP along the western boundary.			
Pit inlet filters (geotextile or mesh and gravel) will be installed as per ESCP.			ESCP
Stabilised site access will be located as indicated on the ESCP.			

4.4 Noise

As required by Condition B18, a Construction Noise Management Plan (CNMP) was prepared by Acoustic Logic (2021) and is attached as **Appendix H**.

Table 11 outlines the summarised Noise Management Levels (NMLs) to be adhered to during the construction of Warehouse 1 as outlined in the CNMP (Acoustic Logic 2021).

Table 11 Summarised Noise Management Levels

Location	Day	Time	Noise Management Level dB(A)Leq, 15 mins	Highly Affected Noise Management Level dB(A)Leq, 15 mins
Residential Receivers R5, R7, R8	Monday to Friday	7am-6pm	45	75
	Saturday	8am-1pm	45	
Industrial Premises R1, R2, R3, R4, R6	When in use	When in use	75 externally	N/A

The environmental management controls in **Table 12** will be implemented to minimise the potential for adverse noise emissions from the construction of TJX Distribution Centre.

Table 12 Noise Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Construction will only be undertaken during the hours specified in SSD 10477.	FDC	Ongoing	SSD 10477 Condition B15
TJX Distribution Centre will be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change 2009) (as may be updated or replaced from time to time).			SSD 10477 Condition B17
All feasible and reasonable noise mitigation measures will be implemented and any activities that could exceed the construction noise management levels will be identified and managed.			
The CNMP approved by the Planning Secretary will be implemented for the duration of construction.			SSD 10477 Condition B18
The site-specific recommendations of piling and construction outlined in section 9.1 of the CNMP will be implemented to reduce the impact of noise on residents at receiver (R5).		Ongoing and as required	Figure 1 of CNMP And CNMP Section 7.3.5 and Section 9.1
Section 9.2 of the CNMP will be implemented for activities outside permitted hours of construction			CNMP Section 9.2

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Other noise management practices in Section 9.3 of the CNMP will be implemented	FDC	Ongoing and as required	CNMP Section 9.3
The assessment methodology and mitigation methods outlined in the flow chart at Section 10 will be followed to minimize the impact of noise on receivers.			CNMP Section 10

4.5 Aboriginal Heritage

As required by Condition B24, an Aboriginal Cultural Heritage Management Plan (ACHMP) was prepared by pjep environmental planning pty ltd (2021) and is attached as **Appendix I**.

The environmental management controls in **Table 13** will be implemented to protect and manage extant Aboriginal sites and objects located within the project area during construction of TJX Distribution Centre.

Table 13 Aboriginal Heritage Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
The ACHMP approved by the Planning Secretary will be implemented for the duration of construction.	FDC	Prior to commencement and ongoing	SSD 10477 Condition B24
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 will cease immediately; • A 10 m wide buffer area around the suspected item or object will be cordoned off; and • The Department of Planning, Industry and Environment's - Environment, Energy and Science Division (DPIE EES) will be contacted immediately.			SSD 10477 Condition B26
Work in the immediate vicinity of the Aboriginal item will only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.			SSD 10477 Condition B27
The management procedures in Section 4.2 of the ACHMP for the management and conservation of Aboriginal heritage in relation to construction activities will be implemented.	FDC	Ongoing	ACHMP Section 4.2
The procedures for handling human remains in Section 4.3 of the ACHMP will be implemented.		As required	ACHMP Section 4.3
The procedures for handling unexpected Aboriginal objects in Section 4.4 of the ACHMP will be implemented.			ACHMP Section 4.4

4.6 Fire Safety and Emergency

A Bushfire Assessment was prepared by Ecological Australia (2020) as part of the EIS for SSD 10477. A copy of the Bushfire Assessment is attached as **Appendix J**.

An Emergency Management Plan was prepared by FDC (2021) for Warehouse 1 to identify potential project specific emergency situations and describe the actions, roles and responsibilities should those situations occur. A copy of the Emergency Management Plan is attached as **Appendix K**.

The environmental controls that will be implemented to minimise the potential for environmental incidents relating to fire are presented in **Table 14**.

Table 14 Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Property access roads and public access roads will comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection (2019).*	FDC	Ongoing	SSD 10477 Condition B30
In the event of emergency, the contact details in **Table 6** will be contacted.		In the event of an emergency	CEMP Section 3.5.3
Cutting, welding, grinding or other activities likely to generate fires will not be undertaken in the open on days when a total fire ban is proclaimed, unless an exemption is granted by the relevant Fire Service.		Ongoing	Best Practice
When there is a risk of fire being caused by work such as welding, thermal or oxygen cutting, heating or other fire producing or spark producing operations or when burning off is proposed, training will be provided to all personnel in fire prevention, fire safety and basic firefighting skills.			
Appropriate firefighting equipment will be provided as required for the safety of persons and property.		Prior to commencing construction and ongoing	
Emergency vehicle access to and from the Site will be available at all times during construction.		Ongoing	
Fire extinguishers will be located at work locations where hot work is being undertaken or flammable gases are stored.			
Construction plant will be fitted with fire extinguishers, as required/appropriate.			
Waste material will not be burnt on site and no fires of any kind will be lit on site.			
The Site Emergency Details in Appendix A shall be made displayed on site		Prior to commencing construction and ongoing	Emergency Management Plan Appendix A

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
The Site Emergency Procedures outlined in Appendix B of the Emergency Management Plan will be implemented in the event of an emergency.	FDC	As required	Emergency Management Plan Appendix B
The warehouse, fences and gates will be constructed in a manner that comply with the general fire safety construction provisions and ember protection upgrades as outlined in the Bushfire Assessment Section 3.5.		Ongoing	Bushfire Assessment Section 3.5
Public access to and within the proposed development will meet the requirements outlined in Section 3.6 of the Bushfire Assessment.			Bushfire Assessment Section 3.6
Water supply will be installed in a manner that complies with the water supply requirements in Table 6 of the Bushfire Assessment.			Bushfire Assessment Section 3.7
Gas services will be installed in a manner that comply with the requirements for the supply of gas services in Table 8 of the Bushfire Assessment			Bushfire Assessment Section 3.9

4.7 Hazardous Goods and Contamination

As required by Condition B44 of SSD 10477 an Unexpected Finds Protocol (UFP) in relation to contamination was prepared by Douglas Partners (2021). A copy of the UFP is attached at **Appendix L**.

The environmental controls that will be implemented to minimise the potential for environmental incidents relating to the hazardous goods and emergency are presented in **Table 15**.

Table 15 Hazardous Goods and Contamination Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Dangerous goods will be stored and handled strictly in accordance with all relevant Australian Standards and the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA 1997).	FDC	Ongoing	SSD 10477 Condition B32
A minimum bund volume of 110% of the volume of the largest single stored volume of dangerous goods is required for handling/storing of liquids.			SSD 10477 Condition B33
All chemicals, fuels and oils used on-site will be stored in appropriately bunded areas in accordance with all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).			SSD 10477 Condition B35
The Unexpected Finds Protocol approved by the Planning Secretary will be implemented for the duration of construction.			SSD 10477 Condition B44
Any asbestos encountered during the remediation and construction works will be monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guideline.			SSD 10477 Condition B45
If unexpected conditions with respect to contamination are encountered during the earthworks (such as fragments of suspected ACM, buried structures or unexpected contaminated soil or contaminants), the Unexpected Finds Protocol as per Section 2 will be adopted.		As required	UFP Section 2
The Project Manager will be notified of any suspected or potential contamination exposed during construction activities and cease all work activities within the vicinity of actual or suspected contaminated land.	Employees / Contractors	Immediately	Best practice
Emergency spill kits will be kept on site at all points of transfer for fuels and hydrocarbons, and at all other locations deemed necessary.	FDC	Ongoing	

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Safety Data Sheets (SDS) will be kept in the Site office and/or safety system for any potentially hazardous goods stored and/or used on site.	FDC	Ongoing	Best Practise
The actions specified on the respective SDS will be implemented in the event of a minor chemical or fuel spill.			
All employees and contractors required to use potentially dangerous goods will be appropriate trained in the proper storage, use and handling.		Prior to commencing construction	

4.8 Waste

Table 16 lists the environmental controls that will be implemented to minimise the potential for adverse impacts as a result of waste generated during the construction of TJX Distribution Centre.

Table 16 Waste Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Suitable measures will be implemented to manage pests, vermin and declared priority weeds.	FDC	Ongoing	SSD 10477 Condition B37
The site will be inspected on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.			
FDC will obtain agreement from Council for the design of the waste storage area of Warehouse 1.		Prior to construction	SSD 10477 Condition B38
Waste will be secured and maintained within designated waste storage areas at all times and will not leave the site onto neighbouring public or private properties.		Ongoing	SSD 10477 Condition B39
All waste materials removed from the site will only be directed to a waste management facility or premises lawfully permitted to accept the materials.			SSD 10477 Condition B40
All liquid and non-liquid wastes will be assessed and classified 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.		Prior to removing waste from site	SSD 10477 Condition B41
Waste generated outside the site will not be received at the site for storage, treatment, processing, reprocessing, or disposal.		Ongoing	SSD 10477 Condition B42
No waste will be buried on site.			Best practice
A Waste Management Register will be recorded and maintained, and will include: • Type of waste and its classification (according to the POEO Act and Waste Classification Guidelines); • Quantities of waste, measured in tonnes; • How and where the waste was reused, recycled, stockpiled or disposed of; • Date when the waste was reused, recycled, stockpiled or disposed of; and • Name and waste transport licence (if applicable) of the transporter used.			

4.9 Landscaping and Visual Amenity

As required by Condition B46, a Landscape Management Plan (LMP) and Landscape Street Tree Plan was prepared by Site Image (2021) and is attached as **Appendix M** and **Appendix N**.

Table 17 outlines the mitigation measures to be implemented during construction to manage any potential impacts to landscaping and visual amenity.

Table 17 Landscaping and Visual Amenity Construction Environmental Management Controls

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
The Landscape Management Plan approved by the Planning Secretary will be implemented for the duration of construction.	FDC	Ongoing	SSD 10477 Condition B46
Lighting will comply with the latest version of *AS 4282-2019 - Control of Obtrusive Effects of Outdoor Lighting.*			SSD 10477 Condition B48
Lighting will be mounted, screened and directed so that it does not create a nuisance to surrounding properties or the public road network.			
All signage and fencing will be erected in accordance with the development plans included in the RTS.			SSD 10477 Condition B49
Plants will be selected for planting as per section 2.1 of the Landscape Management Plan.		Ongoing and as required.	LMP section 2.1
The carpark landscaping will provide shade amenity greater than 1 tree per 9 carparks as per section 2.2 of the Landscape Management Plan.			LMP section 2.2
The Communal Open Space on level 2 will be shaded as per section 2.3 of the Landscape Management Plan.			LMP section 2.3
Plants will be established and maintained as per section 3 of the Landscape Management Plan.			LMP section 3
Street Trees will be planted as per the Landscape Street Tree Plan		As required	Appendix N

5 Monitoring and Reporting

5.1 Environmental Monitoring and Inspections

Table 18 summarises the monitoring requirements for the construction of Warehouse 1 as set out in SSD 10477 and relevant management plans.

Table 18 Monitoring and Inspection Requirements

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
General			
General environmental inspections will be undertaken.	FDC	Weekly	Best practice
Meteorological data including rainfall will be monitored.		Daily	
Traffic			
Monitor construction vehicle movement activities against activities outlined in the report	FDC	Daily	CTMP Section 4.0
Monitor the need for Traffic Control Plans at each work site.		Ongoing	CTMP Section 5.0
Monitor the effectiveness of control measures using the inspection checklist.		At least Monthly	CTMP Section 6.9 and Section 12.0
Monitor driver compliance with drive code of conduct		Ongoing	CTMP Section 11.0
Soil and Water			
Any material transported onto road surfaces to be removed.	FDC	Daily and before rainfall	Best practice
Stabilised site access, sediment fences, pit inlet filters and straw bales to be monitored for effectiveness.		Ongoing and following extreme rainfall events	ESCP
Noise			
Ongoing complaints of excessive noise, vibration or dust will be immediately investigated and the required changes in work practices identified.	FDC	As required	CEMP Section 3.6 and CNMP Section 11
Compliance with activities permitted outside hours of construction will be monitored.		Daily	CNMP Section 9.2
Implementation of noise management practices as per Section 9.3 in the CNMP will be monitored.	FDC	Ongoing	CNMP Section 9.3

Environmental Management Control	Responsibility	Timing / Frequency	Reference / Notes
Fire Safety and Emergency			
Testing of the Emergency Management Plan, including potential Task Specific Emergencies, and emergency equipment.	FDC	Within 1 month and then maximum 3 monthly intervals	FMP Section 1.7
Perform Site Inspections to ensure emergency preparedness and response procedures and equipment remain suitable.		Weekly	FMP Section 1.7
Landscaping and Visual Amenity			
A final inspection shall be made by the Project Manager, Landscape Contractor and Landscape Architect before the completion of the Plant Establishment Maintenance Period (Defects Liability Period).	Project Manager, Landscape Contractor, and Landscape Architect	Before the completion of the Plant Establishment Maintenance Period	Landscape Management Plan Section 3.14

5.2 Reporting

Table 19 summarises the reporting requirements for the construction of Warehouse 1 as set out in SSD 10477 and relevant management plans.

Table 19 Reporting Requirements

Reporting Requirement	Responsibility	Timing / Frequency	References / Notes
General			
Once becoming aware of an incident, FDC will notify the DPIE, via the Major Projects website, and other relevant agencies if an incident, or potential incident, causes (or may cause) harm to the environment.	FDC	Immediately (within 24 hours)	SSD 10477 Condition C7
DPIE will be notified of a non-compliance via the Major Projects website within seven days of becoming aware of any non-compliance.		Within 7 days	SSD 10477 Condition C8
A register of all complaints, incidents and non-compliances will be kept.		For at least 5 years after completion	CEMP Section 3.5 and 3.6
FDC will record environmental performance during regular management meetings and/or 'toolbox talks'. Items to be discussed include: • Results of any monitoring activities undertaken; • Any environmental incidents that have occurred during the previous period, including the management / corrective actions taken; • Any complaints that have been received during the previous period, including any management / corrective actions taken.		Weekly	CEMP Section 3.4
A copy of all environmental records will be maintained, including: • Site environmental inspection reports; • Environmental monitoring data; • Internal and external audit reports; • Reports of environmental incidents, environmental, associated actions taken, and follow-up actions; • Minutes of management review meetings; and • Induction and training records.		For at least 5 years after completion	Best practice
Noise			
Noise complaints will be recorded in accordance with the procedures listed in Section 3.6 and will contain information specified in Section 11 of the CNMP.	FDC	Ongoing	CEMP Section 3.6 and CNMP Section 11

Reporting Requirement	Responsibility	Timing / Frequency	References / Notes
Aboriginal Heritage			
The Project Manager will be immediately notified in the event that suspected Aboriginal Objects or Human Remains are uncovered.	Employees / Contractors	Immediately	ACHMP Section 4.3 and 4.4
Waste			
A Waste Management Register will be recorded and maintained, and will include: • Type of waste and its classification (according to the POEO Act and Waste Classification Guidelines); • Quantities of waste, measured in tonnes; • How and where the waste was reused, recycled, stockpiled or disposed of; • Date when the waste was reused, recycled, stockpiled or disposed of; and • Name and waste transport licence (if applicable) of the transporter used.	FDC	Ongoing	Best practice
Hazardous Goods and Contamination			
If unexpected conditions with respect to contamination are encountered by during construction (such as fragments of suspected ACM, buried structures or unexpected contaminated soil or contaminants) the FDC's Site Manager should be notified.	Employees / Contractors	Immediately	UFP Section 2
The Site Manager is to contact the Principal's Representative (PR), and the PR is to notify the Environmental Consultant.	Site Manager / Sydney Business Park's Principle Representative		
Details of any incidents are to be recorded in the site record system.	Employees / Contractors	As required	CEMP Section 3.5 and UFP Section 2
In the event of unexpected conditions with respect to contamination, the Environmental Consultant will prepare a report detailing their assessment, including the extent and methods of remediation.	Environmental Consultant	As required	UFP Section 2
Landscaping and Visual Amenity			
Keep a Maintenance Logbook recording when and what maintenance work has been done and what materials, including chemical materials, have been used.	Landscape Contractors	Ongoing	LMP Section 3.2

5.3 Audits

Table 20 summarises the Audit requirements for the construction of Warehouse 1.

Table 20 Audit Requirements

Reporting Requirement	Responsibility	Timing / Frequency	References / Notes
A project audit will be undertaken to ensure all aspects of the CEMP are implemented.	FDC	Monthly	Best practice

5.4 Contingency Management Plan

Table 21 lists the actions to be implemented if inspections, monitoring and/or auditing indicate that the mitigation measures listed in **Section 4** and the specialist management plans are not effective in managing environmental impacts.

All Condition Amber and Condition Red occurrences will be recorded and discussed during the toolbox talks.

Table 21 Contingency Plan

Key Element	Trigger / Response	Condition Green	Condition Amber	Condition Red
Noise impacts at sensitive receiver locations	Trigger	Noise levels do not exceed applicable NMLs.	Noise levels exceed applicable NMLs.	Noise levels exceed Highly Noise Affected criteria (75 dBA).
	Response	Ongoing best practice management measures to minimise noise emissions.	Undertake all feasible and reasonable mitigation and management measures to minimise noise impacts.	Undertake all feasible and reasonable mitigation and management measures to ensure noise levels are below Highly Noise Affected criteria. If noise levels cannot be kept below applicable limits then a different construction method or equipment will be utilised.
Visible dust leaving the site	Trigger	Daily inspections show that there is no visible dust leaving the site.	Daily inspections show that there is visible dust leaving the site.	Daily inspections show that there is visible dust leaving the site multiple times during a day OR from multiple locations within the site.
	Response	Continue monitoring program as normal.	Review and investigate construction activities and respective control measures, where appropriate. Implement additional remedial measures, such as deploying additional water sprays, water trucks etc.	Undertake an investigation of the dust generating activities, and if necessary, temporarily halt the dust generating activities.

Key Element	Trigger / Response	Condition Green	Condition Amber	Condition Red
Queuing	Trigger	No queuing identified.	Queuing identified within site.	Queuing identified on the public road.
	Response	No response required. Continue monitoring program.	Review the delivery schedule prepared by the builder. If drivers are not following the correct schedule, then they should be provided with additional training and an extra copy of the Driver Code of Conduct.	Review and investigate construction activities. If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies. Where appropriate, implement additional remediation measures such as: • Temporary halting of activities and resuming when conditions have improved. • Stop all transportation into and out of the site. • Review CTMP and update where necessary. • Provide additional training.
Erosion	Trigger	No evidence of erosion.	Minor gully or tunnel erosions present and/or rilling. Evidence of sediment or sediment laden water leaving the site.	Significant gully or tunnel erosions present and/or rilling. Evidence of sediment or sediment laden water leaving the site.
	Response	Continue CEMP implementation.	A suitably trained person to inspect the site. Review of erosions and sediment structures. Remediate as appropriate.	A suitably trained person to inspect the site. Review of erosion and sediment structures. Remediate as soon as practical.

Key Element	Trigger / Response	Condition Green	Condition Amber	Condition Red
Water management structures	Trigger	Water management structures have been designed, constructed and managed in accordance with the Blue Book and the ESCP.	Inspections indicate that water management structures illustrate minor non-compliance with the Blue Book and the ESCP.	Inspections indicate a failure of the water management structures.
	Response	Continue CEMP implementation.	A suitably trained person to inspect the site. Review of water management structures. Remediate as appropriate.	A suitably trained person to inspect the site. Remediate as soon as practical. Review of engineering design and revise ESCP.
Slope failure	Trigger	No significant erosion is present that would constitute a safety hazard or compromise the capability of supporting the end land use. Monitoring verifies there are no gully or tunnel erosion features, or rill erosion >200mm deep.	Monitoring verifies there is gully or tunnel erosion features, or rill erosion 200mm deep.	Monitoring verifies there is gully or tunnel erosion features, or rill erosion >200mm deep.
	Response	No response required. Continue to monitor.	A suitably trained person to inspect the site. Investigate opportunities to install water management infrastructure to address erosion. Remediate as appropriate.	Undertake a review of the drainage of the area and provide recommendations to appropriately remediate the erosion. Remediate as soon as practicable.
Heritage	Trigger	No unknown heritage items uncovered.	Potential heritage item uncovered.	Potential heritage item uncovered causing significant delays to project.
	Response	Continue CEMP implementation.	Stop work and implement the unexpected finds protocol in **Section 4.4** of the ACHMP (**Appendix I**)**.**	Stop work and implement the unexpected finds protocol in **Section 4.4** of the ACHMP (**Appendix I**). Heritage item to be salvaged and removed from site by a qualified archaeologist, if requested by Heritage NSW.

Key Element	Trigger / Response	Condition Green	Condition Amber	Condition Red
Unexpected Contamination	Trigger	No contamination uncovered during earthworks.	Areas of possible contamination uncovered.	Areas of contamination uncovered.
	Response	Continue CEMP implementation.	Stop work immediately and assess the contamination with the applicable guidelines.	Stop work immediately and engage a specialist consultant. A validation report is to be prepared following remediation.
Bushfire	Trigger	No bushfire or bushfire prone weather.	Bushfire prone weather during summer.	Bushfire in the vicinity of the site.
	Response	Continue CEMP implementation.	Ensure grass is kept short and vegetation is minimal at the site. Weather is to be monitored twice daily for chance of bushfire.	Stop work and contact NSW Fire and Rescue on '000'. Evacuate the site as directed by NSW Fire and Rescue.

6 Review and Improvement of the CEMP

Condition C5 of SSD 10477 states that all strategies, plans and programs required under SSD 10477 will be reviewed within three months of:

- The submission of a compliance report under Condition C7;
- The submission of an incident report under Condition C7;
- The approval of any modification of the conditions of this consent; or
- The issue of a direction of the Planning Secretary under Condition A2(b) which requires a review.

The Planning Secretary must be notified in writing that a review is being carried out.

This CEMP will also be reviewed and, if necessary, revised in the following circumstances:

- Where there is any change to the scope of the construction activities and/or disturbance footprint;
- Where it is identified that the environmental performance is not meeting the objectives of the CEMP; and/or
- At the request of a relevant regulatory authority.

As per Condition C6, the revised documents will be sent to DPIE within 6 weeks of review. All employees and contractors will be informed of any revisions to the CEMP by the Project Manager during toolbox talks.

7 References

Acoustics Logic (2021) *Construction Noise Management Plan (CNMP)*

Department of Environment and Climate Change (2007) *Storing and Handling of Liquids: Environmental Protection – Participants Manual*

Department of Infrastructure, Planning and Natural Resources (2004) *Guideline for the Preparation of Environmental Management Plans*

Douglas Partners (2021) *Unexpected Finds Protocol (UFP)*

Environment Protection Authority (1997) *The Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin*

Environment Protection Authority (2014) *Waste Classification Guidelines Part 1: Classifying Waste*

Landcom (2004) *Bluebook – Managing Urban Stormwater, Soils and Construction (Volume 1)*

Orion Consulting (2021) *Erosion and Sediment Control Plan (ESCP)*

PJEP Environmental Planning (2021) *Aboriginal Cultural Heritage Management Plan (ACHMP)*

PJEP Environmental Planning (2020) *Environmental Impact Statement (EIS)*

Roadwork Solutions (2021) *Construction Traffic Management Plan (CTMP)*

Site Image (2021) *Landscape Management Plan (LMP)*

Site Image (2021) *Landscape Street Tree Plan*

Standards Australia (1997) *AS 4282 – 1997: Control of the obtrusive effects of outdoor lighting*

Standards Australia (2001) *AS 2601 – 2001: The Demolition of Structures*

APPENDIX A

Development Consent SSD 10477

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



Mike Young
Executive Director
Energy, Industry and Compliance

Sydney 28 January 2021

SCHEDULE 1

Application Number:	SSD-10477
Applicant:	Marsden Park Developments Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Astoria Street, Marsden Park, Blacktown local government area Lot 4 DP 1210172 Part Lots 50 and 51 DP 1265695
Development:	Construction and operation of Sydney Business Park, Stage 3, including: • four warehouse and distribution facilities • ancillary car parking, infrastructure provision and landscaping • nine lot subdivision • earthworks • vegetation clearing • construction of two estate roads and associated infrastructure.

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DEFINITIONS

Applicant	Marsden Park Developments Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
Calendar year	A period of 12 months commencing on 1 January
Certifier	A person who is authorised by or under section 6 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	Blacktown City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations.
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in Schedule 1, the EIS and Response to Submissions, including the works and activities comprising of four warehouse and distribution facilities, ancillary car parking, infrastructure provision and landscaping, nine lot subdivision, earthworks, vegetation clearing, construction of two estate roads and associated infrastructure.
Development layout	The plans at Appendix 1 of this consent
DPIE	Department of Planning, Industry and Environment
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EES	Environment, Energy and Science Group (former Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled '*Stage 3 Facilities, Sydney Business Park Environmental Impact Statement'* prepared by PJEP Environmental Planning Pty Ltd and dated August 2020
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
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 *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance*,* and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (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

	Note: "material harm" is defined in this consent
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
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
Operation	The use of the warehouse and distribution facility as described in the EIS and RTS
Principal Certifier	Principal Certifier in accordance with the EP&A Act
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
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.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled "*Aboriginal cultural heritage consultation requirements for proponents 2010*" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to Submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled *'Stage 3 Facilities, Sydney Business Park Response to Submissions'* prepared by PJEP Environmental Planning Pty Ltd and dated November 2020 and the '*Stage 3 Facilities, Sydney Business Park Supplementary Response to Submissions'* prepared by PJEP Environmental Planning Pty Ltd and dated December 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
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
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 Response to Submissions;

(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(a).

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 A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

A5. This consent lapses five 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.

NOTIFICATION OF COMMENCEMENT

A6. 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 (or as otherwise agreed by the Planning Secretary) before that date:

(a) construction;

(b) operation; or

(c) cessation of operations.

A7. If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month (or as otherwise agreed by the Planning Secretary) before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

A8. 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

A9. 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).

A10. 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.

A11. 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

A12. 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 all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

(c) submit a copy of the dilapidation report to the Planning Secretary and Council.

A13. 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; 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.

DEMOLITION

A14. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

A15. 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 BCA.

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.*

SUBDIVISION

A16. Prior to the issuing of a Subdivision Certificate for any stage of the development, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.

A17. Prior to the issuing of a Subdivision Certificate for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.

A18. Prior to the issuing of a Subdivision Certificate for any stage of the development, a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established.

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.

SPECIAL INFRASTRUCTURE CONTRIBUTION

A20. The Applicant is to make a Special Infrastructure Contribution in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011* (as in force when this consent becomes operative).

A21. Prior to the issuing of any Occupation Certificate for works in relation to the development the subject of this consent, the Applicant must provide the Certifier with written evidence from the Planning Secretary that the liability to make the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been discharged, or that arrangements are in force with respect to the discharge of the liability.

Note: More information about the special infrastructure contribution can be found on the Department's website at: http://www.planning.nsw.gov.au/Policy-and-Legislation/Infrastructure/Infrastructure-Funding/Special-Infrastructure-Contributions-SIC

CONTRIBUTIONS TO COUNCIL

A22. Before the issuing of an Occupation Certificate for any part of the development, a contribution under section 7.11 of the EP&A Act of $9,068,279.00 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council for:

Contribution item	Amount
Stormwater Quantity – Little Creek	$5,814,919.00
Stormwater Quality – Little Creek	$280,158.00
Traffic Management	$2,973,202.00
Total	**$9,068,279.00**

OPERATION OF PLANT AND EQUIPMENT

A23. 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.

TRANSGRID REQUIREMENTS

A24. Prior to commencement of works within the TransGrid easement the Applicant must submit Final design plans to TransGrid. The final design plans must demonstrate:

(a) a vertical clearance of 8.0 m over the roadway

(b) fencing within the easement to not exceed 2.5 m in height

(c) a dust management plan is in place to ensure excessive dust is not deposited on the towers or insulators.

A25. Height restrictions shall be applied to cranes, elevated work platforms and any other plant and equipment proposed to operate on the easement. This restriction applies to all mobile plant and equipment capable of exceeding a height of 4.2 m.

A26. Prior to the issue of any Occupation Certificate, all fencing on the TransGrid easement shall be earthed and every second panel isolated from the next pair of fencing panels. Consultation with TransGrid is required for further instructions on the required earthing for the boundary fence.

A27. The Applicant must formally notify TransGrid of any amendments or modifications to the development, including to ground surface levels within the easement.

EXTERNAL WALLS AND CLADDING

A28. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A29. Prior to the issuing of:

(a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and

(b) an Occupation Certificate,

the Applicant must provide the Certifier 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 BCA.

A30. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

UTILITIES AND SERVICES

A31. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

A32. 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*.

A33. Before the issuing of a Subdivision or Occupation Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

(a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and

(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.

A34. Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.

APPLICABILITY OF GUIDELINES

A35. 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.

A36. 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.

MONITORING AND ENVIRONMENTAL AUDITS

A37. 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, Annual Review and independent environmental 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.

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 SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan (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;

(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;

(d) detail heavy vehicle routes, access and parking arrangements;

(e) include a Driver Code of Conduct to:

(i) minimise the impacts of earthworks and construction on the local and regional road network;

(ii) minimise conflicts with other road users;

(iii) minimise road traffic noise; and

(iv) ensure truck drivers use specified routes;

(f) include a program to monitor the effectiveness of these measures; and

(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B2. The Applicant must:

(a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Roadworks and Access

B3. Prior to the commencement of operation of the development, the Applicant must complete the construction of the north-south collector road between Hollinsworth Road and Astoria Street and the extension of Hollinsworth Road to the western side of the site, to the satisfaction of Council. The Applicant must obtain approval all works in the existing public road reserve under section 138 of the *Roads Act 1993*.

B4. The Applicant must submit design plans to Council which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a 30 m Super B-double vehicles.

Intersection Works

B5. The Applicant must undertake upgrade works to the Hollinsworth Road and Richmond Road intersection to the satisfaction of TfNSW. As part of these upgrade works, the Applicant must:

(a) submit concept civil design and Traffic Control Signal (TCS) plans to the satisfaction of TfNSW prior to the issue of a Construction Certificate for any stage of the development. The concept design plans must include:

(i) a left turn slip lane from Hollinsworth Road onto Richmond Road; and

(ii) an additional right turn lane on the south bound approach to the intersection on Richmond Road

(b) provide written evidence to the Planning Secretary demonstrating the detailed design plans have been approved by TfNSW;

(c) enter into a Works Authorisation Deed (WAD) with TfNSW prior to the issue of an Occupation Certificate to undertake these intersection upgrade works; and

(d) complete the intersection upgrade works to the satisfaction of TfNSW on Hollinsworth Road and Richmond Road prior to the commencement of operation of the final stage of the development.

B6. Notwithstanding the requirements specified in condition B5(a) and B5(b), the Applicant may carry out early preparatory construction works (including tree clearing, earthworks, retaining walls and infrastructure provision) prior to satisfying the requirements of condition B5(a) subject to traffic movements to and from the site not exceeding the following limits:

(a) 24 total traffic movements (12 in, 12 out) for the delivery and removal of equipment (graders, dozers, excavator, scrapers etc);

(b) 30 daily traffic movements (15 in, 15 out) for construction staff light vehicles; and

(c) No truck movements on Richmond Road for the importation or exportation of fill materials outside of the site.

Parking

B7. The Applicant must provide sufficient parking facilities on-site, including 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.

Operating Conditions

B8. The Applicant must ensure:

(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained 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) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;

(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times;

(i) there shall be no heavy vehicle movements along the driveway between Warehouse 2 and the eastern boundary between the hours of 10:00 pm and 7:00 am; and

(j) all roller doors/shutters on the eastern elevation of Warehouse 2 shall be closed between the hours of 10:00 pm and 7:00 am.

Work Place Travel Plan

B9. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must:

(a) be prepared in consultation with TfNSW;

(b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and

(c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B10. The Applicant must:

(a) not commence operation until the Work Place Travel Plan is approved by the Planning Secretary; and

(b) implement the most recent version of the Work Place Travel Plan approved by the Planning Secretary for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Erosion and Sediment Control

B11. Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B12. The Applicant must not commence any construction works on site until the temporary sediment basin in the Basin A area has been commissioned.

Stormwater Management System

B13. Prior to the commencement of operation of any stage of the development, the Applicant must design, install and operate a stormwater management system for the development. The system must:

(a) be designed by a suitably qualified and experienced person;

(b) be prepared in consultation with Council;

(c) be generally in accordance with:

(i) the conceptual design in the EIS and RTS;

(ii) Council's Works Specification - Civil (Current Version);

(iii) Council's Engineering Guide for Development (Current Version);

(iv) Council's On-Site Detention General Guidelines and Checklist; and

(v) Council's WSUD Standard Drawings A(BS)175M (Current Version);

(d) be in accordance with applicable Australian Standards;

(e) ensure post-development flow velocities of the relevant stormwater and drainage works match pre-development flow velocities; and

(f) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

Temporary On-Site Detention

B14. Prior to the issuing of a Construction Certificate for any buildings on the site, the Applicant must provide stormwater detention in accordance with Council's Engineering Guide for Development. Basin A, including flow diversion line L4.1, or the interim stormwater works, must be completed to Council's satisfaction prior to the issue of an Occupation Certificate for any stage of the development as follows:

(a) Basin A and the associated flow diversion line are to be constructed in accordance with Council Plan Number E37/2V, or the latest version of that plan;

(b) the proposed interim stormwater detention works are to be in accordance with the volumes and flow rates described in Orion Consulting Stormwater Management and Servicing Report, Sydney Business Park Stage 3 Astoria Street Marsden Park, Revision D, October 2020; and

(c) the design levels for the interim stormwater detention works are to be co-ordinated with Council Plan E37/2V, or the latest version of that plan.

Note: In the event that the Basin A and flow diversion line works are not completed prior to the issue of an Occupation Certificate, a temporary pump diversion system for the interim stormwater waters is to be provided to divert the diversion volume referred to as dead or return storage in the in Orion Consulting Stormwater Management and Servicing Report, Sydney Business Park Stage 3 Astoria Street Marsden park, Revision D, October 202 away from the conservation area in the Little Creek catchment of Contributions Plan No. 21. The required diversion volume is 42mm depth over the development area. The design of the pump diversion system must be approved by Council.

NOISE

Hours of Work

B15. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 *Hours of Work*

Activity	Day	Time
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Sunday	24 hours

B16. Works outside of the hours identified in condition B15 may be undertaken in the following circumstances:

(a) works that are inaudible at the nearest sensitive receivers;

(b) works agreed to in writing by the Planning Secretary;

(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or

(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B17. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.

Construction Noise Management Plan

B18. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a 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 of the development;

(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 high noise generating works such as piling;

(e) include strategies that have been developed with the community for managing high noise generating works;

(f) describe the community consultation undertaken to develop the strategies in condition B18(e); and

(g) include a complaints management system that would be implemented for the duration of the development.

B19. The Applicant must:

(a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B18 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B20. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

Table 2 *Noise Limits (dB(A))*

Location	Day $L_{Aeq(period)}$	Evening $L_{Aeq(period)}$	Night $L_{Aeq(period)}$	Night L_{AFmax}
I5 – 140 Hollinsworth Road, Marsden Park[1]	46	46	43	N/A
All residential properties to the north of the site[1]	40	35	35	52
All residential properties to the south of the site[1]	40	38	35	52

Note *1. Noise generated by the development is to be measured and assessed in accordance with the provisions of the EPA Noise Policy for Industry (2017), including noise-enhancing meteorological conditions and corrections for annoying noise characteristics. Refer to the plan in Appendix 2 for the location of residential sensitive receivers.*

2. Noise limit applies where an existing residence is affected by an increase in traffic noise generated by the development of greater than 2.0 dB(A). Additional road traffic noise emitted from public roads is to be measured and assessed in accordance with the provisions of the EPA NSW Road Noise Policy.

Noise Walls

B21. The Applicant must construct the noise walls shown in Drawing GA-505, Revision P1 of the EIS, prior to the commencement of operation of any part of the development.

Note: *If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate that the development will comply with the noise limits in condition B20 at all times.*

Noise Verification Report

B22. A Noise Verification Report must be submitted to the satisfaction of the Planning Secretary at the following stages of the development:

(a) prior to the final detailed design of Warehouse 2 and Warehouse 3 to confirm the noise mitigation measures required for their operation; and

(b) within three months of the commencement of operation of all four warehouses.

B23. The Noise Verification Reports required by condition B22 must be prepared by a suitably qualified and experienced acoustic consultant and include:

(a) an analysis of compliance with noise limits specified in condition B22 undertaken to the satisfaction of the Planning Secretary and in accordance with the Noise Policy for Industry (EPA, 2017);

(b) a detailed maximum noise level event assessment for residential receiver R13 (refer Appendix 2) in accordance with the Noise Policy for Industry (EPA, 2017);

(c) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, re-assessment of mitigation measures identified; and

(d) identification of additional noise control measures to be implemented to address any exceedances of the limits specified in condition B20 and when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary.

ABORIGINAL HERITAGE

Aboriginal Cultural Heritage Management Plan (ACHMP)

B24. Before the commencement of any clearing or construction works for the development, the Applicant must prepare an ACHMP for the development to protect and manage extant Aboriginal sites and objects located within the project area. The plan must form part of the CEMP required by Condition C2 and must:

(a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;

(b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and

(c) include a long-term care and control management procedure for any Aboriginal objects from the project area, including any extant sites.

B25. The Applicant must:

(a) not commence construction until the ACHMP is approved by the Planning Secretary; and

(b) implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the development.

Unexpected Finds Protocol

B26. If any item or object of Aboriginal heritage significance is identified on site:

(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;

(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and

(c) the EES must be contacted immediately.

B27. 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*.

FIRE PROTECTION AND MANAGEMENT

Asset Protection Zones

B28. Throughout the duration of the development, the Applicant must manage the whole site as an inner protection area as outlined in Section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Services' publication 'Standards for asset protection zones'.

Design and Construction

B29. The Applicant must ensure each warehouse building and the identified elevations and building elements in the development complies with the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate or the specified bushfire attack levels (BAL) under Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must ensure that:

Warehouse 2

(a) must be non-combustible and comply with Sections 3 and 5 (BAL 12.5) *Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate, and Section 7.5 of *Planning for Bush Fire Protection 2019*; and

Warehouse 4

(b) must comply with the Bushfire Attack Level (BAL) Plan (as shown in Figure 4 of the Bush Fire Report prepared by Eco Logical Australia, project no. 20SYD-16423, ver. 5, dated 8 December 2020) and the corresponding sections of the Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant BAL requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015)*. New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*. BAL 12.5 is also applicable to the northern half of the building;

Access

B30. Property access roads and public access roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019.*

Bush Fire Emergency Management Plan

B31. Prior to the commencement of operation of the development, the Applicant must prepare a Bush Fire Emergency Management and Evacuation Plan in accordance with *Development Planning: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December* (2014).

HAZARDS AND RISK

Dangerous Goods

B32. 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.

B33. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

(a) all relevant Australian Standards;

(b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and

(c) the Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA, 1997).

B34. In the event of an inconsistency between the requirements B31(a) to B31(c), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B35. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded 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).

WASTE

B36. The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday.

B37. The Applicant must:

(a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and

(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

B38. Prior to the commencement of construction of each warehouse, the Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse.

B39. 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.

Statutory Requirements

B40. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B41. 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.

B42. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

B43. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

CONTAMINATION

Unexpected Finds

B44. Prior to the commencement of earthworks for the development, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

Asbestos

B45. The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:

(a) *Work Health and Safety Regulation 2017*;

(b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;

(c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and

(d) *Protection of the Environment Operations (Waste) Regulation 2014*.

VISUAL AMENITY

Landscaping

B46. Prior to the commencement of construction of the development, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan in Condition C2 and must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) detail the species to be planted on-site;

(c) include a Street Tree Plan which must:

(i) include cross-sections showing dimensions of tree pits;

(ii) detail tree species

(iii) detail root protection barriers

(iv) detail soil specifications

(v) detail the location of tree pits in relation to services, intersections and future driveway, light poles, stormwater pits, sewerage infrastructure and utilities; and

(vi) detail street tree maintenance.

(d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and

(e) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.

B47. The Applicant must:

(a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.

(b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and

(c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B46 for the life of the development.

Lighting

B48. 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.

Signage and Fencing

B49. All signage and fencing must be erected in accordance with the development plans included in the RTS.

Note: This condition does not apply to temporary construction and safety related signage and fencing.

COMMUNITY ENGAGEMENT

B50. 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.

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) detailed baseline data;

(b) 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;

(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;

(d) 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;

(e) 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;

(f) a program to investigate and implement ways to improve the environmental performance of the development over time;

(g) 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

(h) 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.

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 B1);

(b) Erosion and Sediment Control Plan (see Condition B11);

(c) Construction Noise Management Plan (see Condition B18);

(d) Unexpected Finds Protocol (see Condition B44);

(e) Landscape Management Plan (see Condition B46); and

(f) 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.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C5. Within three months of:

(a) the submission of a Compliance Report under condition C11;

(b) the submission of an incident report under condition C7;

(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 A2(b) which requires a review,

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

C6. 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

C7. The Planning Secretary must be notified in writing via the Major Projects website 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

C8. The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.

C9. 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.

C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

C11. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:

(a) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and

(b) describe what measures will be implemented over the next year to improve the environmental performance of the development

C12. 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

C13. 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

C14. At least 48 hours before the commencement of construction until the completion of all works under this consent, 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) 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;

(vi) 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;

(vii) a summary of the current stage and progress of the development;

(viii) contact details to enquire about the development or to make a complaint;

(ix) a complaints register, updated monthly;

(x) the Compliance Report of the development;

(xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;

(xii) 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 LAYOUT PLANS

Job No.	Drawing No.	Rev.	Date	Title
Survey Plans prepared by Andrew Peter Ford				
33 444 Stage 3	Sheet 1 of 3	-	07/2020	Plan of proposed subdivision of Lot 4 in DP 1210172 and Lots 1 & 2 in DP 1254181
33 444 Stage 3	Sheet 2 of 3	-	07/2020	Plan of proposed subdivision of Lot 4 in DP 1210172 and Lots 1 & 2 in DP 1254181
33 444 Stage 3	Sheet 3 of 3	-	07/2020	Plan of proposed subdivision of Lot 4 in DP 1210172 and Lots 1 & 2 in DP 1254181
Architectural Plans prepared by Reid Campbell Architecture, Interiors and Project Management				
	A000	O	30/11/2020	Cover Sheet / Drawing List
	A001	C	20/10/2020	Perspectives
	A002	K	26/11/2020	Site Analysis
	A003	W	26/11/2020	Stage 3 Master Plan
	A005	J	26/11/2020	Signage Strategy Plan
	A006	F	26/11/2020	Staging Plan
	A007	B	20/10/2020	Shadow Diagrams – Summer
	A008	B	20/10/2020	Shadow Diagrams – Winter
	A009	B	20/10/2020	Shadow Diagrams – Autumn
	A010	B	20/10/2020	Shadow Diagrams – Sprint
	A011	E	26/11/2020	Landscape Overlay Plan
Warehouse 1				
	A1001	Y	26/11/2020	WH1 – Site Plan
	A1002	Q	26/11/2020	WH1 – Roof Plan
	A1101	R	26/11/2020	WH1 – Warehouse Floor Plan
	A1102	S	26/11/2020	WH1 – Office Floor Plans
	A1103	Q	26/11/2020	WH1 – Dock Office & Amenities Plan
	A1201	P	26/11/2020	WH1 – Elevations
	A1202	M	26/11/2020	WH1 – Office Elevations
	A1301	N	26/11/2020	WH1 – Sections
Warehouse 2				
	A2001	O	26/11/2020	WH2 – Site Plan

	A2002	G	26/11/2020	WH2 – Roof Plan
	A2101	G	26/11/2020	WH2 – Warehouse Floor Plan
	A2102	H	26/11/2020	WH2 – Office Floor Plans
	A2201	G	26/11/2020	WH2 – Elevations
	A2202	F	26/11/2020	WH2 – Office Elevations
	A2203	A	26/11/2020	WH2 – Acoustic Wall Details
	A2301	F	26/11/2020	WH2 – Sections
Warehouse 3				
	A3001	M	26/11/2020	WH3 – Site Plan
	A3002	F	26/11/2020	WH3 – Roof Plan
	A3101	F	26/11/2020	WH3 – Warehouse Floor Plan
	A3102	G	26/11/2020	WH3– Office Floor Plans
	A3201	G	26/11/2020	WH3 – Elevations
	A3202	E	26/11/2020	WH3 – Office Elevations
	A3301	F	26/11/2020	WH3 – Sections
Warehouse 4				
	A4001	A	18/11/2020	WH4 – Site Plan
	A4002	A	28/07/2020	WH4 – Roof Plan
	A4003	A	28/07/2020	WH4 – Office Perspectives
	A4004	A	28/07/2020	WH4 – Warehouse Perspectives
	A4101	C	03/08/2020	WH4 – Warehouse Floor Plans
	A4102	A	28/07/2020	WH4 – Office Floor Plans
	A4103	A	28/07/2020	WH4 – WH Amenities Plans
	A4201	B	31/07/2020	WH4 – Elevations
	A4202	A	28/07/2020	WH4 – Office Elevations
	A4301	A	28/07/2020	WH4 – WH Sections 1
	A4302	B	31/07/2020	WH4 – WH Sections 2
	A4303	A	28/07/2020	WH4 – Office Sections
	A4401	A	28/07/2020	WH4 – Typical Details
	GA-505	A	30/11/2020	WH4 – Acoustic Wall Details

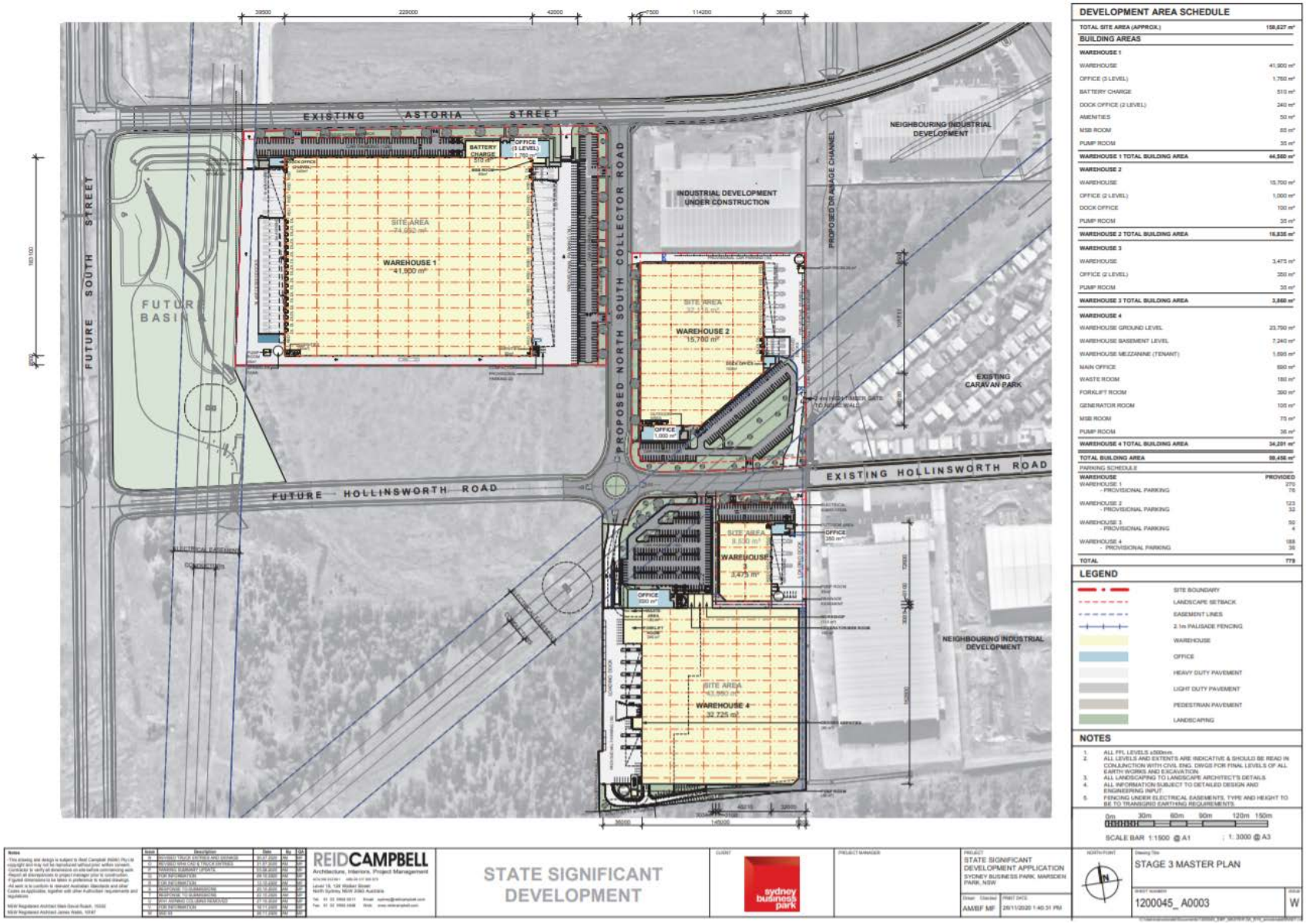


Figure 1: Site Plan

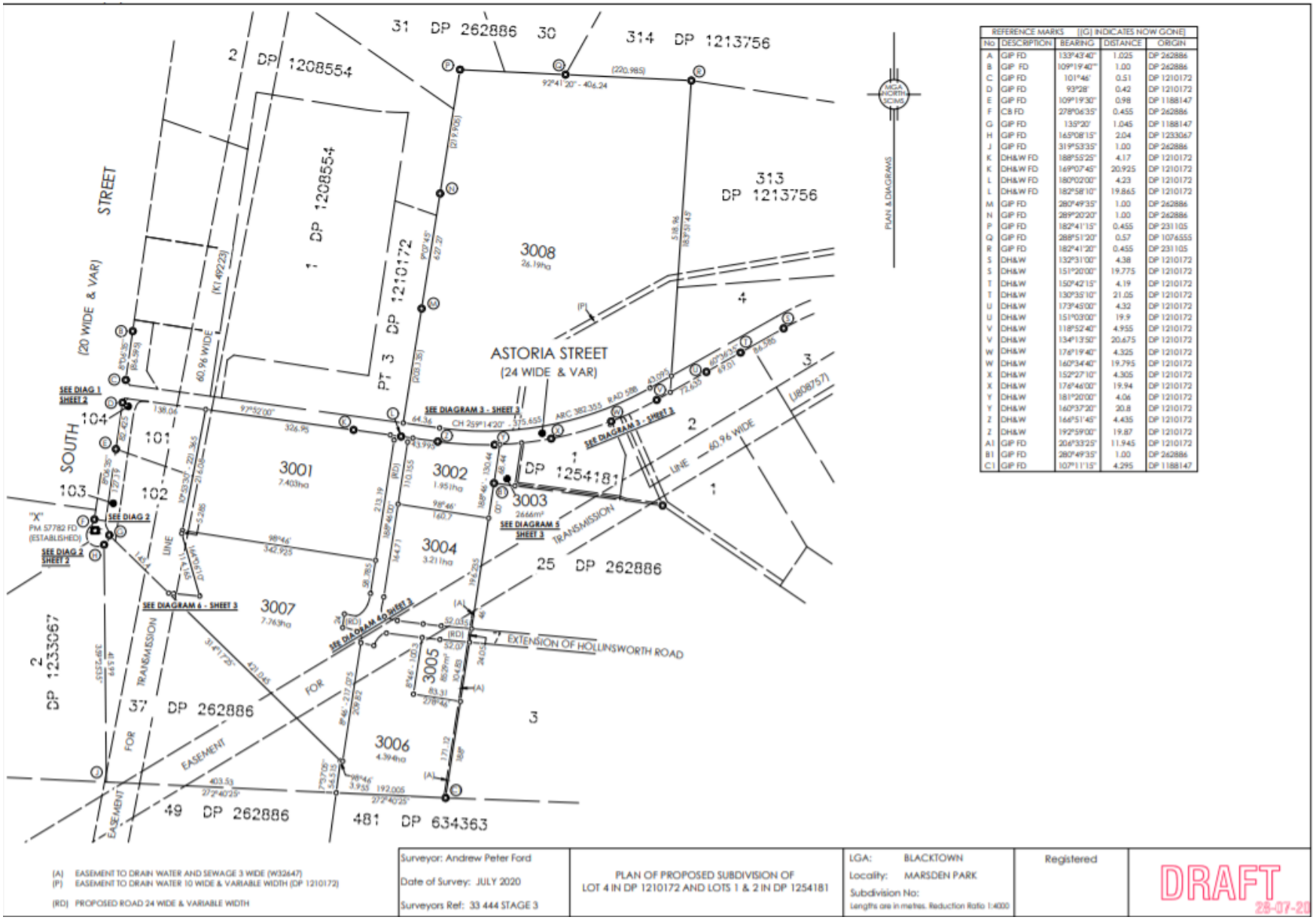
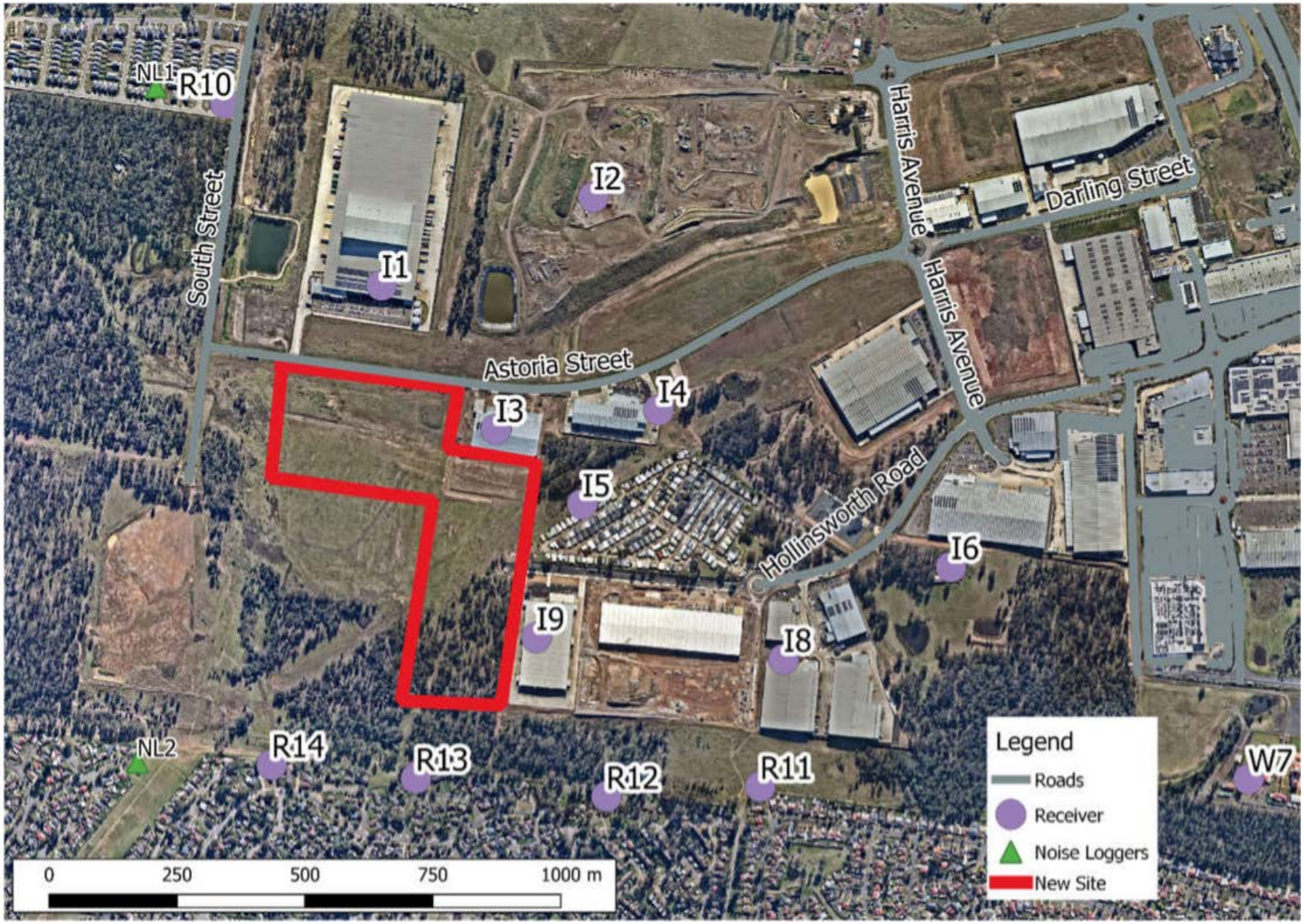


Figure 2: Subdivision Plan

APPENDIX 2 SENSITIVE RECEIVERS



APPENDIX 3 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	*Mitigation Measure*
Staging and Infrastructure	• Sydney Business Park would not commence construction works (involving land disturbance) on site until the temporary sediment basin in the Basin A area has been commissioned
	• Sydney Business Park would not commence operations of any building on site until all infrastructure necessary for the operation of that building has been commissioned, including: ○ external roadworks (including Hollinsworth Road and/or the north-south collector road); ○ stormwater drainage infrastructure, either via: - Basin E for Warehouse 3; or - Basin A (temporary or permanent basin) for Warehouses 1, 2 and 4; and ○ other services, including water, sewer, electricity and telecommunications
	• Sydney Business Park would enter into a voluntary planning agreement (VPA) or works-in-kind agreement (WIKA) with Council, in accordance with Section 7.4 of the EP&A Act, to facilitate the proposed construction of relevant infrastructure, including the: ○ Hollinsworth Road extension; ○ Hollinsworth Road / north-south collector road intersection roundabout; and ○ Basin A stormwater basin works. • The VPA or WIKA would be entered into prior to the commencement of construction of the relevant infrastructure
General Environmental Management	• Sydney Business Park would prepare a detailed Construction Environmental Management Plan (CEMP) for the Stage 3 Facilities development, prior to the commencement of construction
Design and Visual	• The Stage 3 Facilities would be developed generally in accordance with the architectural and landscape plans for the facilities
	• All external lighting would be installed in accordance with *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*

Issue	*Mitigation Measure*
Soil and Water	• The Stage 3 Facilities would be developed generally in accordance with the Erosion and Sediment Control Plan for the facilities, and the Department's *Managing Urban Stormwater – Soils and Construction* guidelines
	• The Stage 3 Facilities would be developed generally in accordance with the salinity management measures in the Salinity Assessment and Management Plan (Douglas Partners, 2020), applicable Australian Standards including AS2159, AS3600 and AS4058, and the Department's *Building in a Saline Environment* guideline
	• The Stage 3 Facilities would be developed generally in accordance with the concept stormwater management plan for the facilities. A final stormwater management plan would be prepared in consultation with Council prior to the commencement of construction, including provision of: ○ rainwater tanks for each facility; ○ primary and secondary stormwater quality improvement devices and related stormwater infrastructure for each facility; and ○ temporary stormwater detention infrastructure in the Basin A area
Noise and Air Quality	• Construction and operation of the Stage 3 Facilities would be managed in accordance with the relevant noise criteria under the: ○ *Noise Policy for Industry (NPfI)*; ○ *Interim Construction Noise Guideline (ICNG)*; and ○ *Road Noise Policy*
	• Construction activities would be undertaken generally within the hours stipulated in the EPA's *Interim Construction Noise Guideline*
	• Construction noise would be managed in accordance with the measures outlined in the Noise Assessment, which would be addressed the CEMP for the development. The measures would include: ○ noise management controls, including: - site induction training; - operator instruction; - site noise planning, including locating noisy plant away from nearby receivers; - scheduling noisy activities so that they do not occur simultaneously, and/or during less sensitive time periods; and - selecting less noisy plant and equipment where practicable; ○ maintaining effective community consultation; and ○ maintaining a complaints handling and management system
	• Sydney Business Park would implement the following noise mitigation measures as soon as practicable during construction of the applicable facilities: ○ installation of a 2.4 metre high acoustic wall on the eastern boundary of the Warehouse 2 site; ○ installation of a 2.7 metre high acoustic wall on the boundary in the south-western corner of the Warehouse 4 site; and ○ ensure that rooftop mechanical air-conditioning units are located towards the western side of the office roof for Warehouse 2 and Warehouse 3 (with final placement subject to detailed design)
	• Dust emissions during construction works would be managed in accordance with standard best practice techniques, including: ○ minimising the area of disturbance as far as practicable; ○ minimising drop heights for materials being worked on the site; ○ keeping exposed surfaces moist at all times; ○ rehabilitating/revegetating disturbed surfaces as soon as practicable; and ○ ensuring that trucks are covered and do not track sediment onto public roads
Greenhouse Gas and Resource Use	• The Stage 3 Facilities would be developed in accordance with the energy and water resource use efficiency measures outlined in this EIS. This would include, amongst other things, rooftop photovoltaic solar systems for each warehouse, including nominally:

Issue	Mitigation Measure
	○ 1,000 kilowatt systems for Warehouse 1 (TJX Facility) and Warehouse 4 (API Facility); and ○ 100 kilowatt systems for Warehouses 2 and 3
Flora and Fauna	• Sydney Business Park would prepare and implement a Biodiversity Management Plan (BMP) for the development, as part of the CEMP. The BMP would be prepared by a suitably qualified ecologist, and include: ○ biodiversity management strategies for pre-construction, construction and post-construction activities, including pre-clearing control measures; ○ a fauna rescue and release procedure, in accordance with the Department's *Code of Practice for injured, sick and orphaned protected fauna*; ○ weed management measures; ○ reuse of resources, including topsoil, tree hollows, logs, coarse woody debris and bush rock; ○ identification and salvage of any tree hollows, and provision of nest boxes for hollows not able to be salvaged; and ○ procedures for dealing with any unexpected threatened species finds, including provisions for stop work, notification and communication, specialist advice, and relocation protocols
Aboriginal Heritage	• The identified Aboriginal heritage items (MPIP 17 and MPIP 18) would be managed in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment, which would be addressed in an Aboriginal Cultural Heritage Management Plan for the development, prepared in consultation with the Registered Aboriginal Parties (RAPs) prior to the commencement of construction in the vicinity of the Aboriginal sites. These measures include: ○ surface collection of the identified artefacts prior to the commencement of construction in these areas, in consultation with the Registered Aboriginal Parties (RAPs); ○ demarcation and fencing of the non-impacted portion of MPIP 18 (which straddles the site boundary); and ○ procedures for managing any unexpected Aboriginal heritage objects encountered during the development.
Traffic	• Sydney Business Park would complete the following roadworks to the satisfaction of Council, prior to the commencement of operation of any of the Stage 3 Facilities that require access from that road: ○ Hollinsworth Road extension to the western side of the site; ○ North-south collector road between Astoria Street and Hollinsworth Road; ○ Roundabout intersection between Hollinsworth Road and the north-south collector road; and ○ Priority give-way intersection between Astoria Street and the north-south collector road.
	• Prior to the commencement of operation of any of the Warehouse Facilities, Sydney Business Park would enter into a delivery agreement (Works Authorisation Deed / Voluntary Planning Agreement) with TfNSW to deliver the Richmond Road upgrades generally in accordance with SMEC Concept Plan "30013007-Richmond-Rd-Align-01-SC", as outlined in the Supplementary RTS.
	• Site access, parking and internal circulation arrangements for the Stage 3 Facilities would be developed in accordance with relevant Australian Standards (including AS2890.1 and AS2890.2). Measures to minimise conflict between pedestrians, cars and trucks would be implemented (including signage), particularly in shared areas (including the shared car and truck access to Warehouse 3).
	• Construction Traffic Management Plans would be prepared to appropriately manage traffic and traffic-safety construction works
	• Sydney Business Park would prepare and implement a Green Travel Plan for the development, which would be prepared in consultation with TfNSW prior to the

Issue	*Mitigation Measure*
	commencement of operation of any of the warehouse facilities. The plan would include: ○ mode sharing targets and measures to achieve those targets; ○ strategies to reduce the proportion of single occupant car travel and increase car sharing, public and active transport travel to the site; ○ a strategy for communicating the plan to occupants, including a travel access guide providing information to occupants about sustainable travel options; ○ measures for ensuring pedestrian and cycling connectivity and end of trip facilities; and ○ identification of responsibilities for implementation of the plan
Wastes and Hazards	• The Stage 3 Facilities would be developed and managed generally in accordance with the Waste Management Plan for the facilities
	• The Stage 3 Facilities would be developed in accordance with the recommendations of the Bushfire Assessment for the facilities, including provision of: ○ Asset Protection Zones; ○ landscaping in accordance with the Planning for Bushfire Protection guidelines; ○ facility construction in accordance with the bushfire assessment and National Construction Code, including: - Warehouses 1 and 3 – BAL-LOW; - Warehouse 2 – ember protection measures; - Warehouse 4 – roof, sub-floor, western, southern and eastern elevations constructed to BAL-FZ, and northern elevation to BAL-12.5; and - ember protection measures for applicable warehouses; ○ water supply and hydrants in accordance with the BCA and relevant Australian Standards; ○ underground electrical services; and ○ preparation of a Bushfire Emergency Management and Evacuation Plan for each facility
	• All dangerous goods and hazardous substances would be stored in accordance with applicable standards, including AS/NZS 3833:2007 and AS 1940-2017
	• Risk assessment and reporting would be undertaken in accordance with the *Work Health and Safety Regulation 2017* (WHS Regulation)
	• Hazardous area classification would be prepared for flammable gases and liquids storage in accordance with AS/NZS 60079.10.1:2009 and the requirements of the WHS Regulation
	• Class 3 Flammable Liquids storage in Warehouse 4 would be restricted from the following areas of the warehouse, or as otherwise determined to ensure compliance with the screening thresholds in the *Applying SEPP 33* guideline: ○ within 6 metres of the northern warehouse wall; ○ within 1 metre of the eastern warehouse wall; and ○ within 3 metres of the southern warehouse wall.

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website 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 C7 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.
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.

APPENDIX B

Consultation Evidence

From:	Edward Gregory <edwardg@fdcbuilding.com.au>
Sent:	Monday, 15 February 2021 4:58 PM
To:	council@blacktown.nsw.gov.au
Cc:	David Saczko; Troy Thomas; Zoë Gillespie; Troy Thomas
Subject:	TJX Distribution Centre - SSD-10477
Attachments:	CTMP - TJX Distribution Centre, Astoria Rd, Marsden Park..pdf

Dear Council,

Please see attached the following documentation for the TJX Distribution Centre, Warehouse 1 at Sydney Business Park in Marsden Park as per SSD-10477, for your review and approval.

- Construction Traffic Management Plan (as per DA condition B1 & B2).

Should you have any comments on the attached, please don't hesitate to contact me and we can update accordingly.

Kind Regards,

Edward Gregory
Cadet, Construction NSW

02 8117 5242
edwardg@fdcbuilding.com.au
22 - 24 Junction Street, Forest Lodge, NSW 2037

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APPENDIX C

FDC's Environmental Policy

ENVIRONMENTAL POLICY

The environmental elements within FDC's integrated management system manage the provision of project and construction management for residential, industrial and commercial building, including ground up construction refurbishment or additions and interior fitout to existing builders.

FDC shall:

- "Reduce, re-use and recycle" wherever possible, be it on site or within the office environment;
- Promote environmentally friendly solutions;
- Ensure that environmental considerations form part of our business planning and decision-making processes;
- Promote a culture of responsible environmental management;
- Protect the natural environment and social surroundings, preserve biodiversity, prevent pollution and minimize waste;
- Comply with applicable environmental laws;
- Continually improve our environmental performance;
- Establish measurable objectives and targets; and
- Communicate with stakeholders on environmental matters.

FDC encourage, on a personal and corporate basis, sound environmental considerations for protection of our natural resources.

We discourage any practice or product selection that is knowingly detrimental to environmental protection. FDC Management and staff are committed to the implementation and maintenance of an environmental management system based on ISO14001.



Bentley Cottle
Managing Director

APPENDIX D

Incident Report

INCIDENT REPORT

This form is to be completed by the Project Manager or Site Manager and distributed to the HSEQ Manager and National HSEQ Systems Manager as soon as all factual evidence has been received and recorded within 24 hours. Upon successful closure of the investigation, the report must then be distributed to the Divisional General Manager and to Site for filing.

Note: Complete form in block capital letters and in ink.
Where there are multiple sick/injured persons, use one form for each person.

Incident Type			
Person(s) injured	☐	**Near miss, dangerous occurrence**	☐

Project: _____

Site Address: _____

Date of Incident: _____

Name of Person Completing this Form: _____

Incident Details					
Details of person involved in incident	**Surname:**				
	Given Names:				
	Home Address:				
	Contact numbers:	**Home:**		**Mobile:**	
	Date of Birth:			**Gender:**	
Employer Company Details	**Employer:**				
	Address:				
	Contact Name:			**Contact No:**	
Injury / Illness / Incident Details	**Did an Injury occur as a result of the Incident?**	Yes ☐		No ☐	
	Injury/Illness/Incident occurred	**Date:**		**Time:**	**am/pm**
	Injury/Illness/Incident reported to FDC site.	**Date:**		**Time:**	**am/pm**

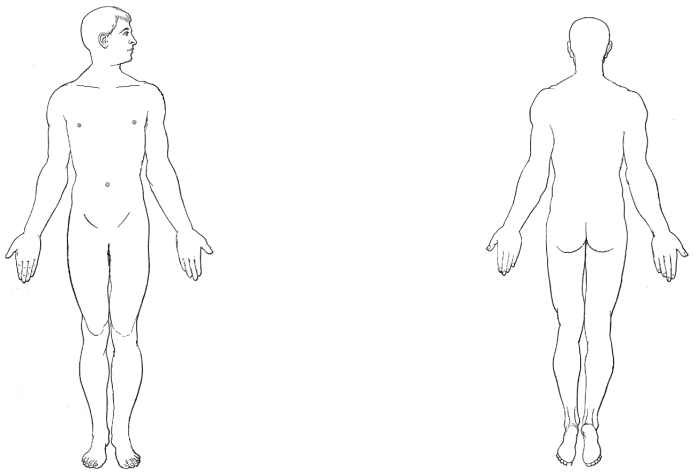
Portion of shift worked						
	25% of less		51% to 75%		Overtime	
	26% to 50%		76% to 100%			

Injury / Incident Details								
Where an injury has occurred, what is the nature of the Injury?		Fracture		Concussion		Contusion		Foreign body
		Dislocation		Laceration		Burn		Amputation
		Sprain		Abrasion		Strain		Multiple

Treatment Administered	**Initial Treatment**		**Initial Prognosis (see definition pg. 6)**		**Work consequences - immediate**		**Work consequences – after 24hrs**	
		Hospital		Class 1		Return to pre injury duties		Return to pre injury duties
		Medical care or doctor		Class 2		Alternative work		Alternative work
		First Aid		Class 3		Off work		Off work
		None						
	First Aid administered by:							

Body Location	**Head**		**Trunk**		**Arm**		**Leg**	
		Cranium		Chest		Shoulder		Hip
		Eye		Back		Upper arm		Thigh
		Ear		Abdomen		Elbow		Knee
		Mouth		Pelvis		Forearm		Shin
		Nose		Multiple		Wrist		Ankle
		Face				Hand		Leg
		Neck				Fingers		Foot
								Toes

Indicate Body Parts



Type of Incident								
		Handling object		Equipment		Stepping on etc.		Hazardous substance
		Striking against		Hand/power tools		Caught in etc.		Fall
		Struck by		Manual handling		Electricity		Other
		Slip/trip		Falling object		Structural failure		
		Contact with any services either: in ground, above ground or in a building						

Injury / Incident Details	
Details of incident	
What was the person doing at time of incident?	
Detail of damage to property equipment or plant?	
How did the incident occur?	
Please list the factors contributing to the incident (e.g. rain, wet or oily paths, faulty equipment, procedural failure).	

Influencing factors		Equipment failure		Sudden uncontrolled release of pressure		Contusion
		Plant failure		Mechanical failure		Burn
		Vehicle accident		Electrical fault		Strain
		Hazardous substance		Breakdown in safe work procedure		Other

Injury / Incident Details					
Environmental factors	Lighting		Good		Poor
	Ground conditions		Good		Poor
	Slippery conditions		Yes		No
	Wind conditions		Good		Poor
	Working at height		Yes		No
	Ground level		Yes		No
	Working below ground		Yes		No
	Other – provide brief description				

Diagram Provide a diagram of the incident. Where possible, also include photos of the incident scene.	
Witness(es) to incident Provide details of any witness(s) to the incident – names, address, employer and contact number. *Note: Where possible statements should be taken and attached to the report.*	

Incident Response	Details	Person/s Involved
Please ***describe*** the immediate response to the incident (e.g. Were emergency procedures activated, who was called, was the area evacuated, was plant locked out?).		

Prevention	Details	Person responsible	Target date	Completed / sign off
What action (immediate/within 48 hours) has been taken to prevent a reoccurrence of the incident (e.g. re-induction, rewrite SWMS, removal of persons from site)?				

Debriefing	Details	Person responsible:
Use a toolbox talk to follow up as soon as practicable informing the site of the incident and the outcome relaying important information on what steps have been taken to prevent a re occurrence. Where counselling is required, the National HSEQ Systems Manager shall facilitate counselling services through the FDC Employee Assistance Programme.		**Completed / sign off:**
		Date:

Other Information	Provide the following information with the incident report, as is relevant:	
		Copy of safe work method statement covering activity(ies) being carried out at the time of the incident
		Copy of injured/sick persons site induction form
		Copy of FDC register of injury entry
		Copy of any applicable certificates of competency, training records or experience references
		Copy of any applicable plant register, inspection and maintenance records
		Copy of witness statements
		Provide copy of any photographs or provide a diagram (as a minimum)
		Copy of any notices issued by a Statutory Authority, Council, etc.
		Relevant tool box records

Changes required to:					
Project Management Plan	☐	Inspections	☐	Communications	☐
SWMS	☐	Site Rules	☐	Permits	☐
Emergency Preparedness	☐	Management / Supervision	☐	Health Surveillance	☐
Engineering Controls	☐	Personal Protective Equipment	☐	Training	☐
Risk Assessment	☐	Consultation	☐		☐

Workers Compensation	If injury/illness to FDC employee, have workers compensation forms been completed and forwarded to the National HSEQ Systems Manager.	Yes ☐	No ☐

HSEQ Manager Comments	

Investigation successfully investigated, control measures in place preventing a reoccurrence have been reviewed and are effective and closed out by HSEQ Manager:		
Name (Please Print)	Signature	Date

Definition for Injury Prognosis:

Class 1 Safety Related Incident, Personal Damage (Injury):
Permanently alters the future of the individual (fatality, quadriplegia, amputation, impaired back, disfigurement, psychological disturbances).
Examples: amputation, loss or partial loss of sight, loss or partial loss of hearing, permanent injury to the brain, permanent damage to a nerve, muscle or tendon.

Class 2 Safety Related Incident, Personal Damage (A lost time or off site medical treated injury)
Temporarily alters the future of the individual *(normally personal damage from which the individual fully recovers.* This classification includes personal damage where the injured person returns to work on alternate duties in accordance with a 'return to work' plan **whether or not** there was any time lost.
Examples: broken bone that heals properly, sprained ankle that heals properly, concussion, sciatica arising from specific incident, back pain lasting more than one day and arising from a specific incident, deep laceration involving nerve, muscle or tendon this able to be repaired, major burn (bigger than a 20 cent piece) or an injury requiring off site medical treatment.

Class 3 Safety Related Incident, Personal Damage (a first aid injury)
An injury which temporarily inconveniences the individual and which may be painful and cause discomfort to the injured person, *but does not prevent person from carrying out their normal activities*.
Examples: minor laceration (does not require stiches), minor muscular strain, bruising, back pain lasting no more than one day and arising from a specific incident, minor burn (smaller than a 20 cent piece).

APPENDIX E

Complaints Register

FDC CONSTRUCTION (NSW)

250101- Sydney Business Park Warehouse 1 (TJX)

Complaints Register **Date:** 16/02/2021

Item #	Date	Correspondence Type	From	To	Issue Raised	Action Required	Closed Date	Comments

APPENDIX F

Construction Traffic Management Plan

Construction Traffic Management Plan

Sydney Business park

Stage 3

Warehouse 1

Revision control:

Revision	Date	Description	Approved
Draft	01 DEC 2020	First Draft – Tori Curtin	
A	24 DEC 2020	Rev 001 – Tori Curtin	
B	19 FEB 2021	Rev 002 – Tori Curtin	
C	23 FEB 2021	Rev 003 – Tori Curtin	
D			

ROADWORK SOLUTIONS
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1.0 Scope of Works

This Construction Traffic Management Plan (CTMP) facilitates the safe implementation of a Traffic guidance scheme prepared to address traffic access and safety issues associated with FDC' the construction of a new Distribution Centre Warehouse.

This TMP has been prepared to provide details of the management of the traffic, plant and site compound activities associated with the proposed works. The primary purpose of this Plan is to provide traffic and plant management measures to be incorporated into the operational management of the works to ensure that all traffic and plant activity associated with work occurs with minimal interaction with adjoining public road traffic movements as well as ensuring the safe working conditions for construction crews. The traffic management plan is designed to be consistent with the overall construction plan for the project.

2.0 Location of Works

This TMP will be implemented for the proposed works associated with FDC' new construction situated at Astoria St, Marsden Park. The site is situated Approx. 1km West of Harris Ave, Approx. 370m East of South St. A location map is presented below.



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3.0 Project Scope & Context

FDC are undertaking the construction of a new 41,000sqm Warehouse 1 & 3 storey office. The project is anticipated to have a construction period of eight months beginning in February 2021 & completing approx. October 2021. Warehouse 1 will be a highly efficient facility that has the capacity to accommodate approx. 290 staff. Warehouse 1 will also have the following features:

Provision of a high quality and efficient Distribution Centre

Cross dock solution

Flexible Design Solution and Storage Requirements

Potential for operating hours to be 24 hours a day, 7 days a week without limitation

Environmentally sensitive design principles to be adopted

Office and amenities which are both functional and modern and commercial standard

Accessibility and direct access to main arterial road network

Separate truck entry/exit to car parking

Entry/exit egress to service road to accommodate for Super "B" double trucks

No restrictions for noise, planning covenants, use, zoning, or residential uses

Full height, un-obstructed racking provisions

Storage capacity provided through racked & bulk stacking

Truck movements based on Super B-Doubles inclusive of internal access roads and hardstand areas.

Developer to provide evidence of surrounding roads being rated for Super B – Double access.

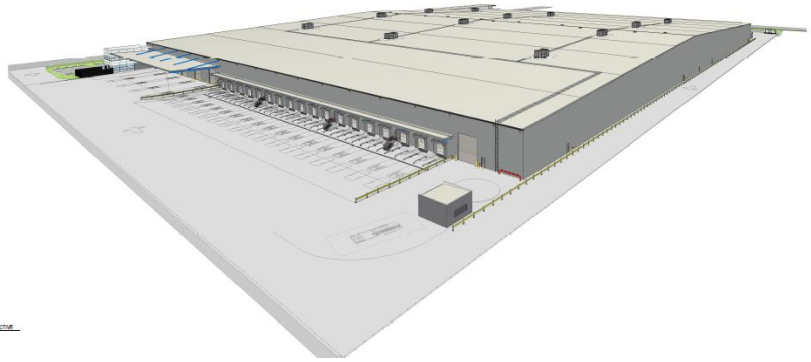
Building to be designed and constructed to FM Global requirements.

Distribution Facility primarily for storage of the following:

- Food Products
- Paper Products
- Retail Goods
- Apparel

Extract from architectural plans



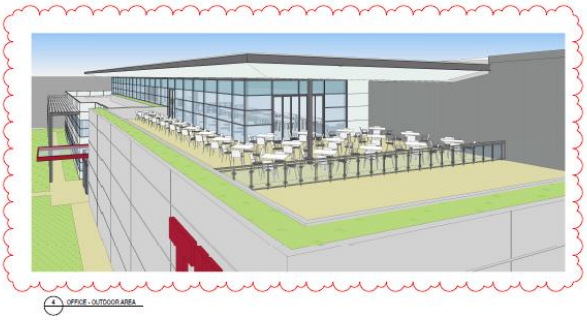


Extract from architectural plans









4.0 Impact Assessment

Existing Road Network

Richmond Rd – A classified RMS State Road that generally runs in a Northern & Southern direction to the East of the Site. The road is a dual carriageway and is subject to an 80km/h speed zoning. The road carries approximately 35,915 vehicles per day (Station 71059)

Hawthorne Ave – A Local Council Road that generally runs in an Eastern & Western direction to the North-East of the Site. It connects to Richmond Rd in the East and Harris Ave to the West and generally carries four lanes of traffic in each direction and is subject to a speed limit of 50 km/h.

Harris Ave – A Local Council Road that generally runs in a Northern & Southern direction to the East of the site. It generally carries two trafficable lanes in each direction with and is subject to a speed limit of 50 km/h.

Astoria St– A Local Council Road that generally runs in an Eastern & Western direction the site is located on this road, it carries one lane of traffic in each direction and is subject to a speed limit of 50 km/h.

Image of Key Intersections



The impact on the traffic flow on the adjacent and surrounding road network from construction traffic will be minimal & intersections will have the capacity to handle construction vehicles

Site access

The sites construction vehicle access point will be located at Gate B, which is located on Astoria St, the construction vehicles exit point will also be located on Astoria St Via Gate A.

Contractor parking would be provided within site on Astoria St Via Gate B, until the proposed North/South Collector Rd is constructed, then all contractor parking will be located via Gate D.

Pedestrians attempting to cross the site's heavy vehicle accesses are to be managed through signage, pedestrian barriers, and traffic controllers. For all pedestrian access to the site, Gate C will be located next to Gate D on the proposed North/South Collector Rd, once construction for the proposed North/South Collector Rd begins all pedestrian access will be via a pedestrian gate adjacent to Gate B.

Emergency vehicle access to and from the site will always be available while the site is occupied by construction workers. This process would be implemented through emergency protocols on the site which will be developed by the contractor.

As a safety precaution the use of safety barriers is recommended to ensure that appropriate separation of workers, plant and construction traffic is maintained. All oversized deliveries will occur as per RMS guidelines and council restrictions.

Extract from site establishment Plan

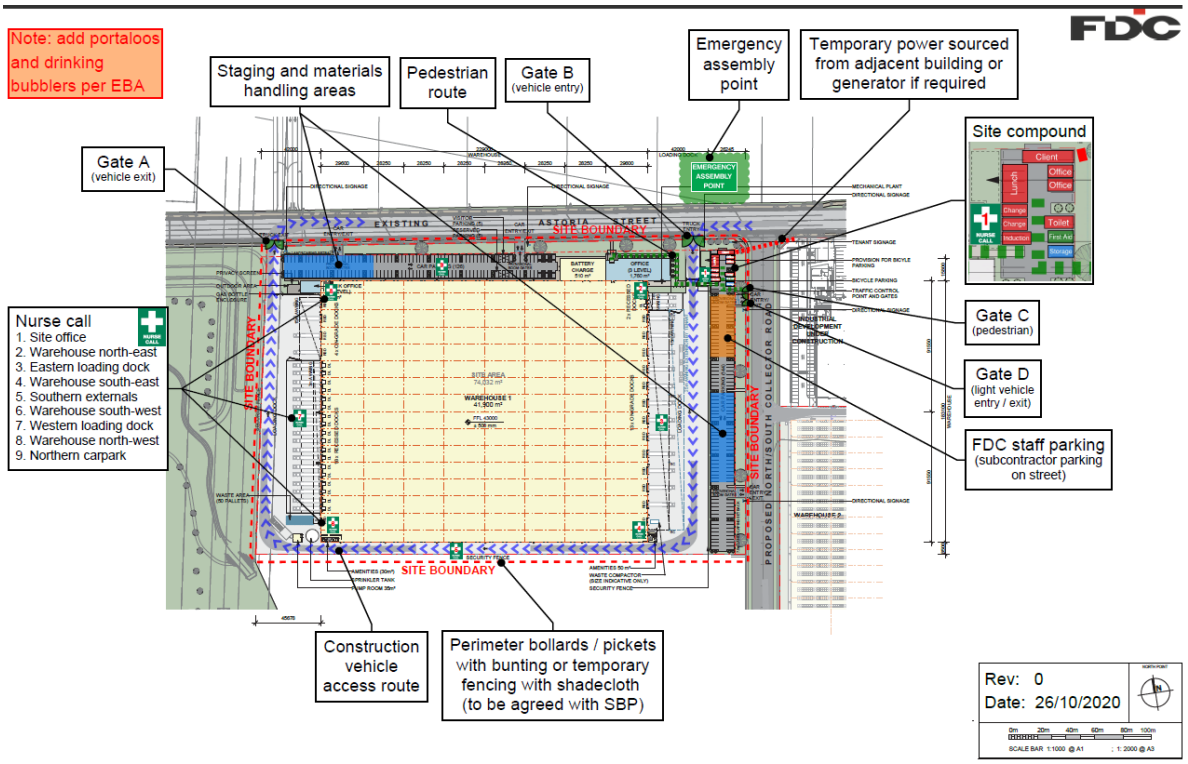


Image of Eastbound direction to the site



Image of Westbound direction to the site



Image of typical access point



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Hours of Operation

Standard hours of construction for the duration of the project are anticipated to be between 7:00 am – 6:00 pm, Monday to Friday & 8:00am – 1:00pm on Saturday. It is not anticipated that activities during the construction program will have to be completed outside of these hours. However, any such works will be coordinated and notified as required.

Construction Vehicles

Construction vehicles likely to travel to and from site are likely to include:

- Floats for Earthwork and Piling machines
- Heavy and medium rigid trucks for construction spoil removal
- Heavy and medium rigid trucks for construction material delivery
- Mobile cranes and concrete pumps
- Concrete Agitators: and
- Trade vehicles

During the construction period, the construction vehicle movement activities are set out in the below table.

Task	Duration	Vehicle movement per day
Excavation	8 weeks	10
General construction	8 weeks	10
Landscaping	8 weeks	10
Touch up	8 weeks	10

Vehicle Dimensions

SRV – Small rigid vehicle-load capacity of 4 tonnes, typically single rear axle, are 6 m long

MRV – Medium rigid vehicle-load capacity of 8 tonnes, typically single rear axle, are 8.8 m long

HRV – Heavy rigid vehicle-load capacity of 12-16 tonnes, typically dual rear axle, up to 12.5 m long

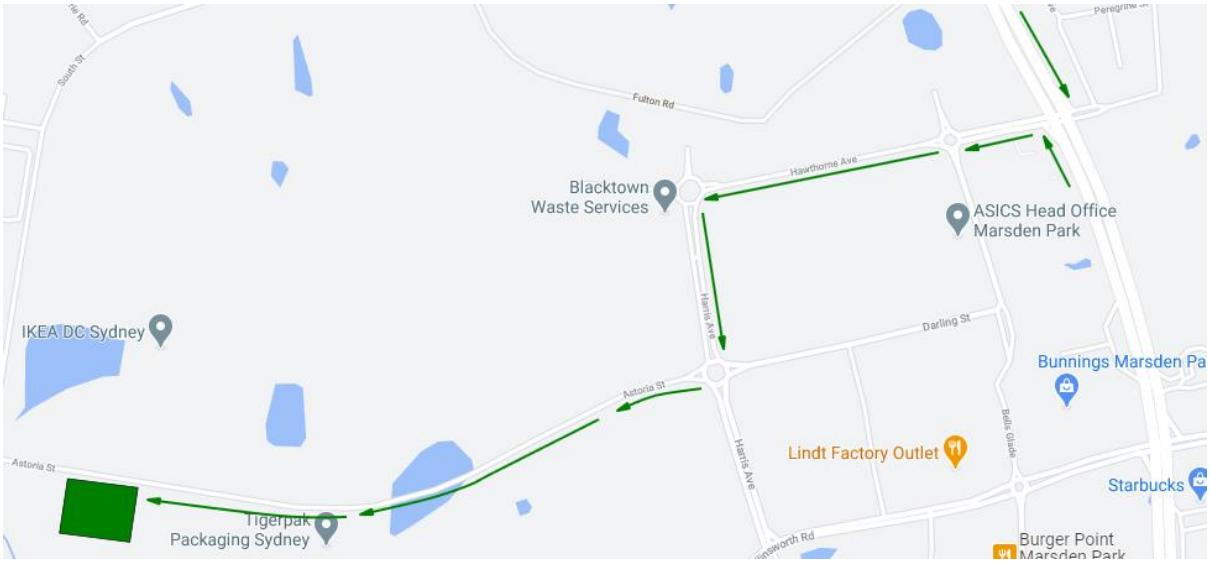
AV – Truck and dog combinations, typically an MRV with a trailer

Construction Routes

Construction vehicles will travel to and from site on arterial road suitable to their vehicle type. The main routes are illustrated in the figure below.

The construction access points to the site will be on Astoria St and the proposed North/South Collector Rd. This is accessible from Harris Ave, Via, Hawthorne Ave and Richmond Rd, this will connect all construction vehicles to the wider road network

Construction Travel Routes



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5.0 Traffic Control

Each work task has different requirements, these will be identified individually, and management plans put into place, the site TCP will include more detail of this implementation and how the controls put in place will minimize disruption whilst maintain a safe work area for construction crews. These Traffic Control Plans are drawn in line with Australian Standard 1742.3 and RMS Traffic Control at Work Sites Guidelines, the Austroads Guides to Temporary Traffic Management (AGTTM), and will be produced in consultation with Council and RMS.

Each work site will have a TCP which will address the following:

Traffic flow. All traffic will be managed by a TCP which will comply with AS 1742.3 and the RMS Traffic Control at Work Sites manual (TCWSM). Please refer to the Traffic Control Plans attached.

Pedestrian movement. All pedestrian movement including entry, egress and movement around the work area will be in accordance with RMS TCWSM Section 9.3 – Pedestrians. All work areas will be secured with barriers and fencing to ensure that no unauthorized entry for pedestrians is possible.

Plant movement. All plant movement including entry, egress and movement within the work area in accordance with RMS TCWSM Section 7 – Providing for works traffic.

Cyclist movement. All cyclist movement including around or adjacent to the work area will be in accordance with RMS TCWSM Section 9.4 – Cyclist.

Stakeholder Authority. The work site will require the authority of the stakeholder – Blacktown City Council which will be onsite at all times.

5.1 Vehicle Access

Vehicle access will be via Astoria St until the proposed North/South Collector Rd is constructed. There are no existing residential properties within the surrounding area, the site is located within Sydney Business Park. Vehicle access to all properties within the surrounding area are to remain unaffected.

5.2 Pedestrian Access

Most construction activities would occur off-street. Although construction activities occur off road, the pedestrian and cycle connections would be managed by traffic controllers, barriers & signage during construction activities.

Pedestrians and cyclists using the footpath fronting the Site or Work Zone will be halted by an accredited Traffic Controller while construction vehicles are entering & exiting the Site. An expandable barrier would be installed on both sides of the footpath and to be operated when construction vehicles are on approach / ready to depart from the Site. Once the construction vehicles are clear from the footpath, the Traffic Controller can allow the pedestrians and cyclists to continue along their journey. Warning signs will be put in place where pedestrians and construction vehicles interact.

5.3 Signage

The TMP introduces new regulatory and advice signage designed to provide motorists and pedestrians the clearest notification of the potential hazards created by the new work site. Parking restrictions signs will also be used for construction zones.

Additional static signs to inform motorist and pedestrians will be put on the approach to works. Please refer to Traffic Control Plans/Traffic Guidance Schemes for further information.

5.4 Barriers

A number of barriers may be installed as required. FDC may deploy appropriate temporary barrier system compliant with AS 3845. A work site exclusion zone will be created to cater for this deflection distance where appropriate.

6.0 Maintaining Network Performance

6.1 Road Occupancy

If Required FDC will obtain an approval from Blacktown City Council and TfNSW prior to the commencement of any works on the road except in the case of an emergency, or when directed by Police or Emergency services, FDC will endeavour to reinstate road as soon as practicable.

All applications will be forwarded to Blacktown City Council and TfNSW with an allowance for the Traffic Committee to approve the application (if required). Associated works (utilities) may require ROLs, as required the traffic control subcontractor (Roadwork Solutions) will obtain ROL's and carry out works as per ROL conditions.

All ROL's will comply with the overarching road safety and traffic management principles, objectives and targets outlined in the Project Construction Management Plan.

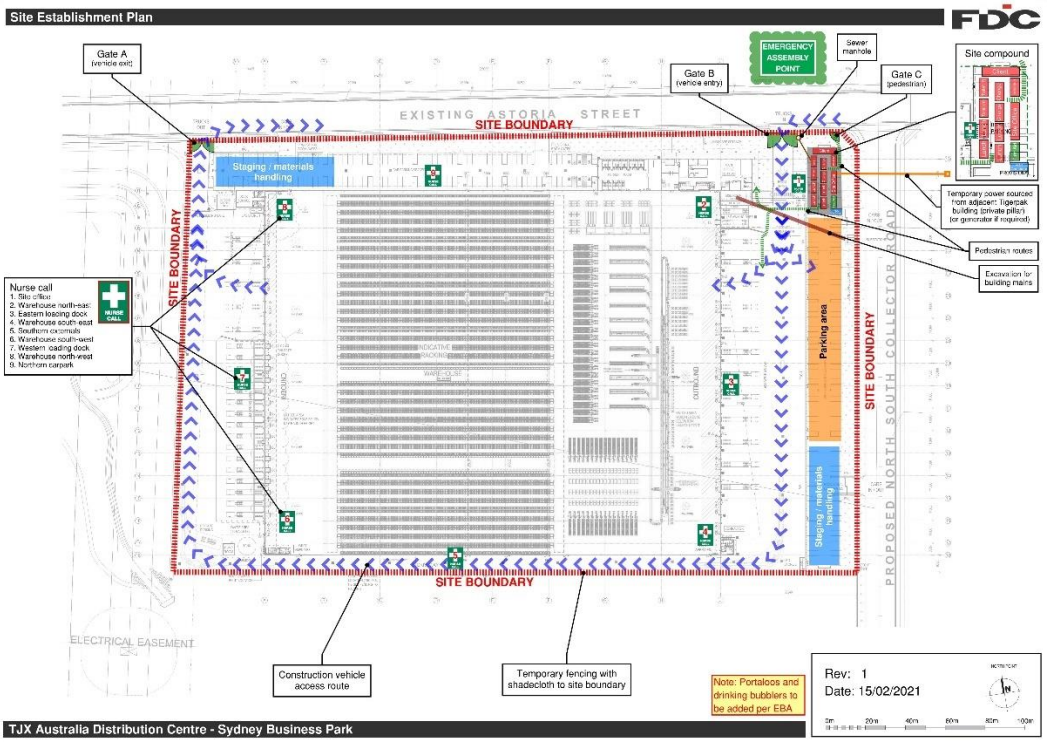
6.2 Surrounding Parking Modifications

There will be No Stopping Zone created on the Southern side of Astoria St to allow enough room for Heavy vehicle ingress & egress from the site. Temporary no stopping signage to be erected along this area for the duration of the construction.

6.3 Construction Workers Parking

Temporary Key contractor & staff parking will be located within the site on Astoria St Via gate B until the proposed North/South Collector Rd is constructed, then parking will be located at Gate D.

Extract from site establishment Plan



6.4 Unplanned Events (Incident Response)

FDC will manage all incidents which may contribute to congestion, aggravate the free flow of traffic, or threaten the wellbeing of any road user within the Project boundaries.

6.5 Planned Events

Blacktown City Council and Transport for NSW events calendar will be considered when programming this work, to ensure there are no conflicts with local events or other motorway works. Consultation will continue with the council regarding any issues working during proposed times.

6.6 Public Transport

No public transport services or networks will be affected by works.

6.7 Property Access

All property accesses adjacent to, and the surrounding area will be maintained wherever possible. Any restrictions to property access will be extensively communicated to stakeholders prior to works commencing.

6.8 Emergency Services

This arrangement will result in minimal impact on emergency vehicles. Emergency Services will be provided advance notice of any changes via the site management team and email updates.

6.9 Monitor the effectiveness of control measures

The use of an inspection checklist will be implemented to monitor the effectiveness of the traffic control measures in place. A traffic control safety inspection will be completed at least once per month, with any minor modifications completed as required. Any major modifications will be assessed and implemented by a suitably qualified person.

6.10 Tree Protection Management

All street trees and trees on private property that are protected under Blacktown City Council's controls, shall be retained and protected in accordance with AS 4970 - 2009 ‘Protection of Trees on Development Sites’ during demolition and construction works except where Council's prior written consent has been obtained.

7.0 Community/Advertising/Consultation

In order for any construction traffic management strategy to work effectively, continuous communication is required between all parties, which may be potentially impacted upon, the builder and the regulatory authority. This establishes a dynamic response process which allows for the adjustment of control methods and criteria for the benefit of all parties.

The objective in undertaking a consultation process is to:

- Inform and educate the groups about the project and the noise controls being implemented.
- Increase understanding of all acoustic issues related to the project and options available.
- Identify group concerns generated by the project, so that they can be addressed; and
- Ensure that concerned individuals or groups are aware of and have access to a Constructions Complaints Register which will be used to address any construction noise related problems should they arise.

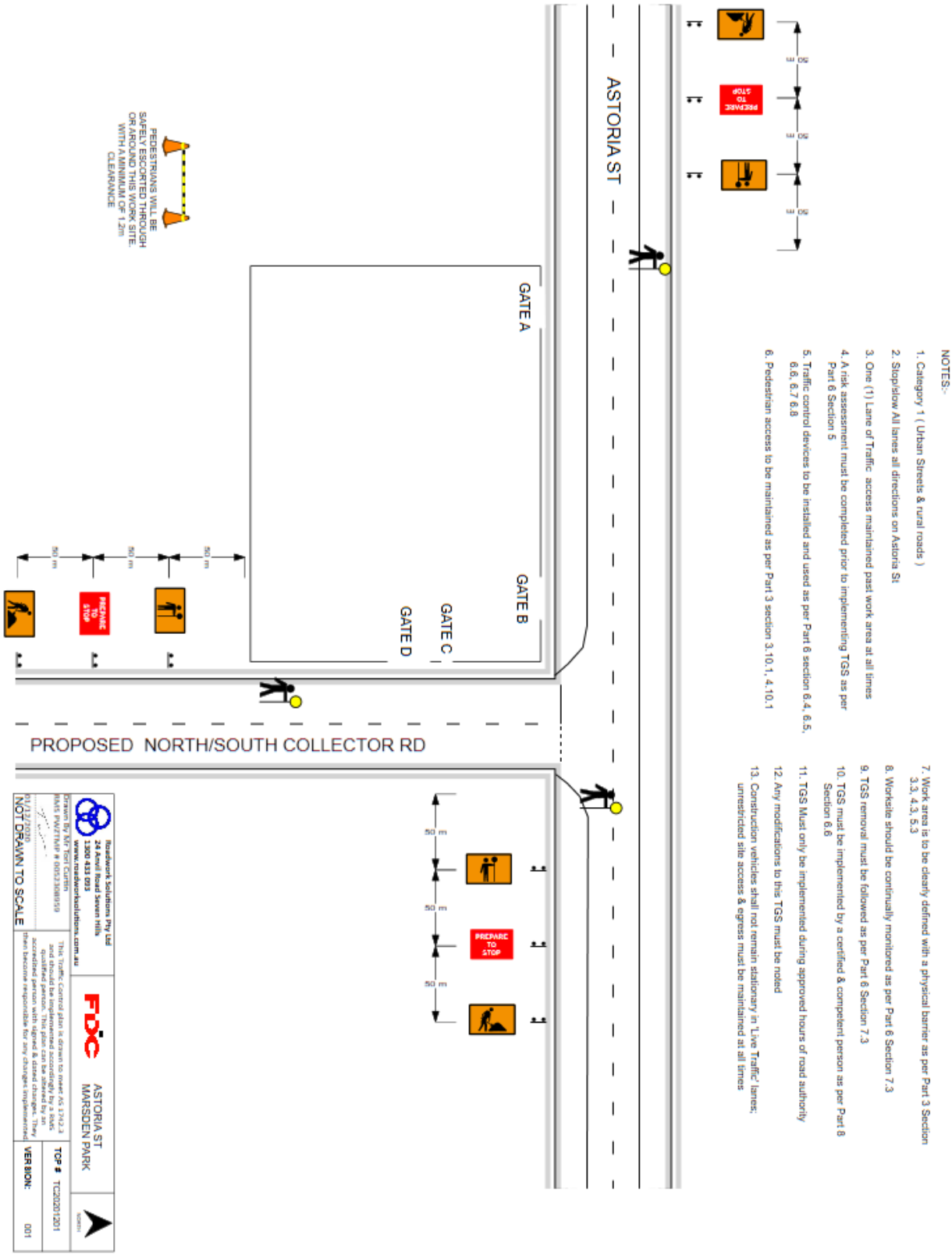
Community consultation is recommended prior to any works commencing on site, with letterbox notifications to all identified surrounding sensitive receivers.

8.0 Contacts

Contact	Position	Mobile No.
Jack Jenner-Taylor	FDC Contracts Administrator, Construction	0434 606 736
Edward Gregory	FDC Cadet, Construction	02 8117 5242
David Saczko	FDC Design Manager	
Tori Curtin	Roadwork Solutions Traffic Consultant	0423 289 786
Transport Management Centre	Operations Centre	1 800 679 782

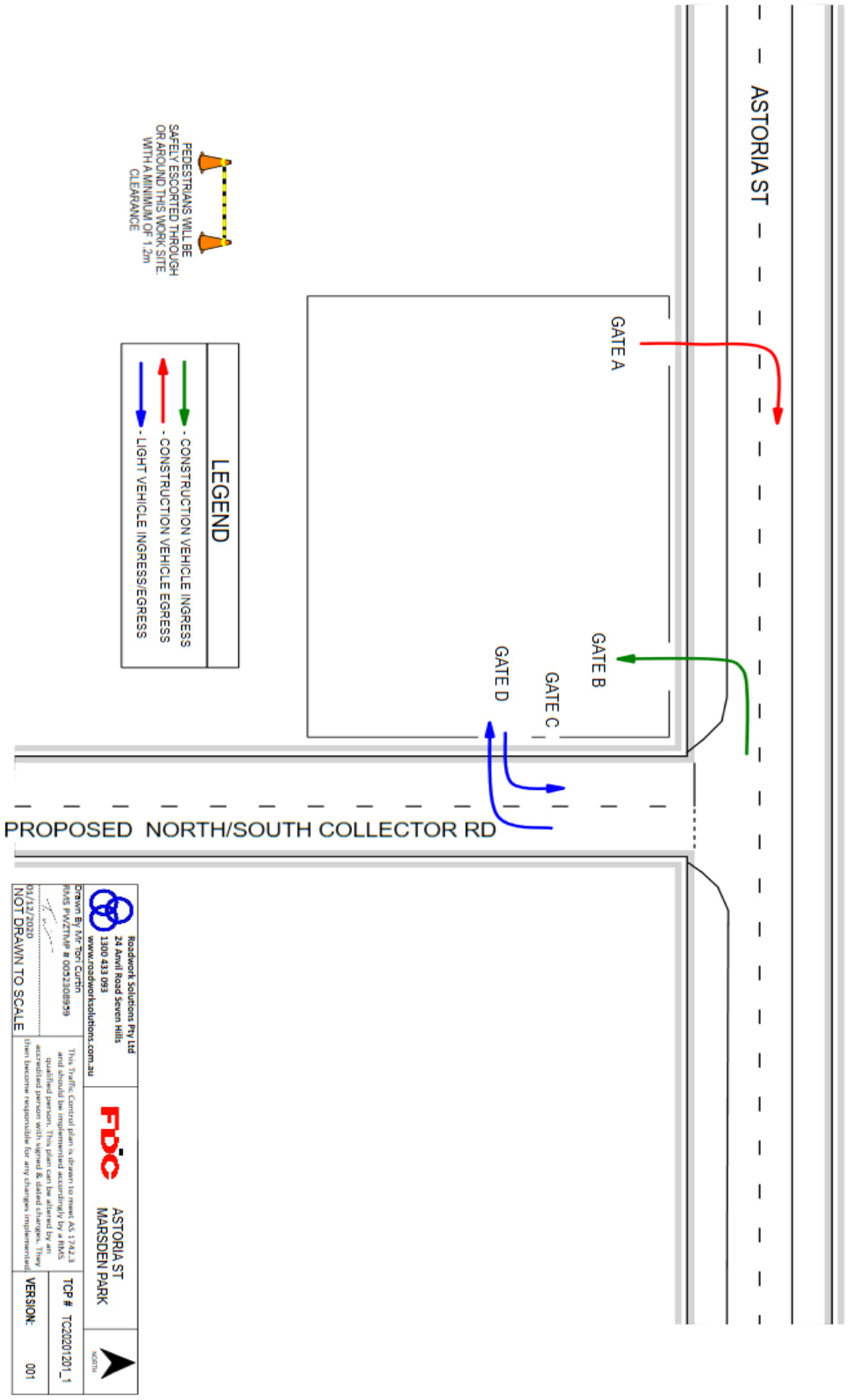
9.0 Traffic Control Plan/Traffic Guidance Scheme

Astoria St – Stop/Slow



ROADWORK SOLUTIONS
SAFE RELIABLE PROFESSIONAL

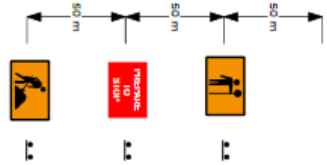
Astoria St – VMP

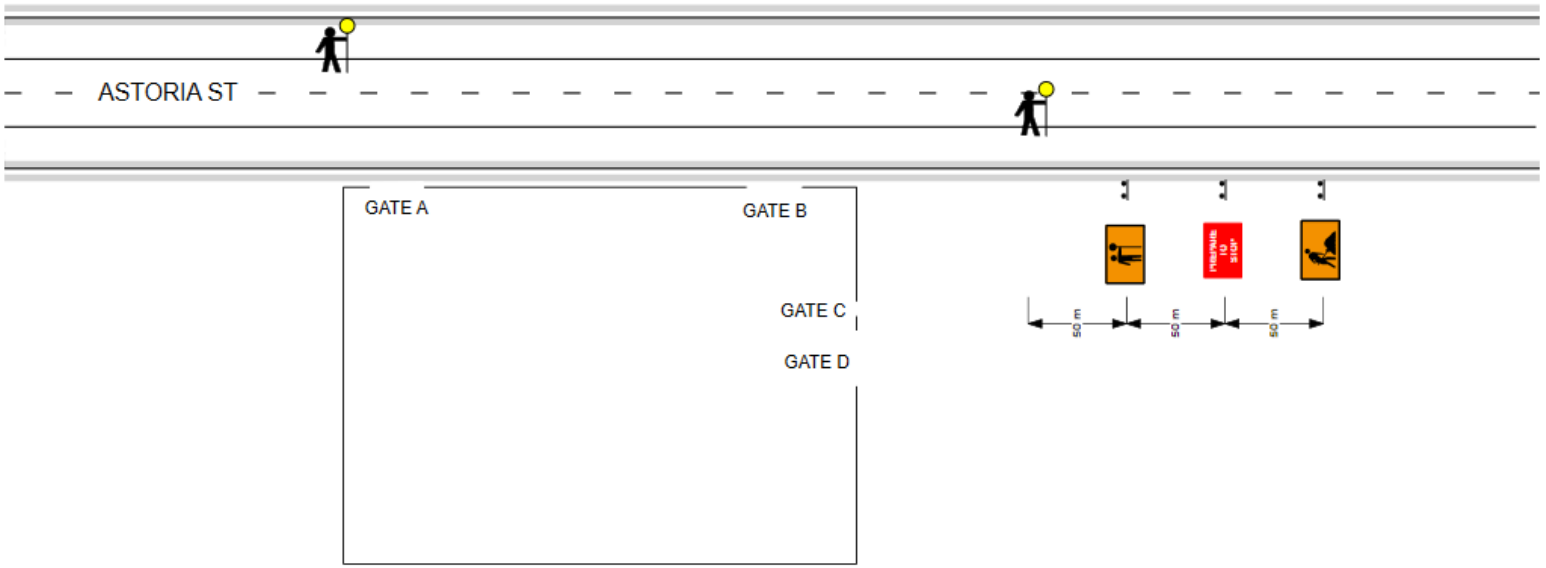


ROADWORK SOLUTIONS
SAFE RELIABLE PROFESSIONAL

NOTES:-

1. Category 1 (Urban Streets & rural roads)
2. Stop/slow All lanes all directions on Astoria St
3. One (1) Lane of Traffic access maintained past work area at all times
4. A risk assessment must be completed prior to implementing TGS as per Part 6 Section 5
5. Traffic control devices to be installed and used as per Part 6 section 6.4, 6.5, 6.6, 6.7 6.8
6. Pedestrian access to be maintained as per Part 3 section 3.10.1, 4.10.1
7. Work area is to be clearly defined with a physical barrier as per Part 3 Section 3.3, 4.3, 5.3
8. Worksite should be continually monitored as per Part 6 Section 7.3
9. TGS removal must be followed as per Part 6 Section 7.3
10. TGS must be implemented by a certified & competent person as per Part 8 Section 8.6
11. TGS Must only be implemented during approved hours of road authority
12. Any modifications to this TGS must be noted
13. Construction vehicles shall not remain stationary in 'Live Traffic' lanes; unrestricted site access & egress must be maintained at all times

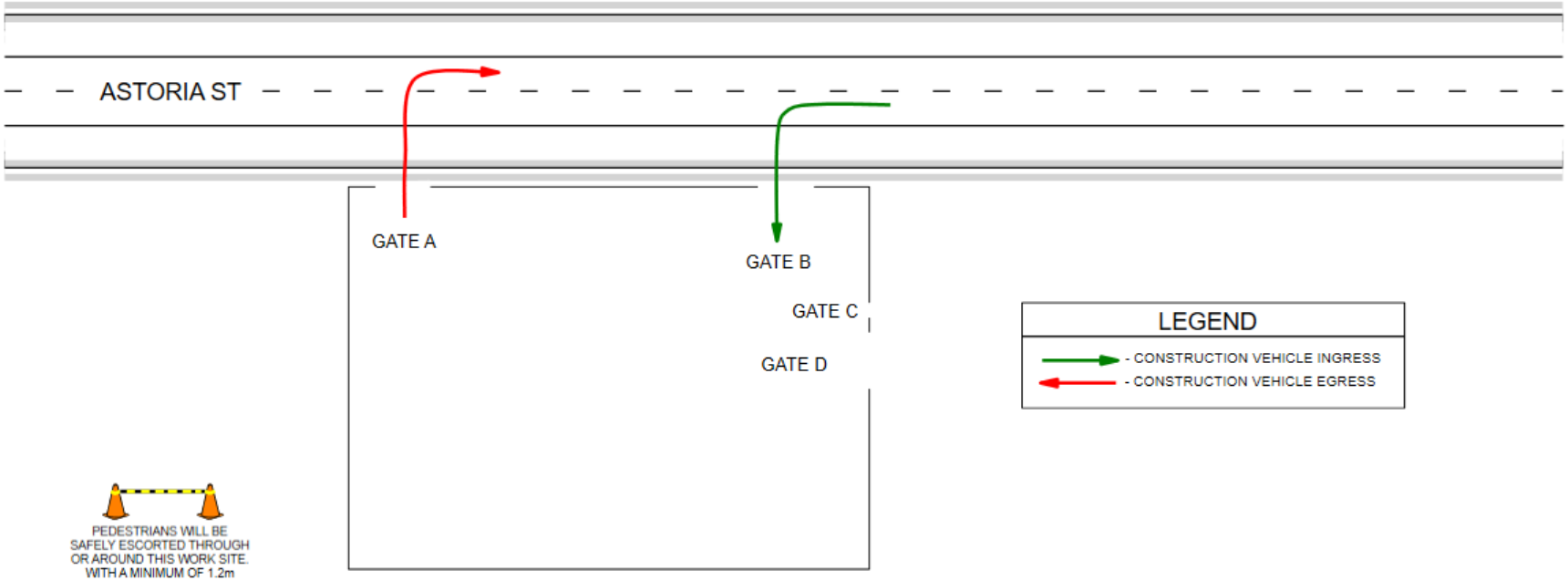




PEDESTRIANS WILL BE SAFELY ESCORTED THROUGH OR AROUND THIS WORK SITE. WITH A MINIMUM OF 1.2m CLEARANCE

Roadwork Solutions Pty Ltd 24 Anvil Road Seven Hills 1300 433 093 www.roadworksolutions.com.au	FDC ASTORIA ST MARSDEN PARK	NORTH
Drawn By Mr Tori Curtin RMS PWZTMP # 005230895 24/12/2020 NOT DRAWN TO SCALE	This Traffic Control plan is drawn to meet AS 1742.3 and should be implemented accordingly by a RMS qualified person. This plan can be altered by an accredited person with signed & dated changes. They then become responsible for any changes implemented.	TCP # TC20201224 VERSION: 001

ROADWORK SOLUTIONS
SAFE RELIABLE PROFESSIONAL



Roadwork Solutions Pty Ltd 24 Anvil Road Seven Hills 1300 433 093 www.roadworksolutions.com.au	FDC ASTORIA ST MARSDEN PARK	NORTH
Drawn By Mr Tori Curtin RMS PWZTMP # 0052308959 24/12/2020 NOT DRAWN TO SCALE	This Traffic Control plan is drawn to meet AS 1742.3 and should be implemented accordingly by a RMS qualified person. This plan can be altered by an accredited person with signed & dated changes. They then become responsible for any changes implemented.	TCP # TC20201224_1 VERSION: 001

10.0 CTMP Approval

FDC representative to sign off

The Project Manager will verify the long term TMP is completed and suitable for consideration by the approval authorities:

Name and signature:	**Date:**

Road Authority representative to sign off

The Road Authority Project Manager will email confirmation that this TMP is approved for implementation to the Confluence Water Project Manager. The signature box below will record a note confirming receipt of that email. A copy of the email will be attached as an Appendix to this document.

Name and signature:	**Date:**

11.0 Driver Code of Conduct

General Requirements

Construction vehicle drivers travelling to and from the site must:

- Have undertaken a site induction carried out by an approved member staff or suitably qualified person under the direction of management.
- Hold a valid driver's licence for the class of vehicle that they operate.
- Operate the vehicle in a safe manner within and external to the quarry site.
- Comply with the direction of authorised site personnel when within the site.

Heavy Vehicle Speed

Increased speed means not only an increased risk of crashing but also increased severity if an accident occurs. A study undertaken for the Australian Transport Safety Bureau found that travelling 10 km/h faster than the average traffic speed can more than double the risk of involvement in a casualty accident. (Source Roads and Maritime Services (RMS) previously known as Roads and Traffic Authority (RTA)).

There are two types of speeding:

- Where a heavy vehicle travels faster than the posted speed limit; and
- Where a driver travels within the speed limit but because of road conditions (e.g. fog or rain) this speed is inappropriate. (Source RMS).

Drivers and truck operators are to be aware of the "Three Strikes Scheme" introduced by the Roads and Maritime Services which applies to all vehicles over 4.5 tonnes. When a heavy vehicle is detected travelling at 15 km/h or more over the posted or relevant heavy vehicle speed limit by a mobile Police unit or fixed speed camera, the Roads and Maritime Services will record a strike against that vehicle. If three strikes are recorded within a three-year period, the Roads and Maritime Services will act to suspend the registration of that vehicle (up to three months).

More information is available from the Roads and Maritime Services website.

Vehicle speed on public roads is enforced by the NSW Police Service.

The speed limit within the quarry site is 20 km/h which is to be strictly maintained.

Heavy Vehicles Driver Fatigue

Fatigue is one of the biggest causes of accidents for heavy vehicle drivers. The Heavy Vehicle Driver Fatigue Reform was therefore developed by the National Transport Commission (NTC) and approved by Ministers from all States and Territories in February 2007.

The heavy vehicle driver fatigue law commenced in NSW on 28 September 2008 and applies to trucks and truck combinations over 12 tonne GVM (however there are Ministerial Exemption Notices that can apply).

Under the law, industry has the choice of operating under three fatigue management schemes:

- Standard Hours of Operation
- Basic Fatigue Management (BFM)
- Advanced Fatigue Management (AFM)

Heavy Vehicle Compression Braking

Compression braking by heavy vehicles is a source of irritation to the community generating many complaints especially at night when residents are especially sensitive to noise.

In some instances, compression braking is required for safety reasons however when passing through or adjacent to residential areas or isolated farmsteads a reduction in the speed of the vehicle is recommended to reduce the instances and severity of compression braking.

Heavy Vehicle Noise

The operating hours for transportation of materials to and from site are:

Monday – Saturday (except Public Holidays) 7:00 am to 6:00 pm

Sundays and Public Holidays No activities

The following activities may be carried out on the site outside these hours of operation.

- delivery or dispatch of materials as requested by Police or other authorities; and
- Emergency work to avoid the loss of lives, property and/or to prevent environmental harm.

At the commencement of the working day it is not unusual for drivers to arrive early and wait for opening. If this occurs drivers are to wait with engines turned off.

Vehicle Departure and Arrival

Heavy Vehicles travelling in close proximity on single lane public roads can be of concern to light vehicle drivers as well as increasing noise through or adjacent to residential areas. To alleviate public concern and increase road safety, heavy vehicles leaving the site should be separated by a minimum two-minute interval.

It is difficult to schedule arrivals to the site (except at the commencement of work for the day), however, when a driver becomes aware, through visual contact or two-way contact between trucks, that they will arrive at approximately the same time then they are to ensure that there is a suitable gap between vehicles.

12.0 Traffic Control Inspection Checklist

SITE AUDIT CHECKLIST

Date…… Time…… Completed by……
Name of Supervisor:…… Project:……
Name of Client…… Foreman ……..
Location…… TCP No……

				Tick or cross in the appropriate box:
No.	**Conditions**	**Acceptable**	**Not Acceptable**	**Not Applicable**
1	**Traffic Control Plan**			
1.1	Is an approved TCP on site & has it been modified by an authorized person?			
1.2	Have signs & devices been correctly implemented as per the TCP?			
1.3	Could the worksite be set out differently to minimize the impact on traffic, pedestrians &/or cyclists?			
1.4	Is the clearance between workers & traffic adequate for worksite?			

ANY COMMENTS, IMPROVEMENT?

……
……
……

2	**Signs & Devices**	**Acceptable**	**Not Acceptable**	**Not Applicable**
2.1	Has a site check been completed?			
2.2	Are signs present & in good condition?			
2.3	Are the signs in a clear position & not affected by other contradictory signs, plant, vegetation, shade, etc?			
2.4	Are the correct sign sizes being used?			
2.5	Have the needs for pedestrians & cyclists been provided for?			
2.6	Is all property access to the site controlled?			
2.7	Is the taper length correct?			
2.8	Is there an adequate buffer zone?			

ANY COMMENTS, IMPROVEMENT?

……
……
……

3	Traffic Controllers	Acceptable	Not Acceptable	Not Applicable
3.1	Are the correct number of Traffic Controllers being used?			
3.2	Have their Traffic Control Certifications been sighted & are they current? (WHS Card? Blue ticket? Client/Project Induction?)			
3.3	Are all staff using a two-way radio?			
3.4	Are they wearing high visibility clothing?			
3.5	Are the TC's getting adequate breaks?			
3.6	Do the TC's have a clear escape route?			

ANY COMMENTS IMPROVMENTS?

……

……

……

4	Record Keeping	Acceptable	Not Acceptable	Not Applicable
4.1	Has a Job Safety Analysis been completed & signed?			
4.2	Does the Job Safety Analysis cover the risks & hazards associated with the worksite?			
4.3	Has a service delivery docket been completed & recorded?			

ANY COMMENTS, IMPROVEMENT?

……

……

……

APPENDIX G

Erosion and Sediment Control Plan

NORTH

NOTE:
- CUT TO FILL ALLOWS FOR A TOLERANCE OF 10mm. HATCHING SHOWS AREAS WHERE THE DIFFERENCE IS GREATER THAN 10mm IN EITHER CUT OR FILL

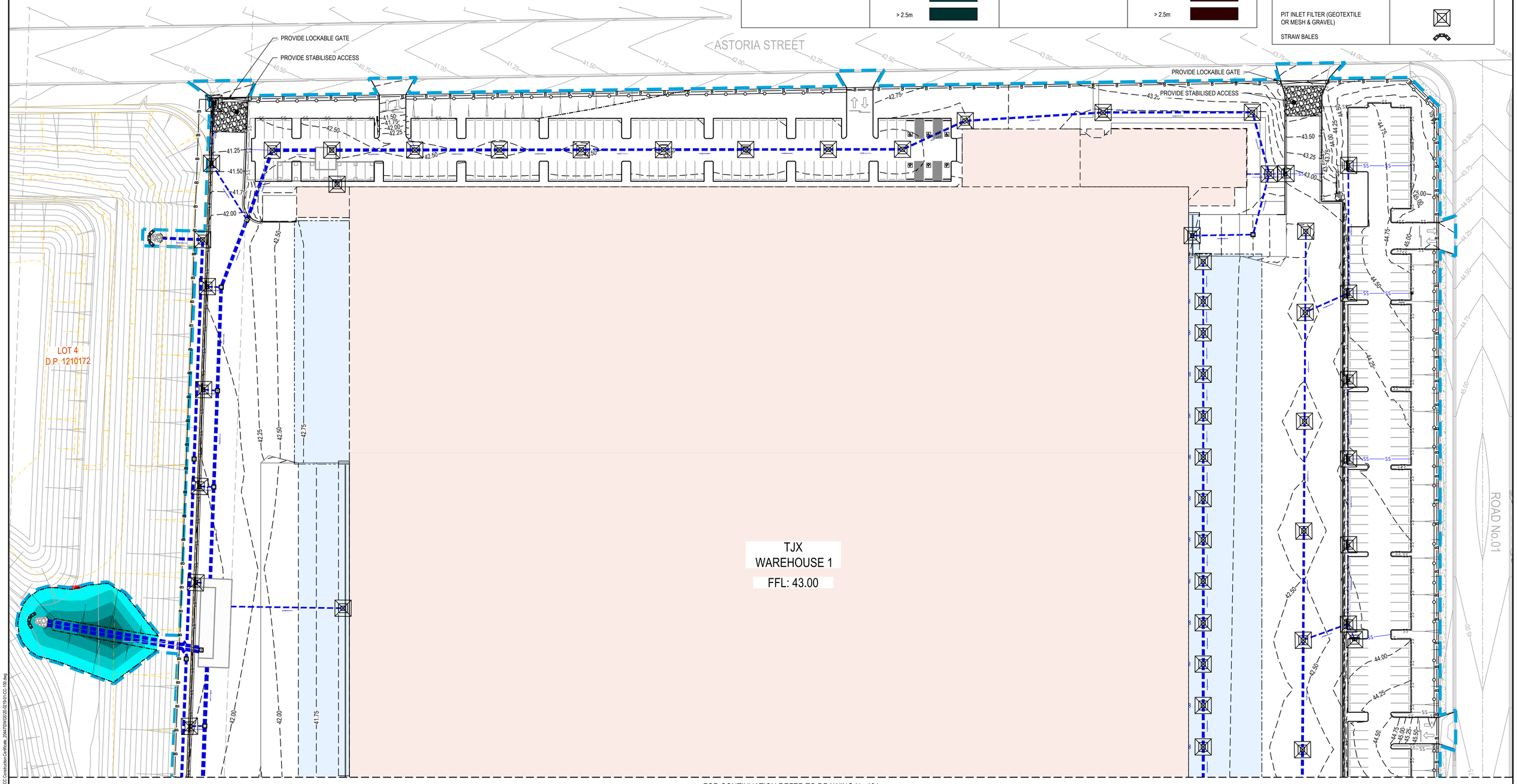
DIAL BEFORE YOU DIG
www.1100.com.au

LEGEND

APPROXIMATE EXTENT OF FILL		APPROXIMATE EXTENT OF CUT	
	0.01 - 0.5m		0.01 - 0.5m
	0.5 - 1.0m		0.5 - 1.0m
	1.0 - 1.5m		1.0 - 1.5m
	1.5 - 2.0m		1.5 - 2.0m
	2.0 - 2.5m		2.0 - 2.5m
	> 2.5m		> 2.5m

LEGEND

CONTOURS	10.0 — 20.0
STABILISED SITE ACCESS	
POSSIBLE STOCKPILE LOCATION	SP
SITE SECURITY FENCE	B B B
SEDIMENT FENCE	
PIT INLET FILTER (GEOTEXTILE OR MESH & GRAVEL)	
STRAW BALES	



FOR CONTINUATION REFER TO DRAWING No.101

ISSUED FOR CONSTRUCTION CERTIFICATE

Rev	Drawn	Design	Appd.	Date	Revision Description
A	MG	DH	PB	18/02/2021	ISSUED FOR CONSTRUCTION CERITIFICATE

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Scale: 0 5 10 15 20 25 30 35 40 45 50
SCALE 1:500 (A1) SCALE 1:1000 (A3)

For: FDC

By: Orion Consulting

ABN:25 604 069 981 PO Box:7936, BAULKHAM HILLS NSW 2153 T:(02) 8660 0035 E:info@orionconsulting.com.au

Project: TJX WAREHOUSE 1 CC 1
SYDNEY BUSINESS PARK,
MARSDEN PARK
CIVIL WORKS

Title: SEDIMENT & EROSION CONTROL PLAN
SHEET 01 OF 02

Project No.	Set No.	Milestone	Plan	Revision
20-0219	01	CC	100	A

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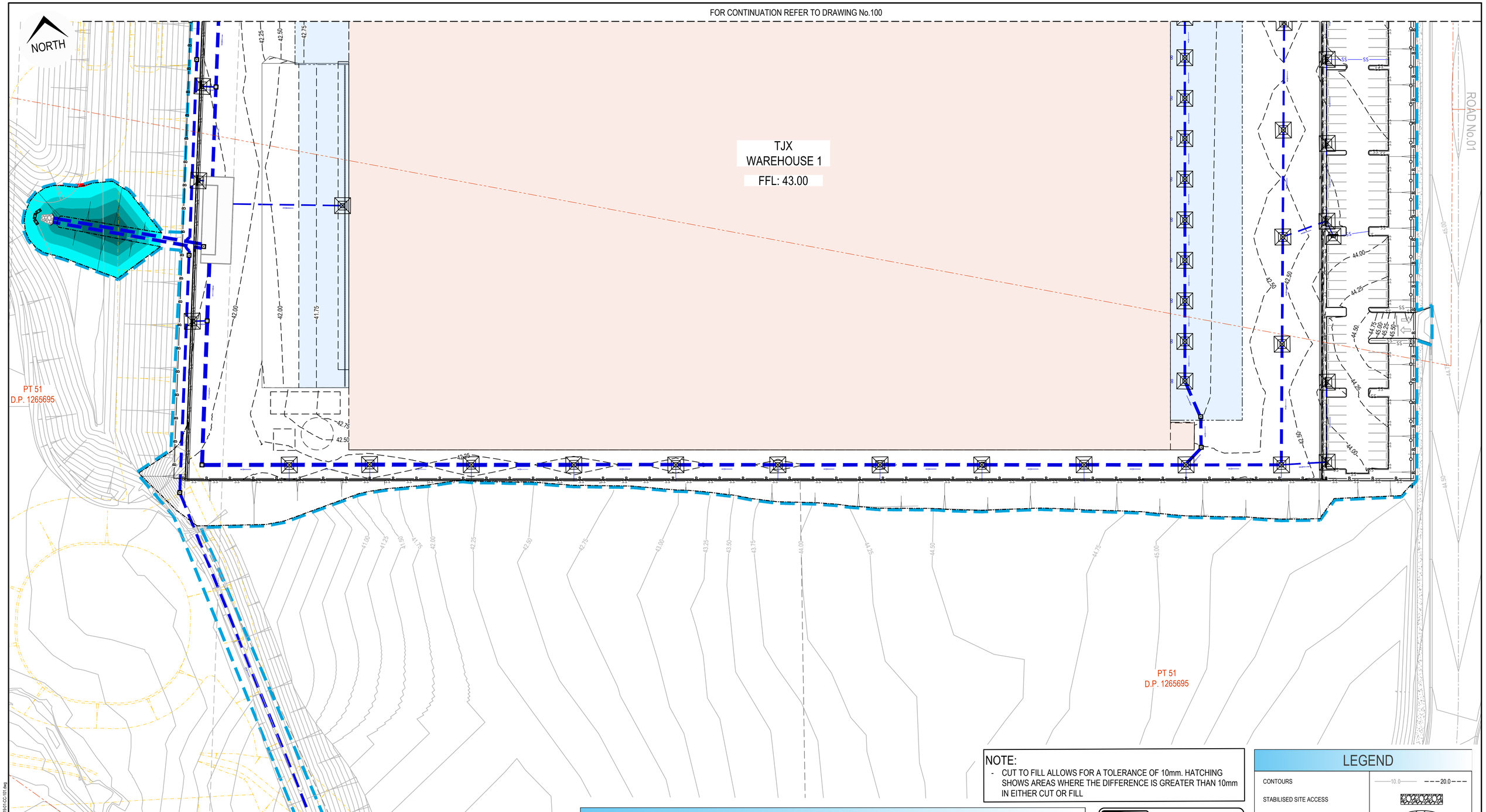

NOTE:
- CUT TO FILL ALLOWS FOR A TOLERANCE OF 10mm. HATCHING SHOWS AREAS WHERE THE DIFFERENCE IS GREATER THAN 10mm IN EITHER CUT OR FILL

LEGEND

APPROXIMATE EXTENT OF FILL		APPROXIMATE EXTENT OF CUT	
	0.01 - 0.5m		0.01 - 0.5m
	0.5 - 1.0m		0.5 - 1.0m
	1.0 - 1.5m		1.0 - 1.5m
	1.5 - 2.0m		1.5 - 2.0m
	2.0 - 2.5m		2.0 - 2.5m
	> 2.5m		> 2.5m

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LEGEND

CONTOURS	10.0 — 20.0
STABILISED SITE ACCESS	
POSSIBLE STOCKPILE LOCATION	SP
SITE SECURITY FENCE	B — B — B
SEDIMENT FENCE	
PIT INLET FILTER (GEOTEXTILE OR MESH & GRAVEL)	
STRAW BALES	

ISSUED FOR **CONSTRUCTION CERTIFICATE**

Rev	Drawn	Design	Appd.	Date	Revision Description
A	MG	DH	PB	18/02/2021	ISSUED FOR CONSTRUCTION CERITIFICATE

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Project: TJX WAREHOUSE 1 CC 1
SYDNEY BUSINESS PARK,
MARSDEN PARK
CIVIL WORKS

Title: SEDIMENT & EROSION CONTROL PLAN
SHEET 02 OF 02

Project No.	Set No.	Milestone	Plan	Revision
20-0219	01	CC	101	A

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APPENDIX H

Construction Noise Management Plan

MATTHEW PALAVIDIS
VICTOR FATTORETTO
MATTHEW SHIELDS

Warehouse 1, Stage 3 Facilities-Sydney Business Park at Marsden Park

Construction Noise and Vibration Management Plan

SYDNEY
9 Sarah St
MASCOT NSW 2020
(02) 8339 8000

ABN 98 145 324 714
www.acousticlogic.com.au

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Project ID	20210153.1
Document Title	Construction Noise and Vibration Management
Attention To	FDC Construction (NSW) Pty Ltd

Revision	Date	Document Reference	Prepared By	Checked By	Approved By
0	15/02/2021	20210153.1/1502A/R0/HC	HC		GC

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1 INTRODUCTION

Acoustic Logic has been engaged by to prepare a Noise and Vibration Management Plan for the proposed Warehouse 1, Stage 3 Facilities - Sydney Business Park at Marsden Park.

This noise and vibration management plan has been prepared for the following stages:

- Piling stage
- Construction stage

This report has been prepared to satisfy Condition B15, Condition B16, Condition B17, Condition B18, and Condition B19 in the '*Development Consent, Section 4.38 of the Environmental Planning and Assessment Act 1979*' by the Energy, Industry and Compliance, application no. SSD-10477, dated 28 January 2021. The conditions have been addressed as follow:

- Condition B15, Condition B16: *'Hours of Work';*
- Condition B17: *'Construction Noise Limits';*
- Condition B18 and Condition B19: *'Construction Noise Management Plan'*.

The report will address the following elements:

- Identification of the noise and vibration guidelines which will be applicable to this project;
- Identification of potentially impacted nearby development;
- Identify likely sources of noise and vibration generation and predicted noise levels at nearby development;
- Formulation of a strategy to comply with the standards identified and mitigation treatments in the event that compliance is not achievable.

This assessment is based on previous unattended noise monitoring data and engineering assumptions in the report of '*STAGE 3 FACILITIES - SYDNEY BUSINESS PARK, (MARSDEN PARK), SSD NOISE & VIBRATION IMPACT ASSESSMENT*', report No. 20232, VERSION B, provided by Wilkinson Murray Pty Limited, dated July 2020.

2 SITE DESCRIPTION

The project site is located at the Hollinsworth Road (future), Marsden Park and noise sensitive development in the vicinity of the project site consists of the following:

- Receiver 1: Ikea DC Sydney - existing industrial receivers, located to the north of the site;
- Receiver 2: Blacktown Waste Service – future industrial receiver currently under construction, located to the north-east of the site;
- Receiver 3: Tigerpak Packaging – existing industrial receiver adjoining the north-east boundary of the site;
- Receiver 4: Bucher Municipal – existing industrial receiver located to the north-east of the site;
- Receiver 5: Residential development - Ingenia Estate, located to the east of the site;
- Receiver 6: Logos Property - existing industrial receivers, located to the southeast of the site;
- Receiver 7: Existing residential receivers located to the south of the site; and
- Receiver 8: Existing residential receivers located to the north-west of the site.

It is noted that there is an existing 2.5 m high noise barrier constructed to the southern boundary of the Ingenia Estate (R2) (as highlighted in red in Figure 1 below).

A site map with measurement description is presented in below.

Industrial receiver

Residential receiver

Project site (warehouse 1)

Vehicle access onto the site

Existing 2.5 m high noise barrier constructed to the southern boundary of the Ingenia Estate (R2)

'A 2.4m high noise barrier is proposed to be located on the eastern boundary between Warehouse 2 and the caravan park in order to further reduce noise levels to this receiver.)'

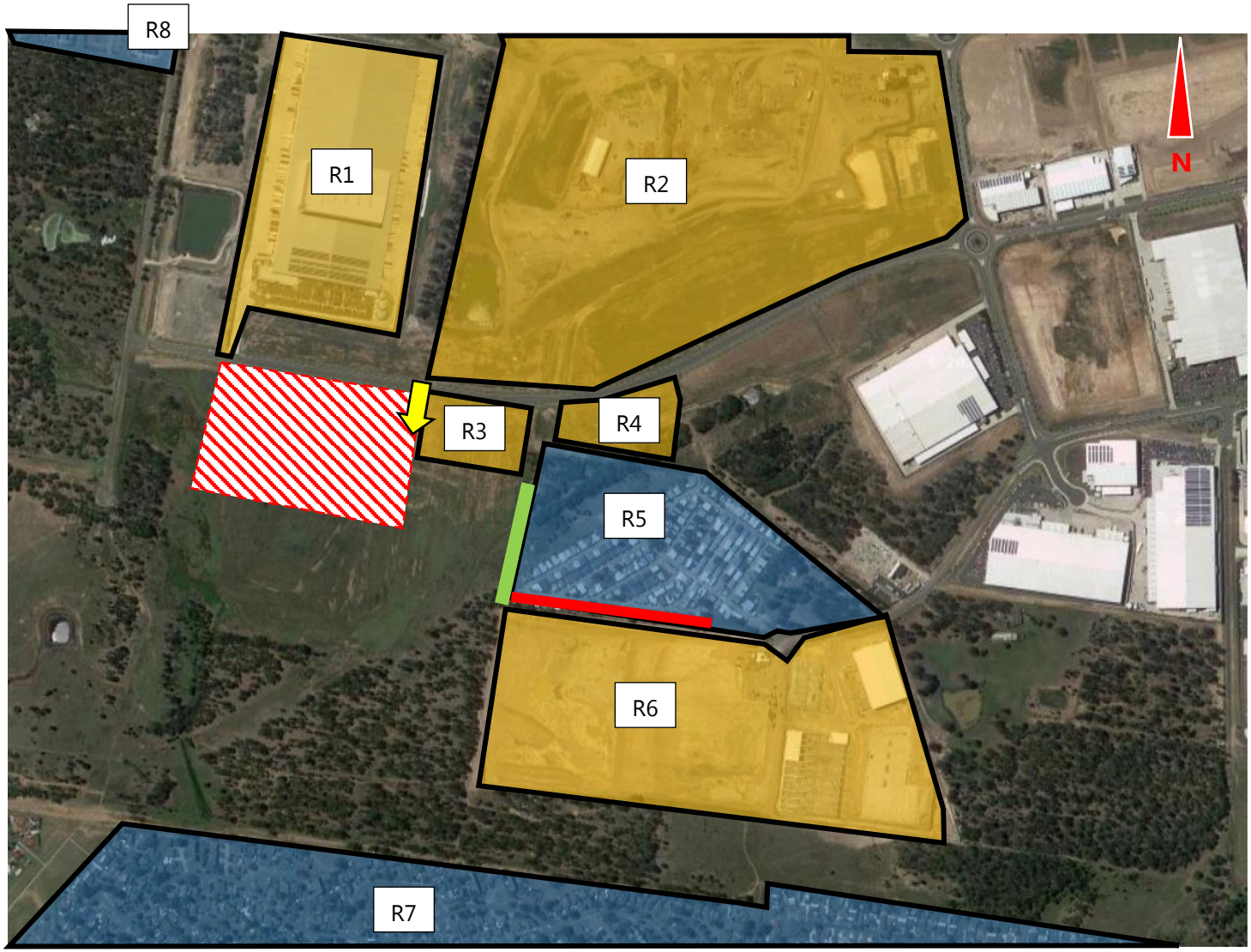


Figure 1: Site Map from SIXMaps

3 PROPOSED CONSTRUCTION WORKS

This office has been advised as following:

- The proposed works, and corresponding durations are summarised as following:
    - Piling: From 16/03/2021 to 31/03/2021.
    - Construction: From 22/02/2021 to 19/10/2021
- Vehicle access onto the site will be via Astoria Street, Marsden Park, as indicated in figure 1 above;

4 CONSTRUCTION HOURS

Condition B15 and Condition B16, in the draft '*Development Consent, Section 4.38 of the Environmental Planning and Assessment Act 1979*' by the Energy, Industry and Compliance, application no. SSD-10477, states the following:

NOISE

Hours of Work

B15. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 *Hours of Work*

Activity	Day	Time
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Sunday	24 hours

B16. Works outside of the hours identified in condition B15 may be undertaken in the following circumstances:

(a) works that are inaudible at the nearest sensitive receivers;

(b) works agreed to in writing by the Planning Secretary;

(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or

(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

4.1 PROPOSED CONSTRUCTION HOURS

The proposed working hours (construction) are:

- 7:00am -6:00pm, Monday to Friday
- 8:00am -1:00pm, Saturday

5 BACKGROUND NOISE LEVELS

Existing environmental noise survey (see figure 1) was based on a long-term unattended monitoring summarized in the report of '*STAGE 3 FACILITIES - SYDNEY BUSINESS PARK, (MARSDEN PARK), SSD NOISE & VIBRATION IMPACT ASSESSMENT*', report No. 20232, VERSION B, provided by Wilkinson Murray Pty Limited, dated July 2020.

5.1.1 Measured Background Noise Levels

Table 3-2 in Section 3.1 of '*STAGE 3 FACILITIES - SYDNEY BUSINESS PARK, (MARSDEN PARK), SSD NOISE & VIBRATION IMPACT ASSESSMENT*' outlined the rating background levels of unattended noise monitoring (see table 2 below).

The background noise levels established from the unattended noise monitoring are detailed in table below.

Table 1 – Measured Background Noise Level (Unattended Noise Monitors)

Location	Time of Day	Rating Background Level dB(A)L_{90}
NL1 – 18 Aubusson St, Marsden Park	Day	35
	Evening	30
	Night	30
NL2 – 15 Roche Gr, Shalvey	Day	35
	Evening	33
	Night	30

Noise monitoring data is presented in Appendix 1 of the report.

6 NOISE LEVEL AND VIBRATION GUIDELINE

6.1 NOISE

Noise associated with piling and construction activities on the site will be assessed in accordance with the following guidelines:

- *'Development Consent, Section 4.38 of the Environmental Planning and Assessment Act 1979'* by the Energy, Industry and Compliance, application no. SSD-10477, dated 28 January 2021; and
- NSW EPA Interim Construction Noise Guideline.

6.1.1 Condition B18 & Condition B19

Conditions B18 and B19 of *'Development Consent, Section 4.38 of the Environmental Planning and Assessment Act 1979' by the Energy, Industry and Compliance, application no. SSD-10477, dated 28 January 2021*, states:"

Construction Noise Management Plan

B18. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a 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 of the development;

(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 high noise generating works such as piling;

(e) include strategies that have been developed with the community for managing high noise generating works;

(f) describe the community consultation undertaken to develop the strategies in condition B18(e); and

(g) include a complaints management system that would be implemented for the duration of the development.

B19. The Applicant must:

(a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B18 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

6.1.2 EPA Interim Construction Noise Guidelines

The "quantitative" assessment procedure, as outlined in the Interim Construction Noise Guideline (ICNG) will be used. The quantitative assessment method requires:

- Determination of noise and vibration management levels (based on ambient noise levels and receiver type)
- Prediction of operational noise and vibration levels at nearby development
- Recommendation of control strategies in the event that management levels are exceeded.

EPA guidelines adopt differing strategies for noise control depending on the predicted noise level at the nearest residences:

- "*Noise affected level*". (NML) Where construction noise is predicted to exceed the "*noise affected*" level at a nearby residence, the proponent should take reasonable/feasible work practices to ensure compliance with the "noise affected level". For residential properties, the "noise affected" level occurs when construction noise exceeds ambient levels by more than 10dB(A) $L_{eq(15min)}$ within Recommended standard hours (Monday to Friday, 7 am to 6 pm; Saturday 8 am to 1 pm; No work on Sundays or public holidays). The "noise effected" level occurs when construction noise exceeds ambient levels by more than 5dB(A)$L_{eq(15min)}$ within "*outside recommended standard hours*",

- "*Highly noise affected level" (HNML).* Where noise emissions are such that nearby properties are "highly noise affected", noise controls such as respite periods should be considered. For residential properties, the "highly noise affected" level occurs when construction noise exceeds 75dB(A)$L_{eq(15min)}$ at nearby residences.

In addition to the above goals for residential receivers, section 4.1.3 Commercial and industrial premises of the ICNG states the following:

"Due to the broad range of sensitivities that commercial or industrial land can have to noise from construction, the process of defining management levels is separated into three categories. The external noise levels should be assessed at the most-affected occupied point of the premises: industrial premises: external $L_{Aeq\ (15\ min)}$ 75 dB(A)"

The project specific management levels determined using the ICNG are summarised in the following table.

Table 2 -Summarised Noise Management Levels

Location	**Day**	**Time**	**Noise Management Level dB(A)$L_{eq,\ 15min}$**	**Highly Affected Noise Management Level dB(A)$L_{eq,\ 15min}$**
Residential Receivers R5, R7, R8	Monday to Friday	7am-6pm	45	75
	Saturday	8am-1pm	45	
Industrial Premises R1, R2, R3, R4, R6	When in use	When in use	75 externally	N/A

6.2 VIBRATION

Vibration caused by construction at any residence or structure outside the subject site must be limited to the following:

- For human exposure to vibration, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006)*; *and*
- For structural damage vibration, German Standard '*DIN 4150-3 Structural Vibration: Effects of Vibration on Structures'*.

6.2.1 Assessing Amenity

The NSW EPA document "*Assessing Vibration: A Technical Guideline*" provides procedures for assessing tactile vibration and regenerated noise within potentially affected buildings and is used in the assessment of vibration impact on amenity. Relevant vibration levels are presented below.

Table 3 – EPA Recommended Vibration Levels

		RMS acceleration (m/s^2)		RMS velocity (mm/s)		Peak velocity (mm/s)	
Place	Time	Preferred	Maximum	Preferred	Maximum	Preferred	Maximum
Continuous Vibration							
Residences	Daytime	0.01	0.02	0.2	0.4	0.28	0.56
Offices		0.02	0.04	0.4	0.8	0.56	1.1
Workshops		0.04	0.08	0.8	1.6	1.1	2.2
Impulsive Vibration							
Residences	Daytime	0.3	0.6	6.0	12.0	8.6	17.0
Offices		0.64	1.28	13.0	26.0	18.0	36.0
Workshops		0.64	1.28	13.0	26.0	18.0	36.0

6.2.2 Structure Borne Vibrations (Building Damage Criteria)

German Standard DIN 4150-3 (1999-02) provides vibration velocity guideline levels for use in evaluating the effects of vibration on structures. The criteria presented in DIN 4150-3 (1999-02) are presented in Table 4.

It is noted that the peak velocity is the value of the maximum of any of the three orthogonal component particle velocities as measured at the foundation, and the maximum levels measured in the x- and y-horizontal directions in the plane of the floor of the uppermost storey.

Table 4 – DIN 4150-3 (1999-02) Safe Limits for Building Vibration

	TYPE OF STRUCTURE	PEAK PARTICLE VELOCITY (mms^{-1})			
		At Foundation at a Frequency of			**Plane of Floor of Uppermost Storey**
		< 10Hz	**10Hz to 50Hz**	**50Hz to 100Hz**	**All Frequencies**
1	Buildings used in commercial purposes, industrial buildings and buildings of similar design	20	20 to 40	40 to 50	40
2	Dwellings and buildings of similar design and/or use	5	5 to 15	15 to 20	15
3	Structures that because of their particular sensitivity to vibration, do not correspond to those listed in Lines 1 or 2 and have intrinsic value (e.g. buildings that are under a preservation order)	3	3 to 8	8 to 10	8

The industrial premises would be considered a Type 1 structure, whilst residences would be considered a Type 2 structure.

7 NOISE ASSESSMENT

7.1 NOISE SOURCE DATA

The piling and construction period has been divided into a number of work phases, along with the main noise producing equipment and activities likely to occur in each phase. Typical noise emission levels from equipment associated with the louder activities are provided in the following table.

Table 5 - Sound Power Levels of the Proposed Equipment

CONSTRUCTION ACTIVITY	EQUIPMENT /PROCESS	SOUND POWER LEVEL - dB(A)
Piling	Piling (Auger)	105
Construction	Hand tools	105
	Forklift	105
	Excavator (bucket attachment)	105
	Concrete Pump	105
	Truck (>20 tonne)	107
	Mobile Crane	105

The noise levels presented in the above table are derived from the following sources, namely:

- Table A1 of Australian Standard 2436-2010
- Data held by this office from other similar studies.
- On-site measurements

7.2 NOISE IMPACT ASSESMENT METHODOLOGY

The predicted noise levels during piling and construction will depend on:

- The activity undertaken.
- The distance between the work site and the receiver. For many of the work areas, the distance between the noise source and the receiver will vary depending on which end of the site the work is undertaken. For this reason, the predicted noise levels will be presented as a range.

Predicted noise levels are presented below. Predictions take into account the following:

- Noise reduction as a result of distance.
- Depending on the management level adopted, noise emission is predicted to either external areas (property boundaries/building facades/most affected area) or internal areas.

7.3 PREDICTED NOISE LEVELS TO RECEIVERS

Noise emissions are assessed with reference to the relevant criteria in Section 6.1. Please see tables below for predicted noise levels for each receiver

7.3.1 Prediction to Receiver 1: Existing Industrial Receiver to the North

Predicted noise levels to the existing industrial receivers, located to the north of the site are as follows:

Table 6 – Predicted Noise Level to R1

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	46-63	Noise level will generally meet noise management level of 75dB(A)
Construction	Hand tools	46-63 prior to construction of building shell; 26-43 after construction of building shell	
	Forklift	46-63	
	Excavator (bucket attachment)	46-63	
	Concrete Pump	46-63	
	Truck (>20 tonne)	48-64	
	Mobile Crane	46-63	

The predictions indicate that all equipment will generally meet noise management level of 75dB(A).

7.3.2 Prediction to Receiver 2: Industrial Receiver (Currently Under Construction) to the North-East

Predicted noise levels to the industrial receivers, located to the north-east of the site are as follows:

Table 7 – Predicted Noise Level to R2

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	43-54	Noise level will generally meet noise management level of 75dB(A)
Construction	Hand tools	46-63 prior to construction of building shell; 26-43 after construction of building shell	
	Forklift	43-54	
	Excavator (bucket attachment)	43-54	
	Concrete Pump	43-54	
	Truck (>20 tonne)	45-56	
	Mobile Crane	43-54	

The predictions indicate that all equipment will generally meet noise management level of 75dB(A).

7.3.3 Prediction to Receiver 3: Existing Industrial Receiver Adjoining the North-East Boundary of the Site

Predicted noise levels to the existing industrial receiver, adjoining the north-east boundary of the site are as follows:

Table 8 – Predicted Noise Level to R3

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	46-73	Noise level will generally meet noise management level of 75dB(A)
Construction	Hand tools	46-73 prior to construction of building shell; 26-53 after construction of building shell	
	Forklift	46-73	
	Excavator (bucket attachment)	46-73	
	Concrete Pump	46-73	
	Truck (>20 tonne)	48-75	
	Mobile Crane	46-73	

The predictions indicate that all equipment will generally meet noise management level of 75dB(A).

7.3.4 Prediction to Receiver 4: Industrial Receiver to the North-East

Predicted noise levels of existing industrial receiver located to the north-east of the site are as follows:

Table 9 – Predicted Noise Level to R4

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	38-48	Noise level will generally meet noise management level of 75dB(A)
Construction	Hand tools	38-48 prior to construction of building shell; 18-28 after construction of building shell	
	Forklift	38-48	
	Excavator (bucket attachment)	38-48	
	Concrete Pump	38-48	
	Truck (>20 tonne)	40-50	
	Mobile Crane	38-48	

The predictions indicate that all equipment will generally meet noise management level of 75dB(A). Also, it is noted that the existing building shell of Tigerpak Packaging (Receiver 3) will provide significant noise shielding to the receivers 4.

7.3.5 Prediction to Receiver 5: Existing Residential Receiver Located to the East of the Site

Predicted noise levels of existing residential receivers located to the east of the site are as follows:

Table 10 – Predicted Noise Level to R5

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	38-49	Noise level will exceed noise management level of 45dB(A) when equipment is operating close to the receiver. Refer to Section 9.1 for Recommendations
Construction	Hand tools	38-49 prior to construction of building shell; 18-29 after construction of building shell	
	Forklift	38-49	
	Excavator (bucket attachment)	38-49	
	Concrete Pump	38-49	
	Truck (>20 tonne)	40-51	
	Mobile Crane	38-49	

The predictions indicate there will be exceedance of noise management level of 45dB(A), when most of the equipment is operating close to the east boundary. When operating away from the boundary, noise levels will be generally under the management level of 45dB(A). However, the predictions indicate noise levels will generally meet highly affected management level of 75dB(A).

It is noted that page 14 of the report of '*Stage 3 Facilities - Sydney Business Park, (Marsden Park), Ssd Noise & Vibration Impact Assessment*', report No. 20232, Version B, provided by Wilkinson Murray Pty Limited, dated July 2020, states that:

"*A 2.4m high noise barrier is proposed to be located on the eastern boundary between Warehouse 2 and the caravan park in order to further reduce noise levels to this receiver. Previous discussions between SBP and this receiver for other approved developments have resulted in a commitment by SBP to further reduce impacts to this receiver by the installation of noise barriers*."

Therefore, it is recommended that the proposed 2.4m high noise barrier shall be erected on the eastern boundary between Warehouse 2 and the caravan park as soon as the any onsite work commenced (see Figure 1).

Also, it is recommended that the east façade of the building shell shall be erected as soon as possible. The erected building façade will provide significant noise shielding to receiver 5. Moreover, the noise impact from the site to the receiver 5 will be minimised by giving the manage impacts as recommended below are adopted (selecting quietest feasible plant, notification, etc.);

7.3.6 Prediction to Receiver 6: Existing Industrial Receivers, Located to the Southeast of the Site

Predicted noise levels of existing industrial receivers, located to the southeast of the site are as follows:

Table 11 – Predicted Noise Level to R6

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	43-50	Noise level will generally meet noise management level of 75dB(A)
Construction	Hand tools	43-50 prior to construction of building shell; 23-30 after construction of building shell	
	Forklift	43-50	
	Excavator (bucket attachment)	43-50	
	Concrete Pump	43-50	
	Truck (>20 tonne)	45-52	
	Mobile Crane	43-50	

The predictions indicate that all equipment will generally meet noise management level of 75dB(A).

7.3.7 Prediction to Receiver 7: Existing Residential Receivers Located to the South of the Site

Predicted noise levels of existing residential receivers to the south of the site are as follows:

Table 12 – Predicted Noise Level to R7

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	39-44	Noise level will generally meet noise management level of 45dB(A)
Construction	Hand tools	39-44 prior to construction of building shell; 19-24 after construction of building shell	
	Forklift	39-44	
	Excavator (bucket attachment)	39-44	
	Concrete Pump	39-44	
	Truck (>20 tonne)	40-45	
	Mobile Crane	39-44	

The predictions indicate that all equipment will generally meet noise management level of 45dB(A).

7.3.8 Prediction to Receiver 8: Existing Residential Receivers Located to the North-West of the Site

Predicted noise levels of existing residential receivers to the north-west of the site are as follows:

Table 13 – Predicted Noise Level to R8

Stage	Activity	Predicted Level – dB(A) $L_{eq(15min)}$ (External Areas)	Comment
Piling	Piling (Auger)	39-45	Noise level will generally meet noise management level of 45dB(A)
Construction	Hand tools	39-45 prior to construction of building shell; 19-25 after construction of building shell	
	Forklift	39-45	
	Excavator (bucket attachment)	39-45	
	Concrete Pump	39-45	
	Truck (>20 tonne)	38-44	
	Mobile Crane	39-45	

The predictions indicate that all equipment will generally meet noise management level of 45dB(A).

8 ASSESSMENT OF VIBRATION

8.1 VIBRATION PRODUCING ACTIVITIES

Proposed activities that have the potential to produce significant ground vibration is excavator and piling working.

8.2 SAFEGUARDS TO PROTECT SENSITIVE STRUCTURES

It is impractical to predict the vibrations induced by the piling/construction operations on site at potentially affected receivers. This is because vibration level is principally proportional to the energy impact which is unknown nature of terrain in the area (type if soil), drop weight, height etc.

8.3 VIBRATION MONITORING (IF REQUIRED)

The vibration monitoring equipment is to consist of a Texcel type monitor with externally mounted tri-axial geophone. The monitors are proposed to be fitted with GSM modem and remotely signal up to five mobile phones indicating any exceedance of the prescribed vibration criteria to enable immediate notification to be sent to the contractor when vibration thresholds are approached. Indicatively, an alarm level of 5mm/s PPV can be used, to be confirmed following structural engineer advice. In addition, it is impractical to predict the vibrations induced by the piling operations on site at potentially affected receivers. However, the total vibration emissions are to be limited with real-time alarm notification given to the plant operators to ensure that the vibration limits are not exceeded. Based on feedback from the real-time vibration monitoring system, the plant operators will be to ensure that the vibration limits are not exceeded. Based on feedback from the real-time vibration monitoring system, the plant operators will be able to modify their operations to ensure the vibration levels are kept within the acceptable limits.

In the event that complaints are made from neighbouring properties regarding vibration impacts from the subject site, vibration monitors will be installed at the property boundaries of the neighbouring properties nearest to the subject site to monitor vibration levels.

8.3.1 Download of Vibration Logger

Downloading of the vibration logger will be conducted on a regular basis. In the event exceedance of vibration criteria or alarms occurs, downloading of logger will be conducted more frequently. Results obtained from the vibration monitor will be presented in a graph formant and will be forwarded to client for review. It is proposed that reports are provided fortnightly with any exceedance in the vibration criteria reported as detailed in this report.

8.3.2 Presentation of Vibration Logger Results

A fortnightly report will be submitted to client via email summarising the vibration events. The vibration exceedance of limit is recorded the report shall be submitted within 24 hours. Complete results of the continuous vibration logging will be presented in fortnight reports including graphs of collected data.

8.3.3 Persons to Receive Alarms

The following personnel will receive GSM alarms:

- Acoustic consultant/advisor (1 person)
- Excavation site foreman
- Main builder foreman (where applicable)
- Client nominated two representatives

9 AMELIORATIVE MEASURES

9.1 SITE SPECIFIC RECOMMENDATIONS

Site specific recommendations as follows:

9.1.1 Piling

- Residents at receiver (R5) to be notified of anticipated period of piling.
- Piling (Auger):
    - No piling work before 8:00am to mitigate noise impact onto the neighbouring residents.

9.1.2 Construction

- Concrete pumps:
    - Noise from concrete pumps is likely to result in minor exceedances of noise management levels at the receiver within R5. Pumps to be located as far from these receivers as possible.
    - Notification of adjacent residential development should be provided prior to days of concrete pours.
- Excavator (bucket attachment):
    - Fit more efficient silencer or exhaust silencer(engine).
    - Enclosure panels, when fitted, should be kept closed(engine).
- Mobile crane
    - Fit more efficient silencer or exhaust silencer(engine).
    - Enclosure panels, when fitted, should be kept closed(engine).
- Hand tools:
    - No powered hand tools allowed externally at southern boundary before 8:00am to mitigate noise impact onto the neighbouring residents.
    - East façade of the building shell shall be erected as soon as possible, in order to provide noise shielding to receiver 5.
- Vehicle noise:
    - Truck movements should not commence prior to 7am. Trucks are not to idle with their engines running outside the site prior to 7am.
    - Vehicle must turn off their engines during idling to reduce impacts on nearby residential receivers (unless truck ignition needs to remain on during concrete pumping)
    - Vehicles to use a non-tonal reversing beacon to minimise potential disturbance of neighbours.
- In the event of complaint, the procedures in section 11 are to be adopted.

9.2 ACTIVITIES OUTSIDE PERMITTED HOURS OF CONSTRUCTION

Construction can occur outside of the permitted hours for a number of reasons including if noise is inaudible at the surrounding sensitive receivers. In this context, sensitive receivers would be the residential receivers to the south of the site and industrial receivers to the east of the site.

Activities that could be undertaken include maintenance of equipment using hand tools, internal works such as painting and other quiet works. Other works may be able to be undertaken but should be specifically assessed by an acoustic specialist before being undertaken.

9.3 GENERAL RECOMMENDATIONS

Other noise management practices which may be adopted are discussed below. In addition, notification, reporting and complaints handling procedures should be adopted as recommended in section 11 of this report.

9.3.1 Acoustic Barrier (if required)

Barriers or screens can be an effective means of reducing noise. Barriers can be located either at the source or receiver.

The placement of barriers at the source is generally only effective for static plant (cranes). Equipment which is on the move or working in rough or undulating terrain cannot be effectively attenuated by placing barriers at the source.

Barriers can also be placed between the source and the receiver.

The degree of noise reduction provided by barriers is dependent on the amount by which line of sight can be blocked by the barrier. If the receiver is totally shielded from the noise source reductions of up to 15 dB(A) can be affected. Where only partial obstruction of line of sight occurs, noise reductions of 5 to 8 dB(A) may be achieved. Where no line of sight is obstructed by the barrier, generally no noise reduction will occur.

As barriers are used to provide shielding and do not act as an enclosure, the material they are constructed from should have a noise reduction performance which is approximately 10dB(A) greater than the maximum reduction provided by the barrier. In this case the use of a material such as 10 or 15mm plywood would be acceptable for the barriers.

9.3.2 Silencing Devices

Where construction process or appliances are noisy, the use of silencing devices may be possible. These may take the form of engine shrouding, or special industrial silencers fitted to exhausts.

9.3.3 Material Handling

The installation of rubber matting over material handling areas can reduce the sound of impacts due to material being dropped by up to 20dB(A).

9.3.4 Treatment of Specific Equipment

In certain cases, it may be possible to specially treat a piece of equipment to reduce the sound levels emitted. These may take the form of engine shrouding, or special industrial silencers fitted to exhausts.

9.3.5 Establishment of Site Practices

This involves the formulation of work practices to reduce noise generation. This includes locating fixed plant items as far as possible from residents as well as rotating plant and equipment to provide respite to receivers.

Construction vehicles accessing the site should not queue in residential streets and should only use the designated construction vehicle routes. Loading of these vehicles should occur as far as possible from any sensitive receiver.

9.3.6 Strategic Positioning of Processes On-Site

Where practicable, particular processes of activities can be located in particular positions on site to minimise noise to surrounding sensitive receivers

For example, stationary plant may be positioned where direct line of sight shielding can be achieved using natural barriers or temporary screens or may maximise the distance to the nearest sensitive receiver.

9.3.7 Management Training

All site managers should be made aware of noise and vibration limits, applicable control measures and methods. They should ensure that all agreed noise and vibration measures are carried out by employees and sub-contractors.

9.3.8 Combination of Methods

In some cases, it may be necessary that two or more control measures be implemented to minimise noise.

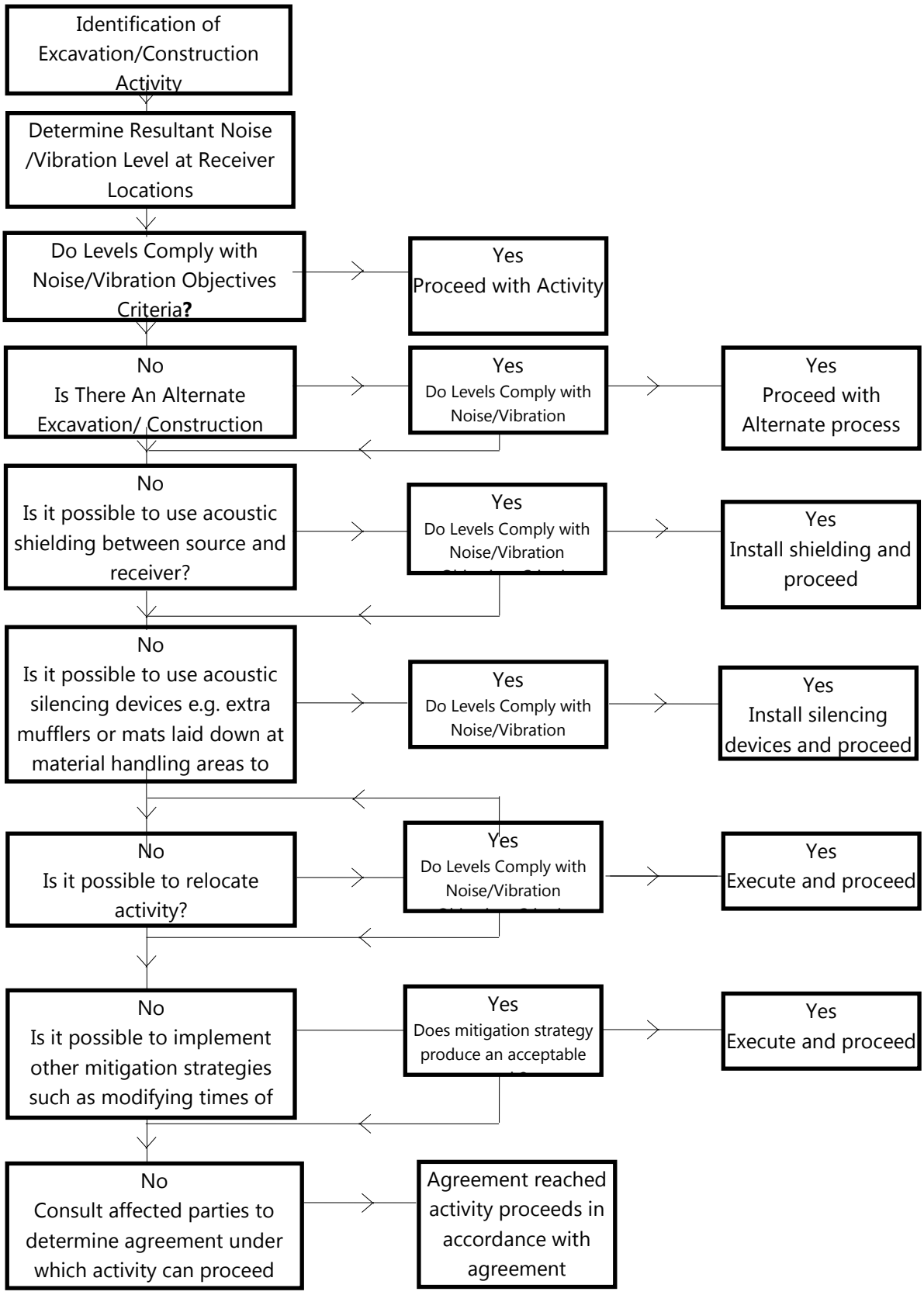
9.3.9 Maintenance of Plant, Equipment and Machinery

Construction Profile will ensure all plant, equipment and machinery are regularly serviced and maintained at optimum operating conditions, to ensure excessive noise emissions are not generated from faulty, overused or unmaintained machinery.

10 ASSESSMENT METHODOLOGY AND MITIGATION METHODS

The flow chart that follows illustrates the process to be followed to minimise the impact associated with these activities.

Noise sources with the potential to exceed the management level set out in section 6 have been identified and discussed in section 7 and 9.



11 COMMUNITY INTERACTION AND COMPLIANTS HANDLING

Should ongoing complaints of excessive noise, vibration or dust occur, immediate measures shall be undertaken to investigate the complaint, the cause of the exceedances and identify the required changes to work practices. In the case of exceedances of the vibration and dust limits, all work potentially producing vibration or dust shall cease until the exceedance is investigated.

If a noise complaint is received the complaint should be recorded on a Noise Complaint Form. The complaint form should list:

- The name and address of the complainant (if provided);
- The time and date the complaint was received;
- The nature of the complaint and the time and date the noise was heard;
- The name of the employee who received the complaint;
- Actions taken to investigate the complaint, and a summary of the results of the investigation;
- Required remedial action, if required;
- Validation of the remedial action; and
- If necessary, setup vibration monitoring at the location representing the nearest affected vibration receiver, with alarm device which can inform the project manager on site if the vibration exceedance happened.
- Summary of feedback to the complainant.

A permanent register of complaints should be held.

11.1 COMMUNITY CONSULTATION

11.1.1 Requirement

Condition B18 (f) and Condition B18 (g), in the '*Development Consent, Section 4.38 of the Environmental Planning and Assessment Act 1979*' by the Energy, Industry and Compliance, application no. SSD-10477, dated 28 January 2021. states the following:"

(f) describe the community consultation undertaken to develop the strategies in condition B18(e); and

(g) include a complaints management system that would be implemented for the duration of the development.

11.1.2 Community Consultation Undertaken

The community consultation undertaken and the processes to be implemented are provided in CEMP. The outcomes of the consultation undertaken to date have been incorporated into the management plan, and the outcomes of ongoing consultation during the construction period will be incorporated as necessary in the management of impacts.

12 CONTINGENCY PLANS

Where non-compliances or noise complaints are raised the following methodology will be implemented.

1. Determine the offending plant/equipment/process
2. Locate the plant/equipment/process further away from the affected receiver(s) if possible.
3. Implement additional acoustic treatment in the form of localised barriers, silencers etc where practical.
4. Selecting alternative equipment/processes where practical
5. If necessary, setup noise/vibration and dust monitoring devices at locations representing the nearest noise/vibration and dust affected receivers and provide data for each complain time period. Analysis is required to determine suitable mitigation measures.

Complaints associated with noise /vibration and dust generated by site activities shall be recorded on a Complaint Form. The person(s) responsible for complaint handling and contact details for receiving of complaints shall be established on site prior to construction works commencing. A sign shall be displayed at the site indicating the Site Manager to the general public and their contact telephone number.

13 CONCLUSION

This report presents an assessment of noise and vibration impacts associated with the piling and construction activities for the proposed Warehouse 1, Stage 3 Facilities - Sydney Business Park at Marsden Park.

An assessment of potential noise and vibration impacts resulting from the proposed piling and construction activities on site is summarised in Sections 7 and 8 of the report. The assessment was undertaken based on NSW EPA Interim Construction Noise Guideline and indicates there is generally a low to moderate risk of adverse impacts due to the nature of the works and the significant distance separation to sensitive receivers. The results of the assessment have been used to develop ameliorative treatments to further reduce these impacts, which are detailed in Section 9 and Section 10.

We trust this information is satisfactory. Please contact us should you have any further queries.

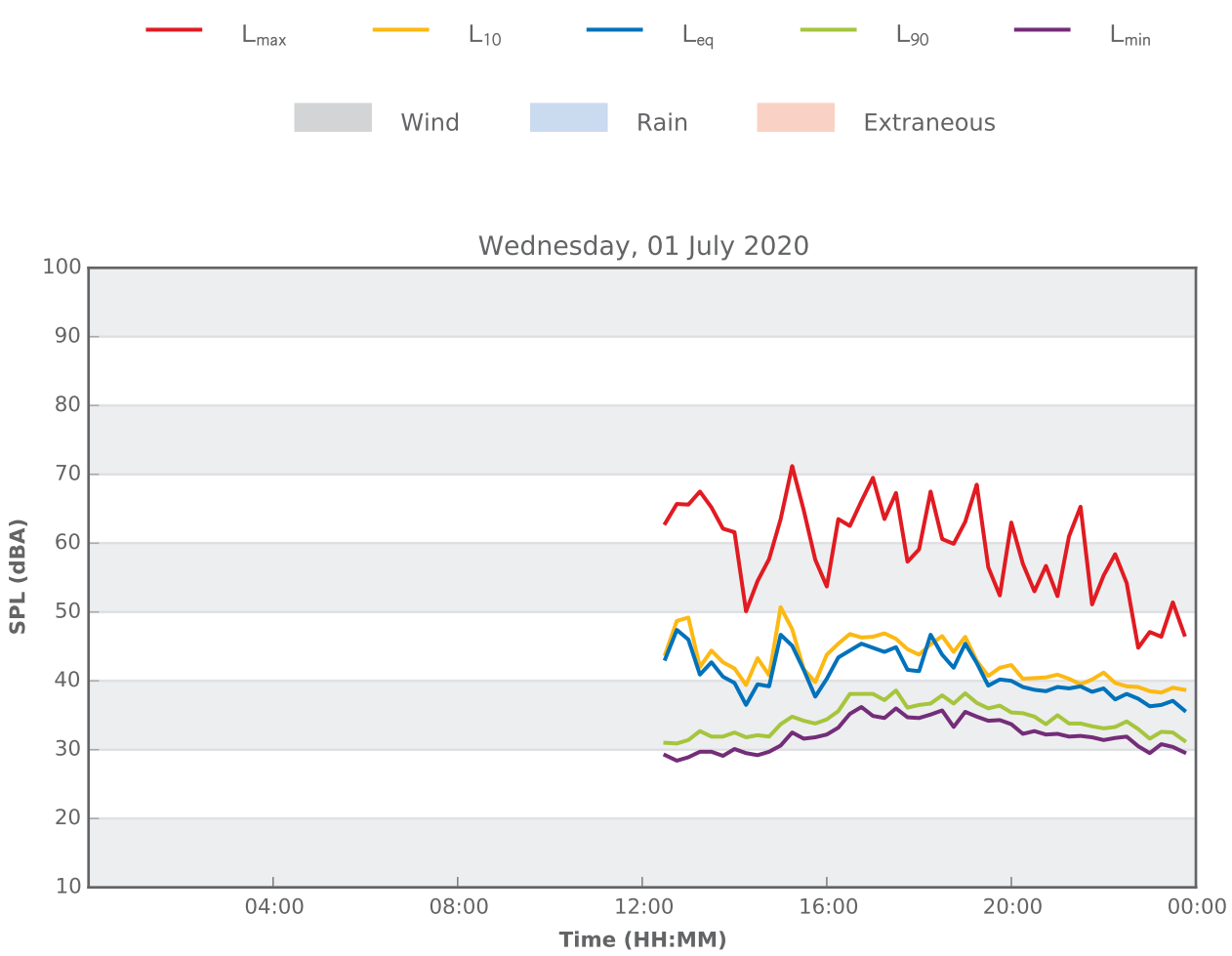
Yours faithfully,

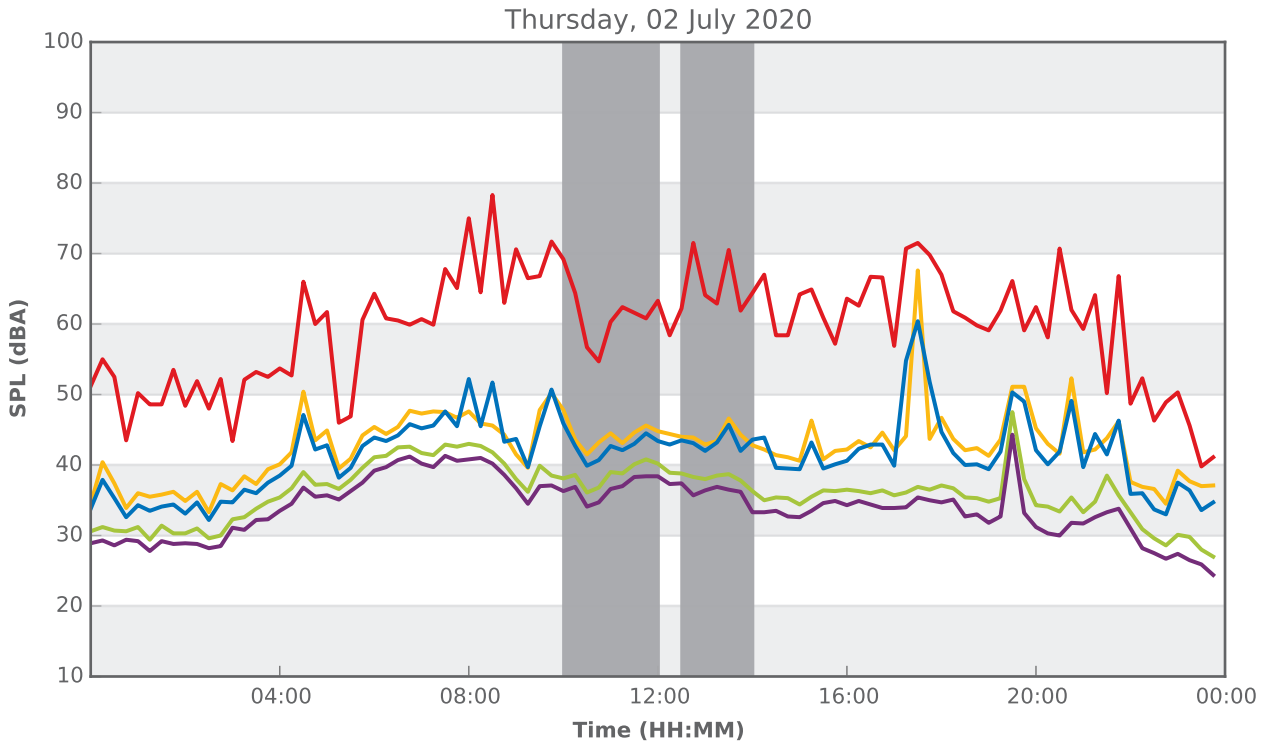


Acoustic Logic Pty Ltd
Hugh Cao

APPENDIX 1: NOISE MONITORING DATA

18 Aubusson Street, Marsden Park





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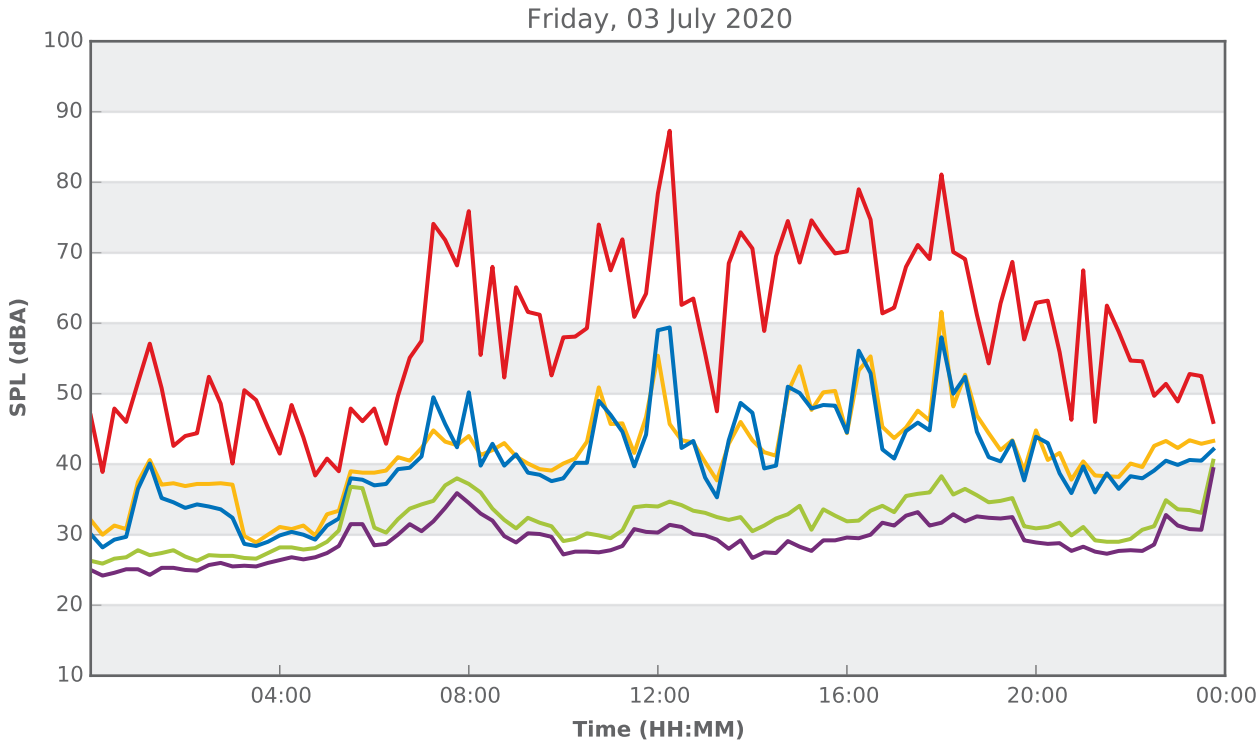

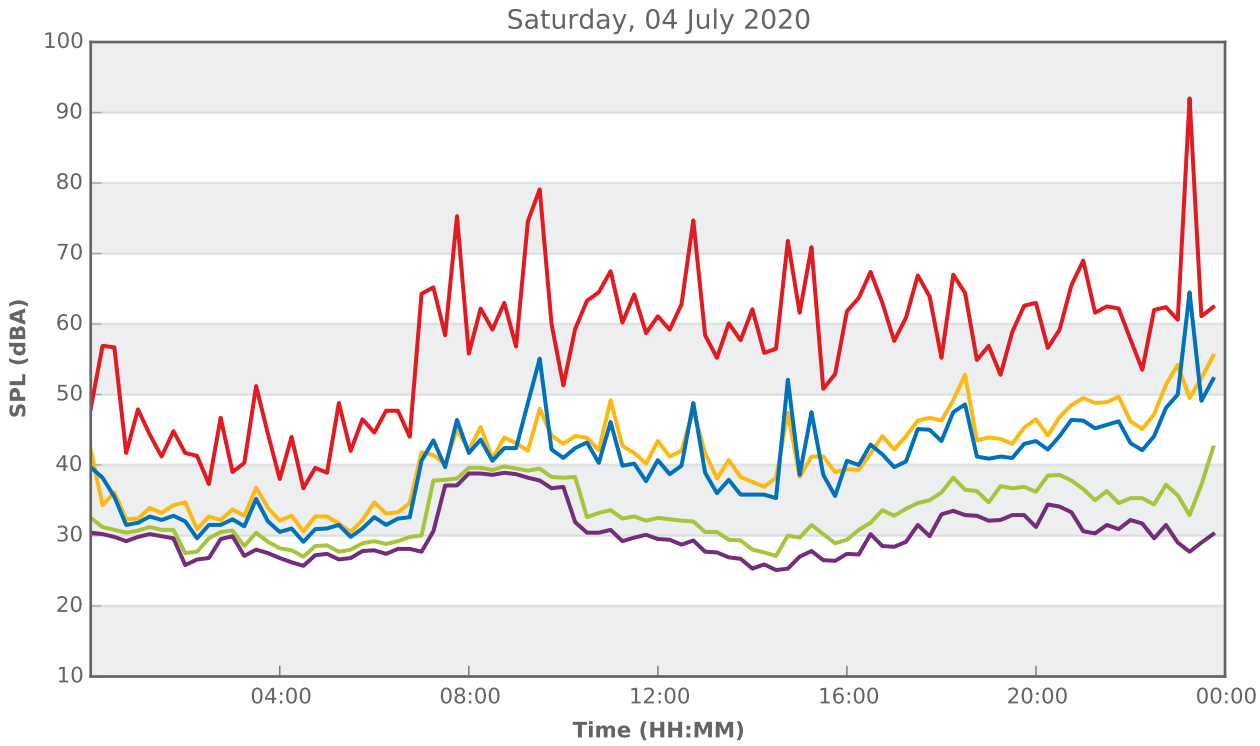

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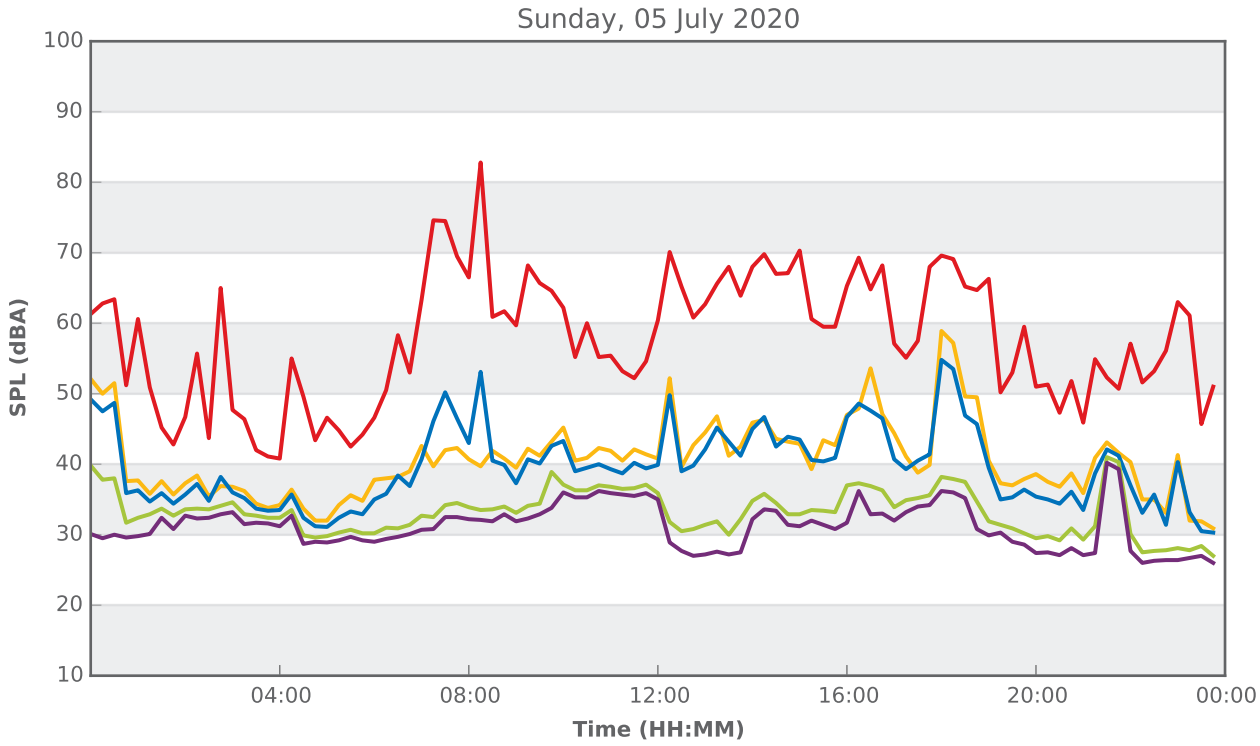

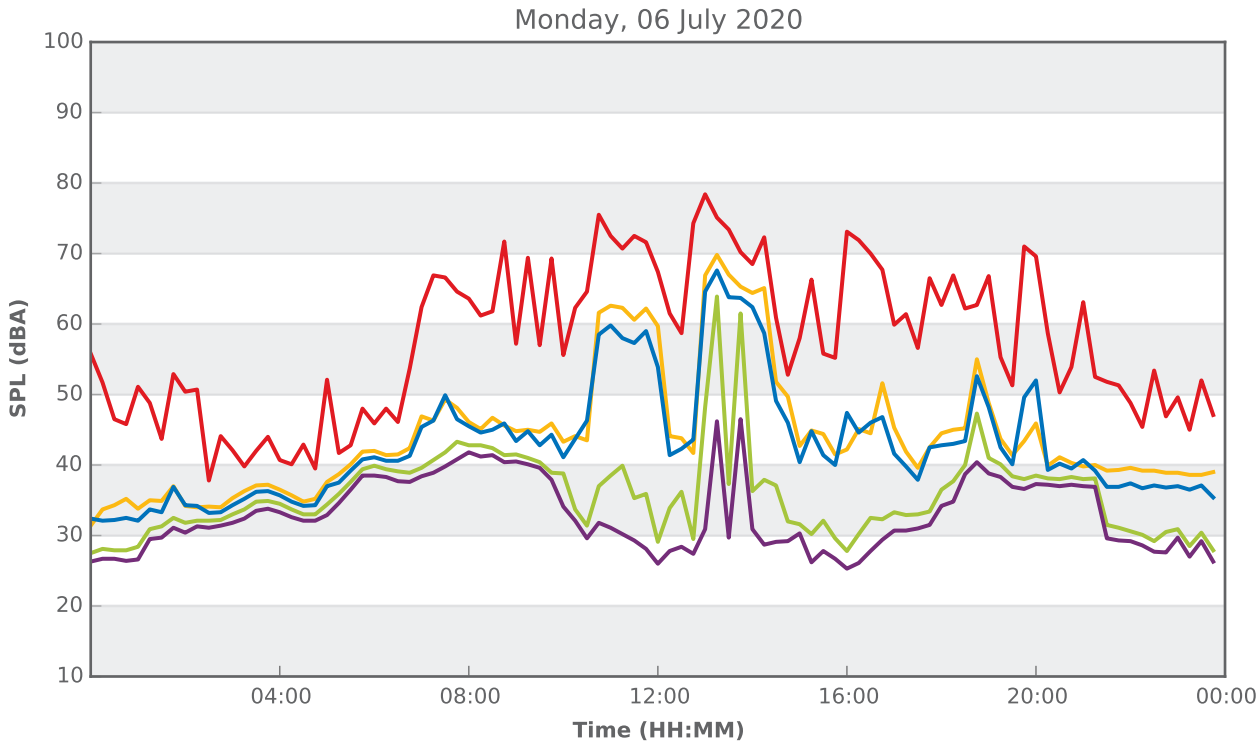

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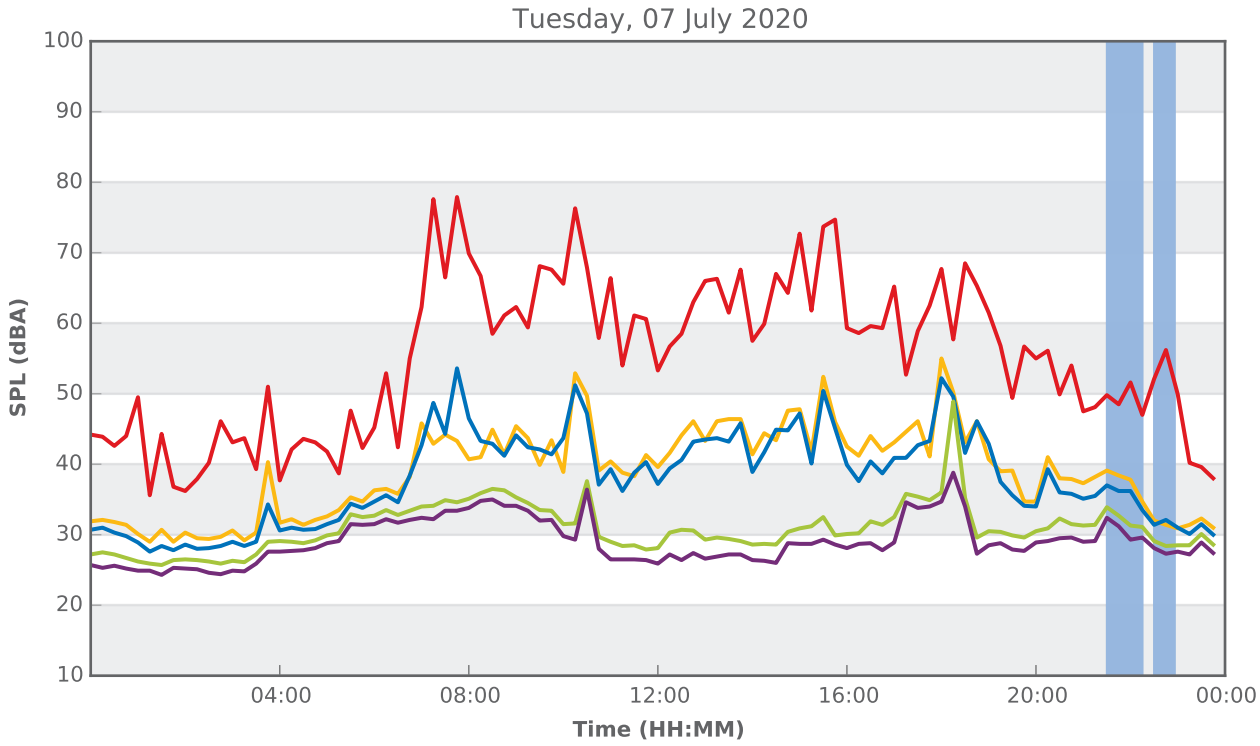

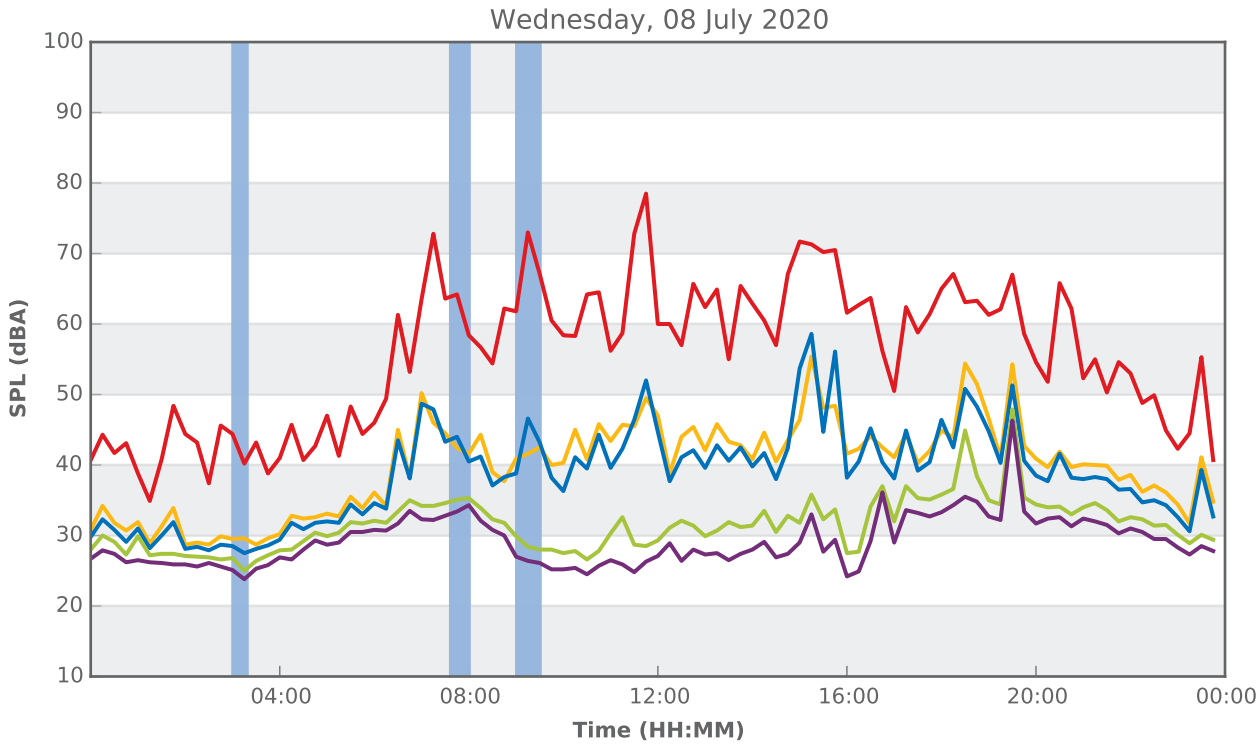

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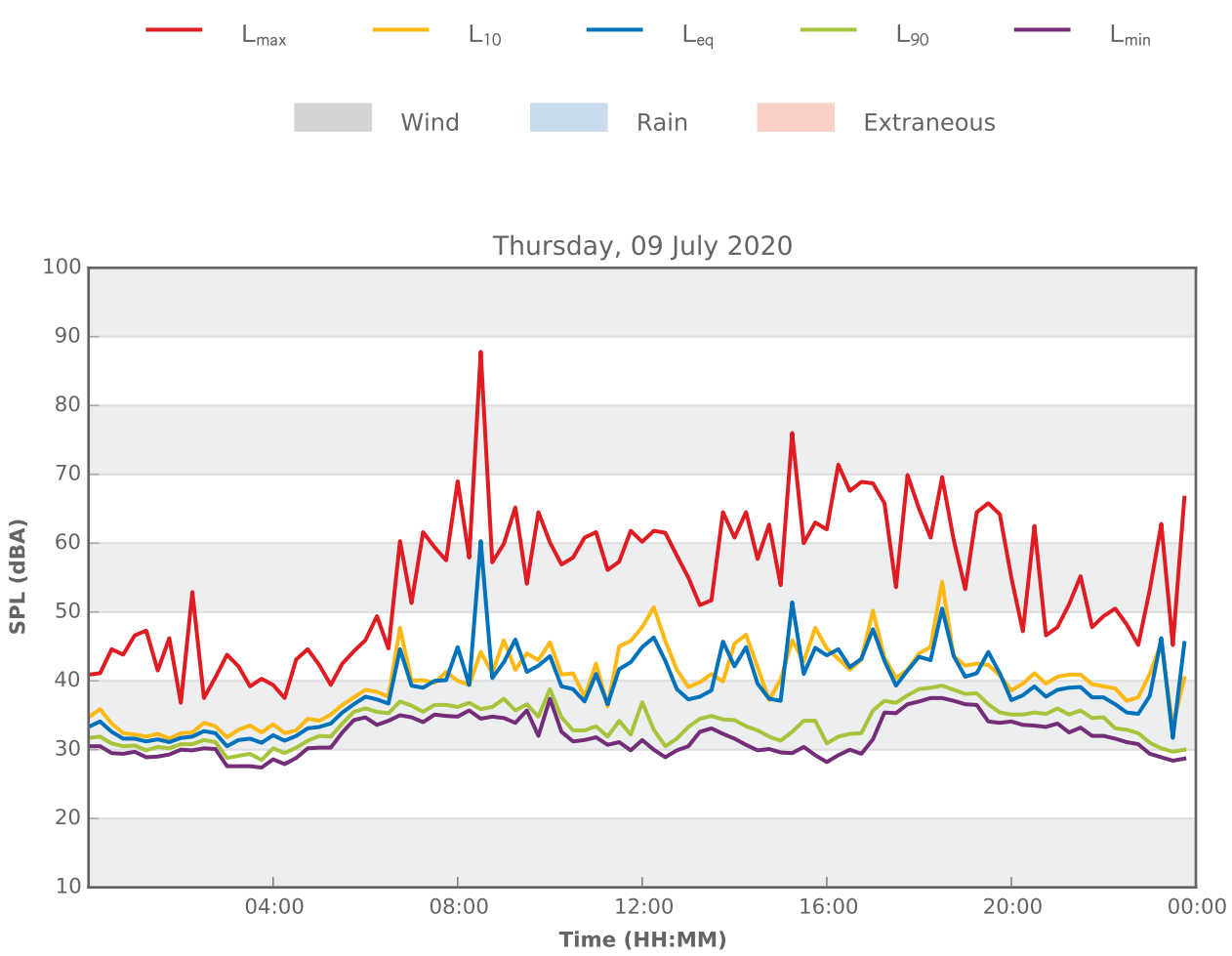

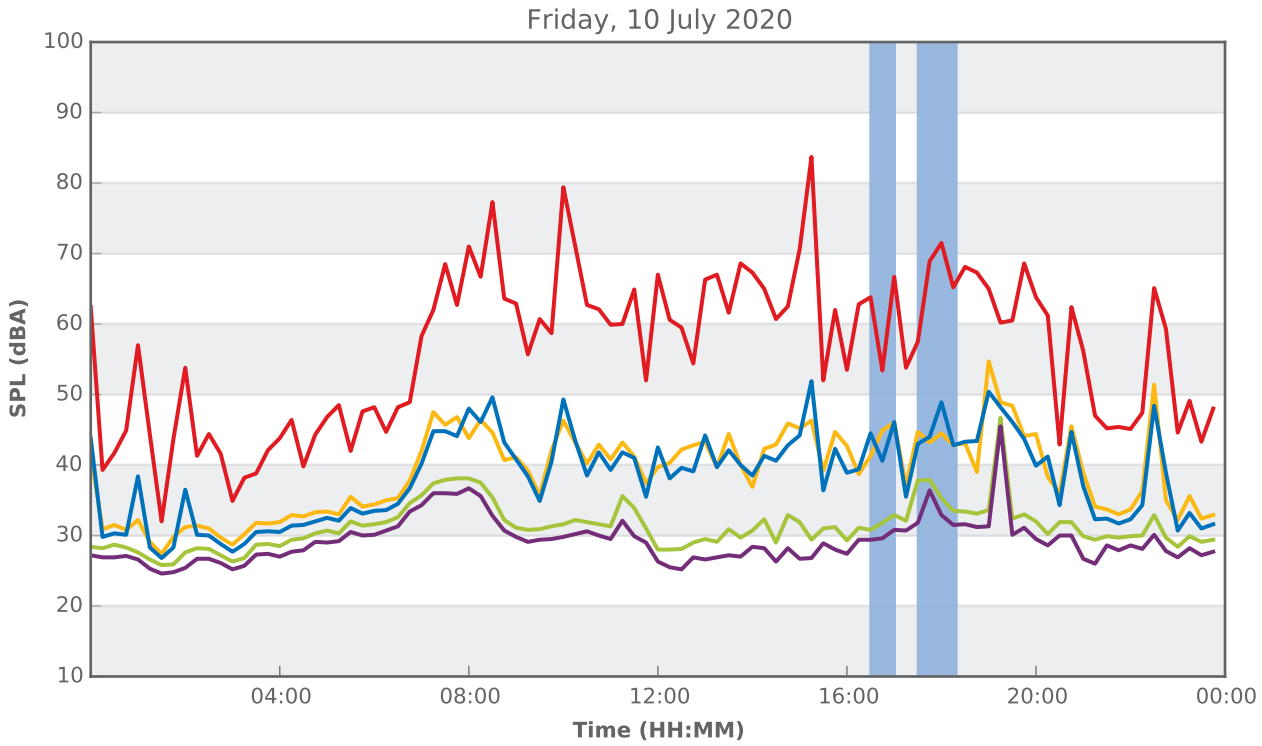

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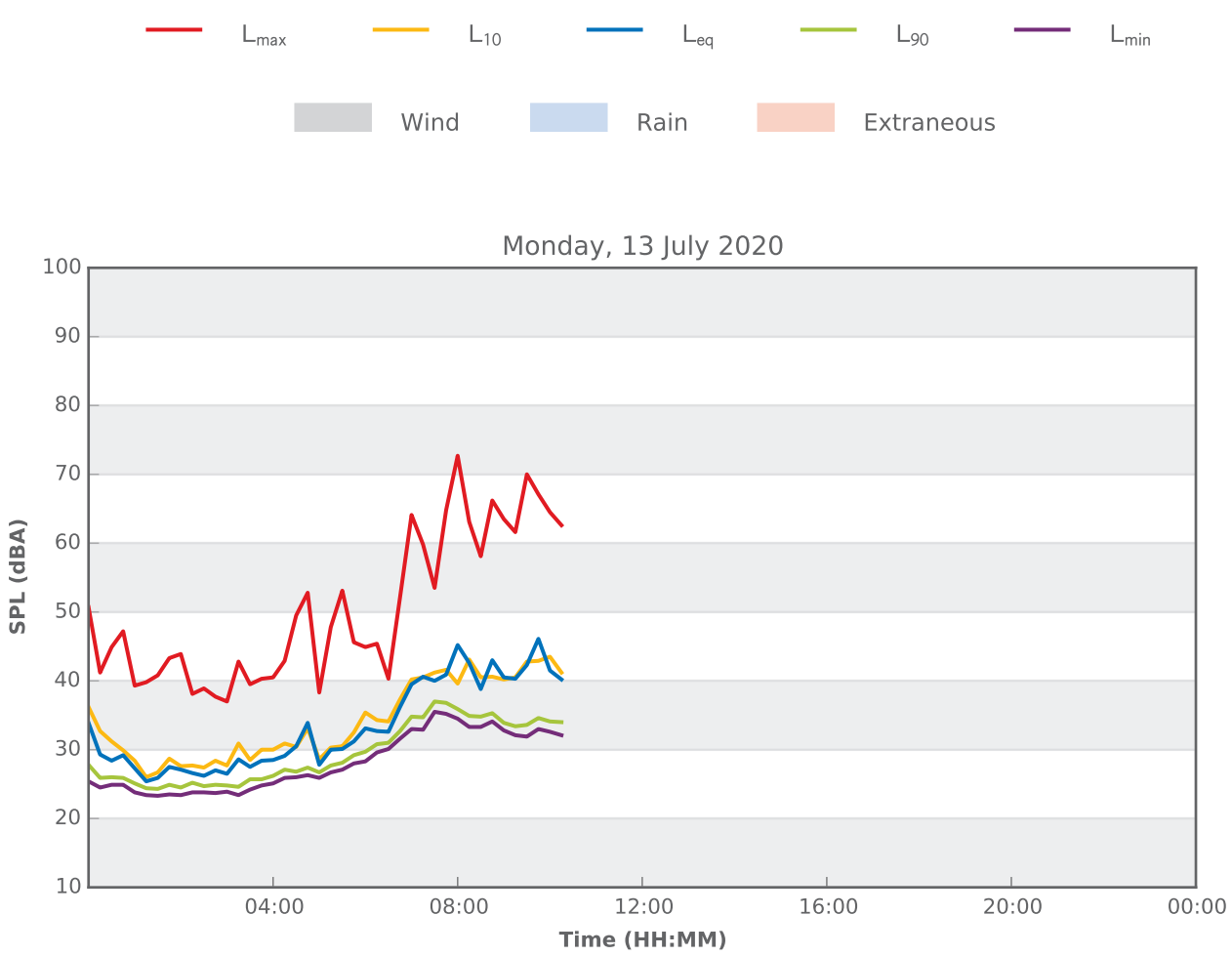

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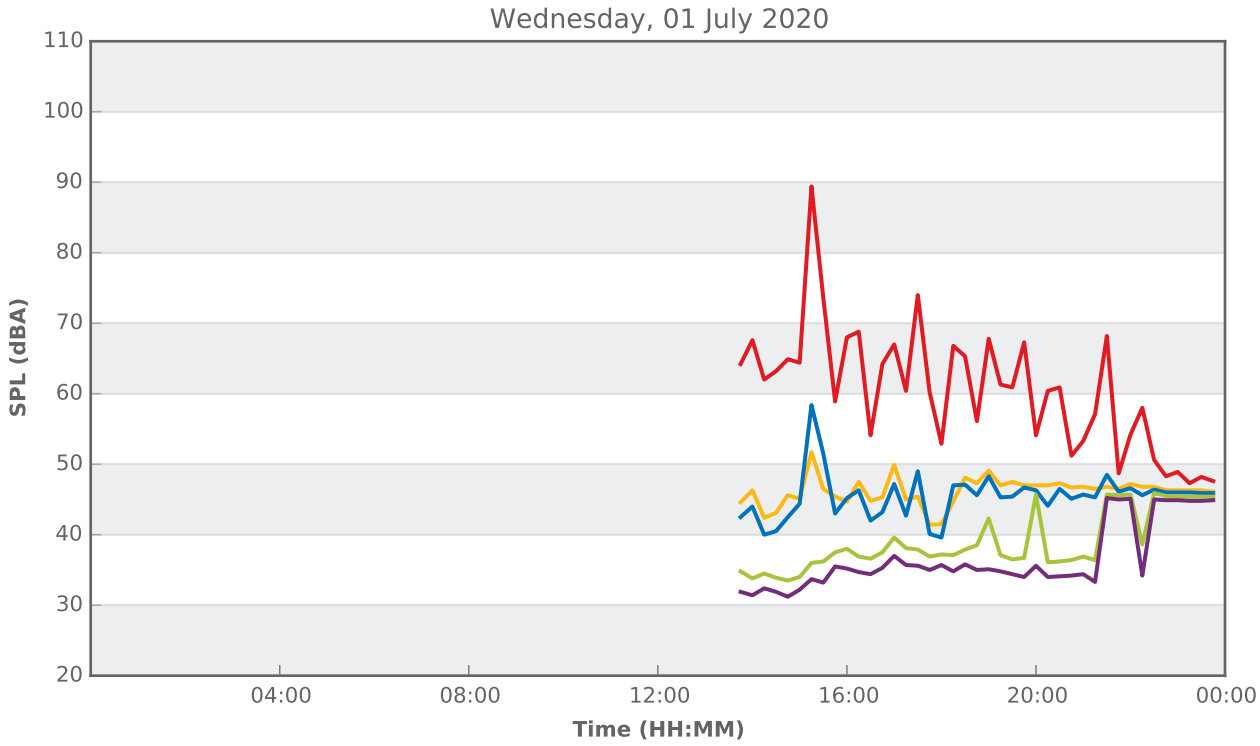

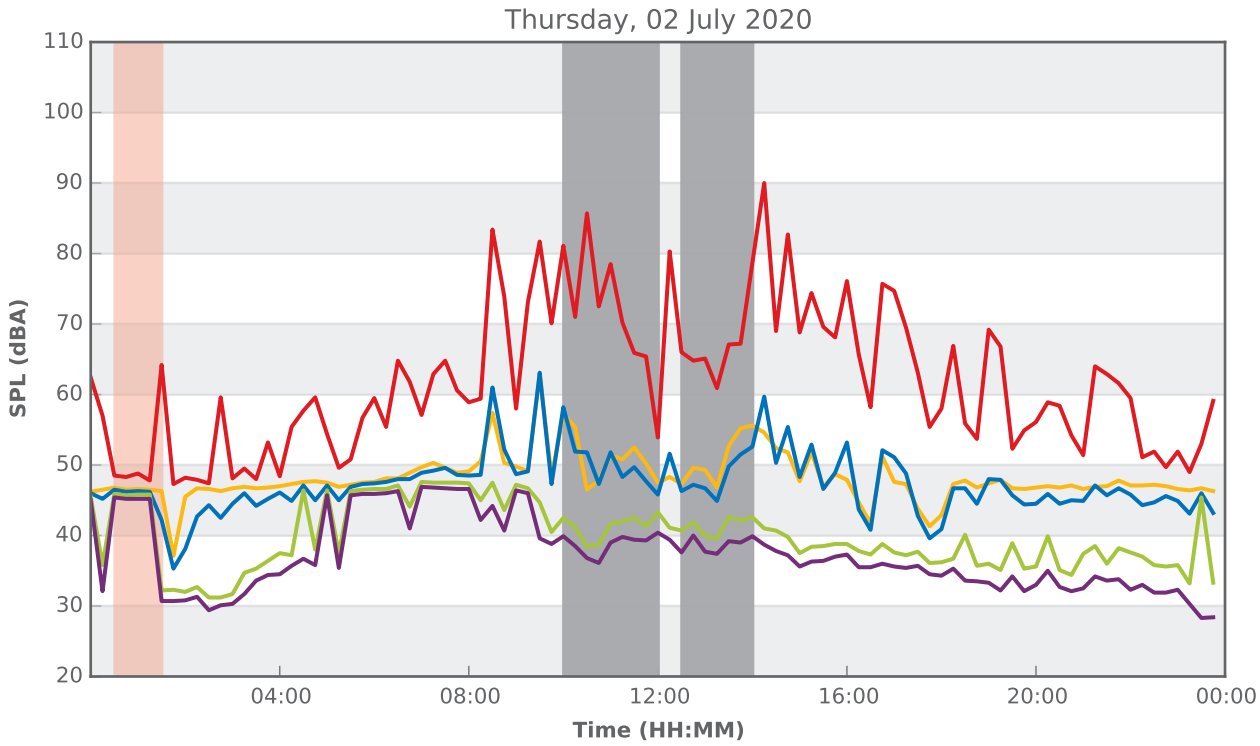

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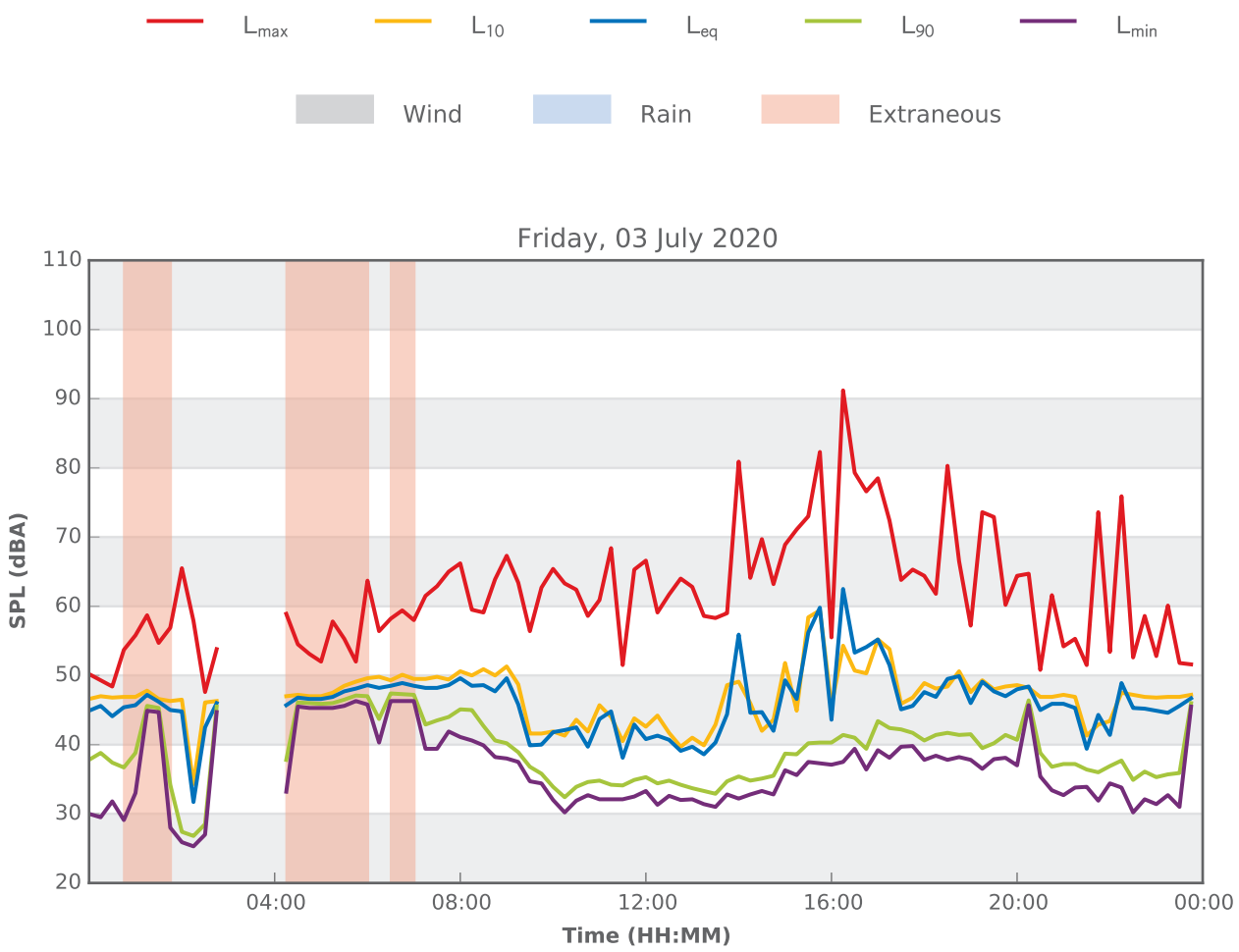

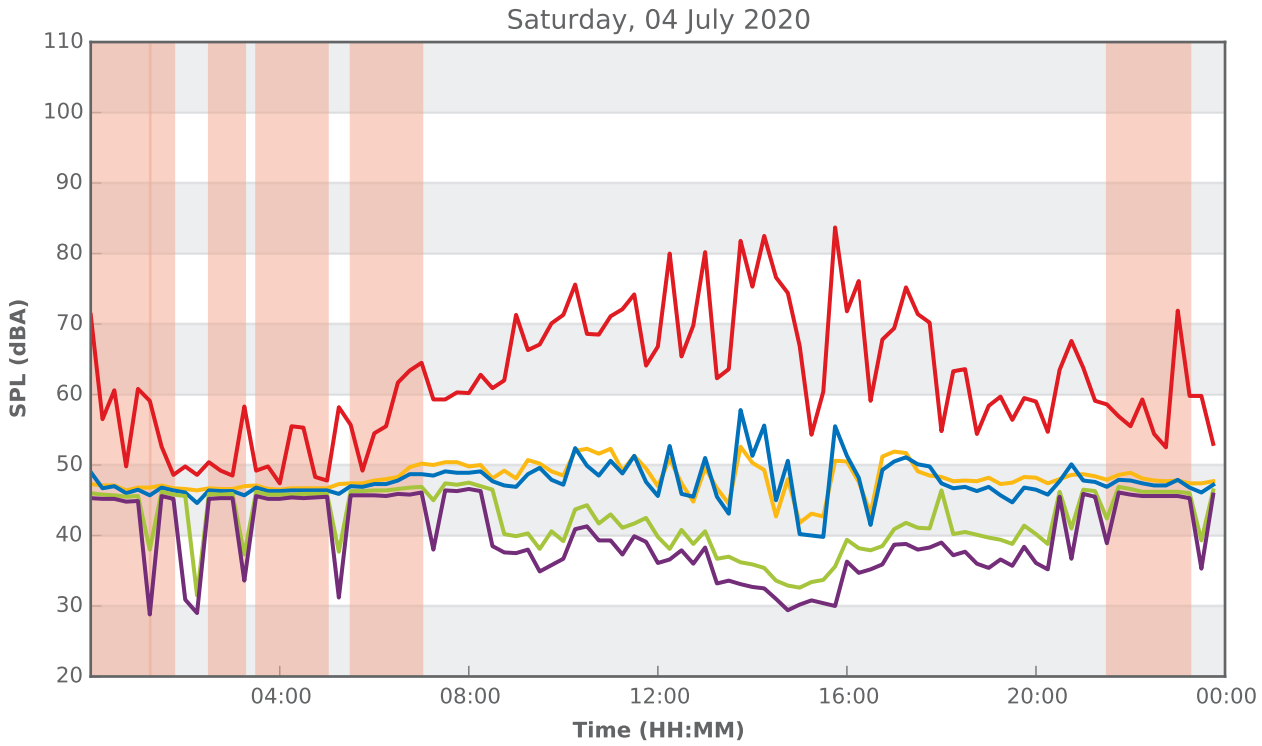

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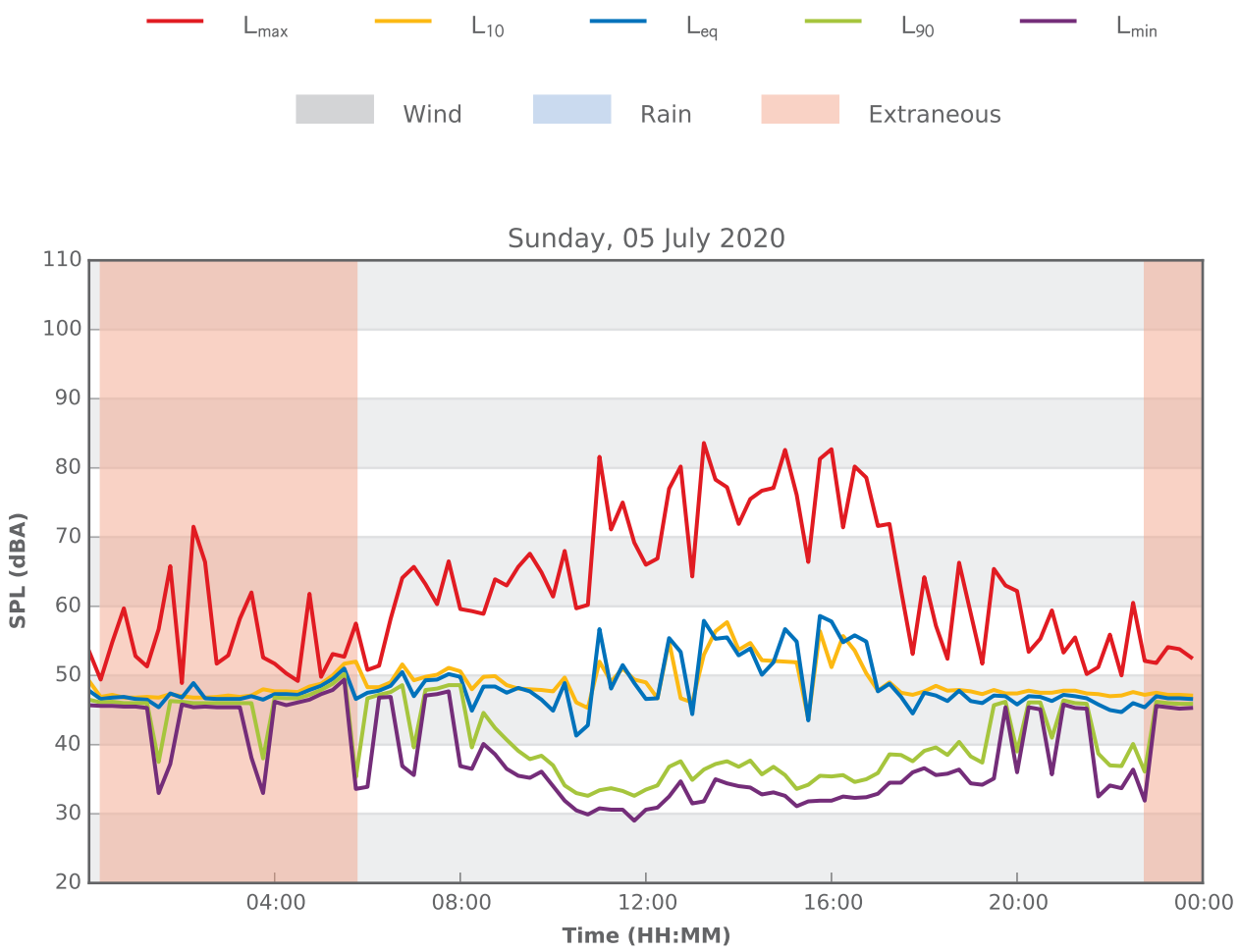

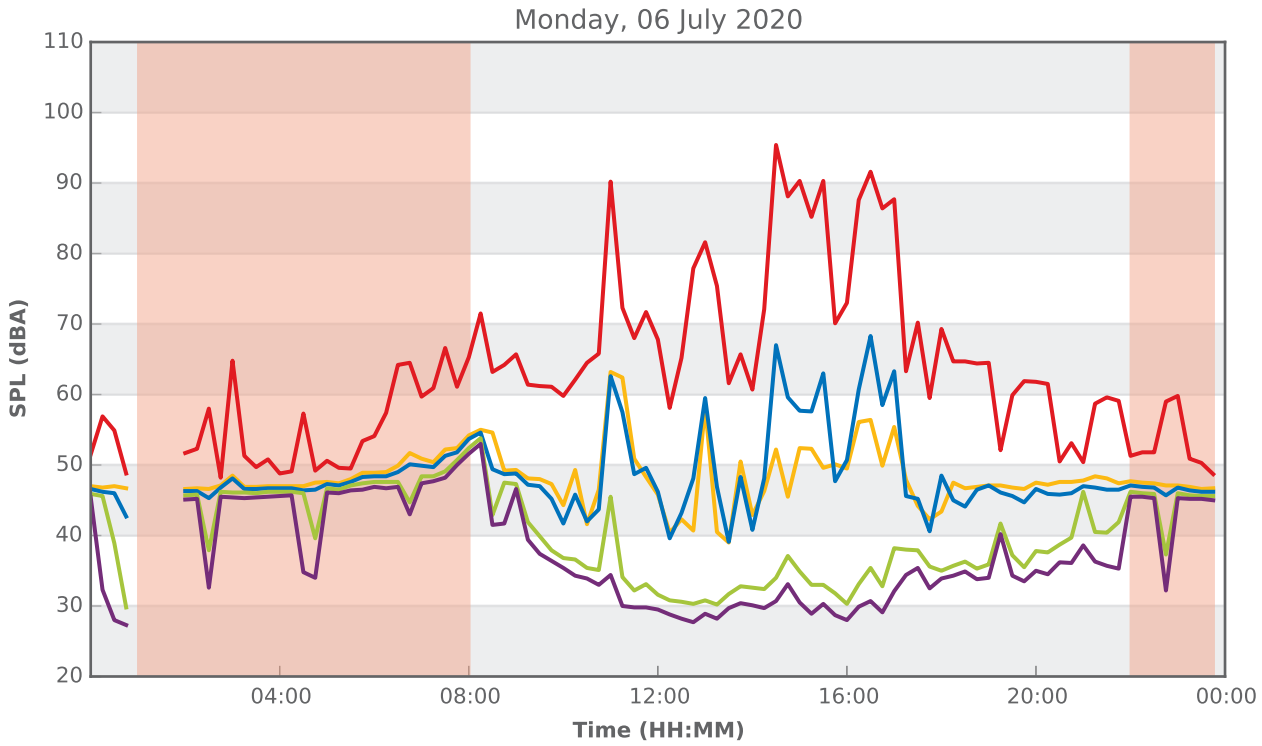

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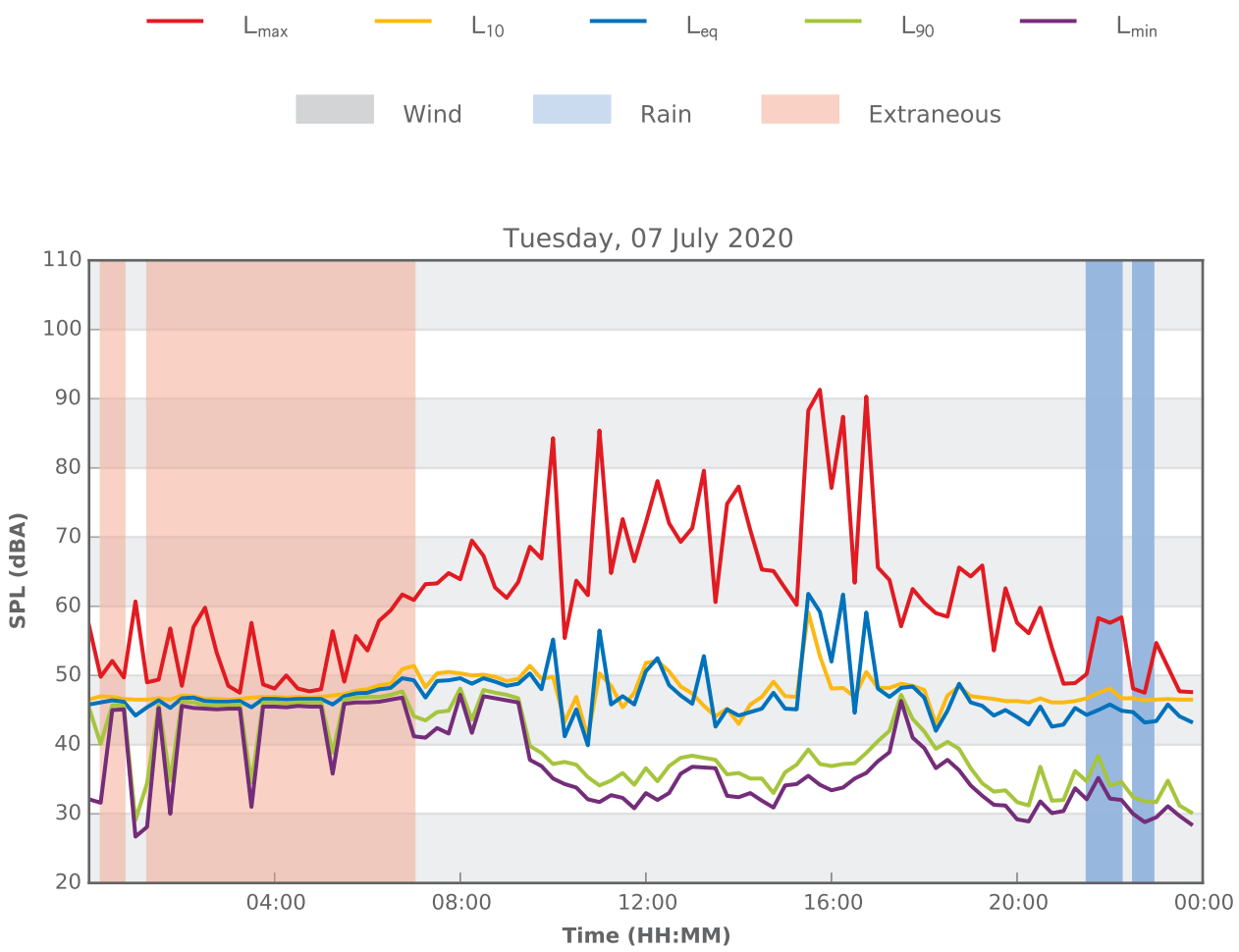

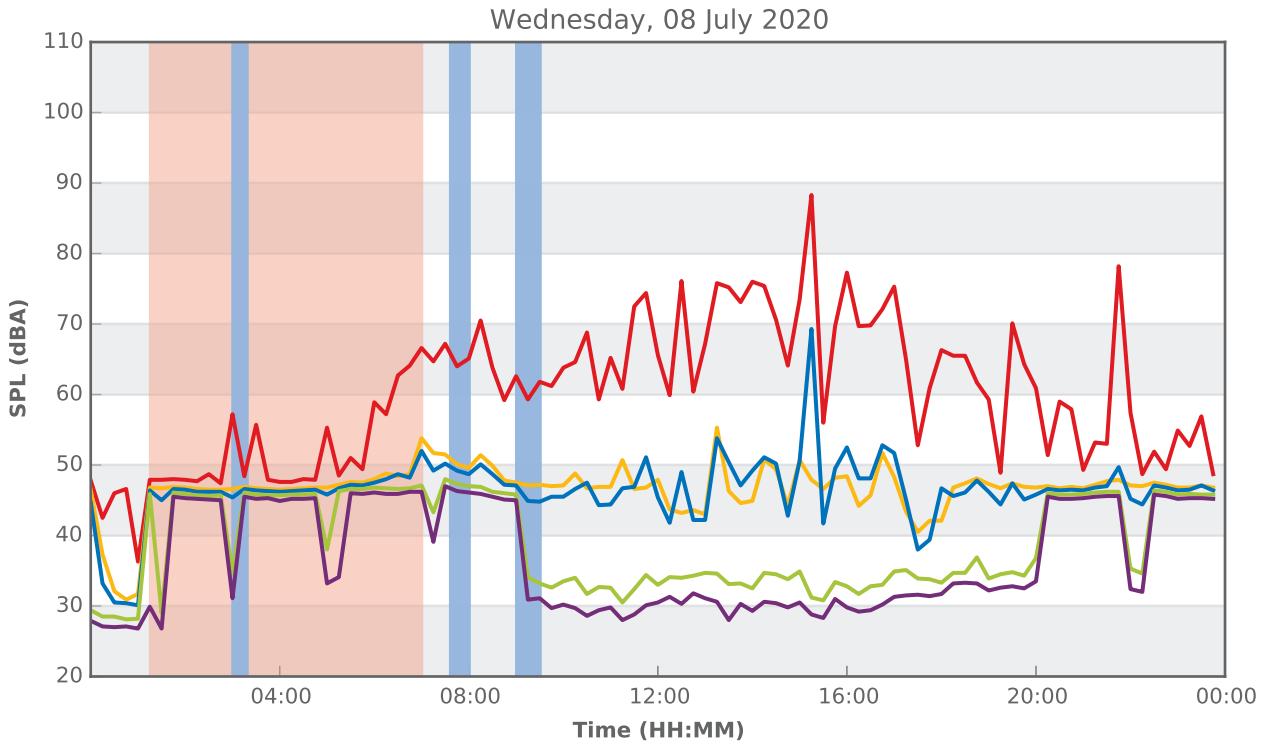

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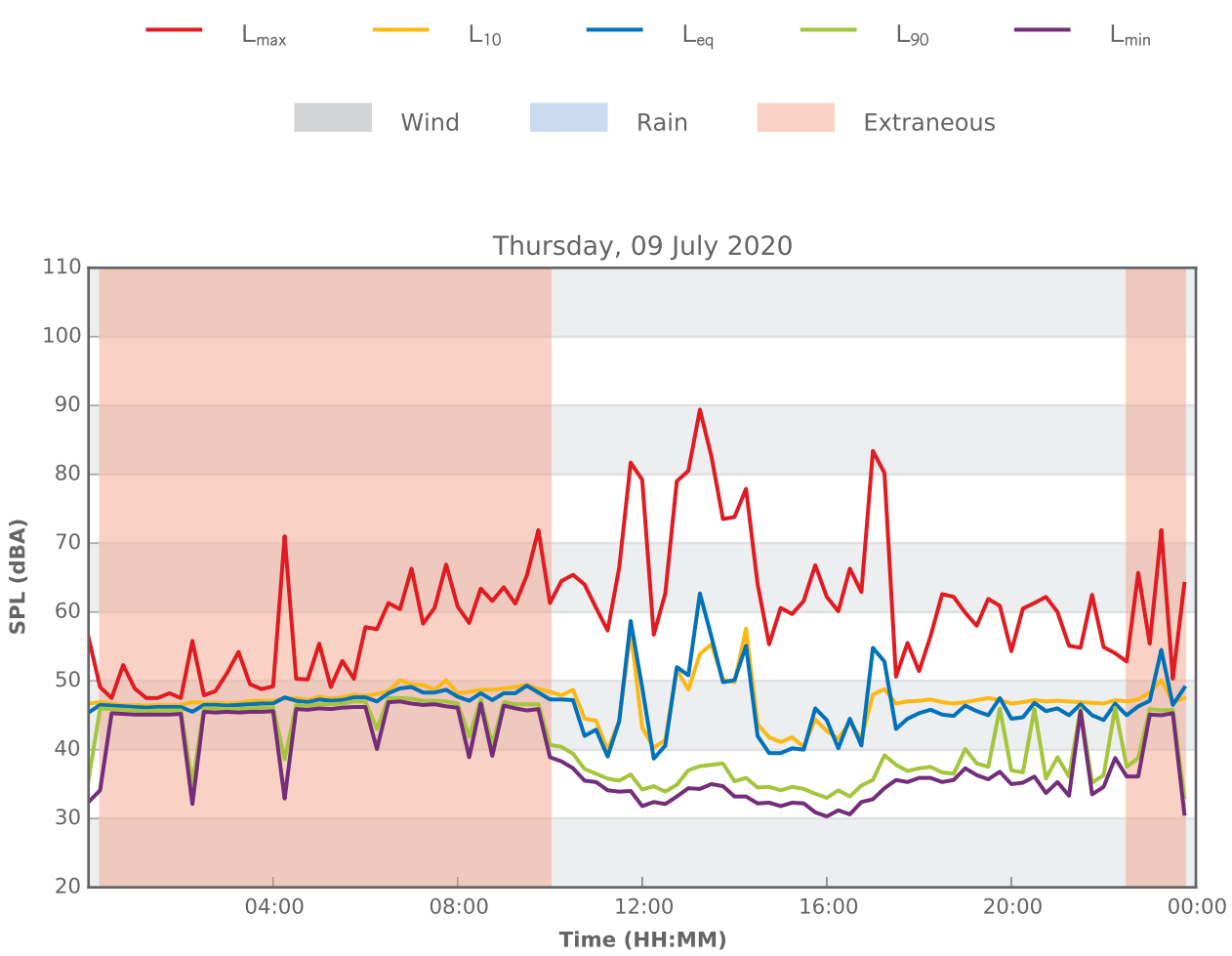

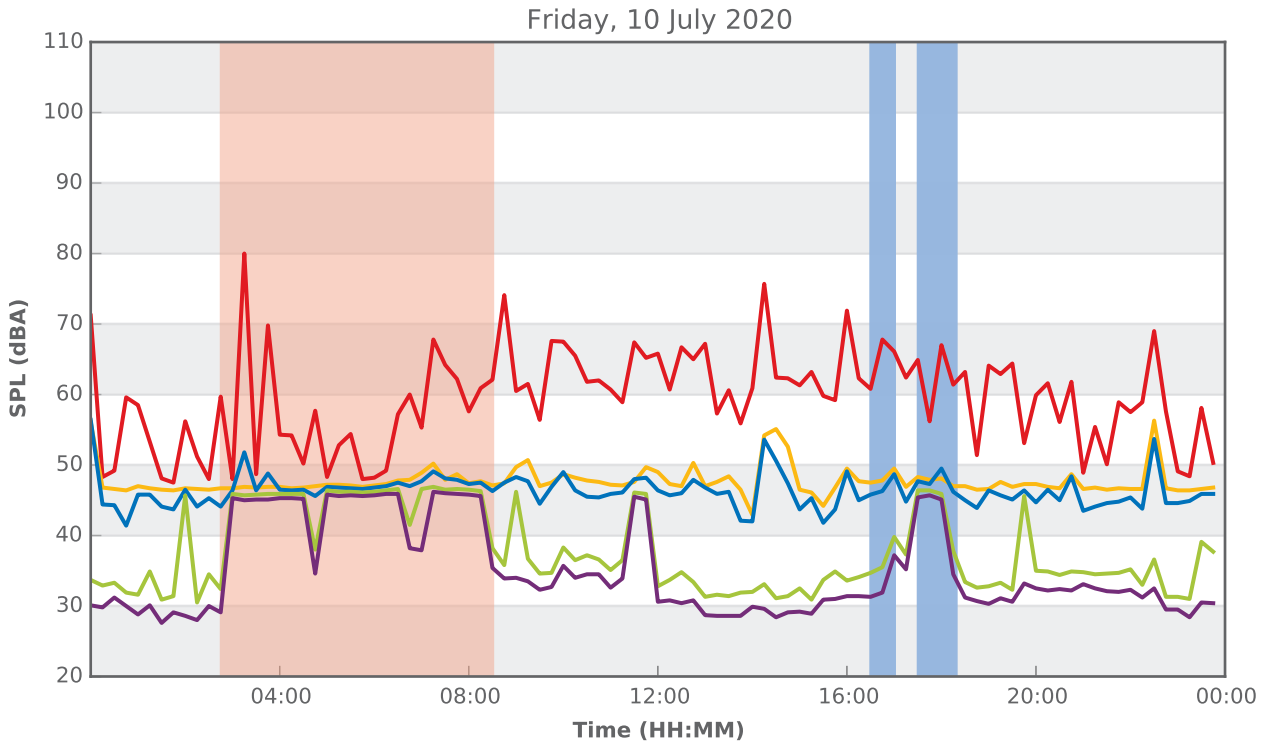

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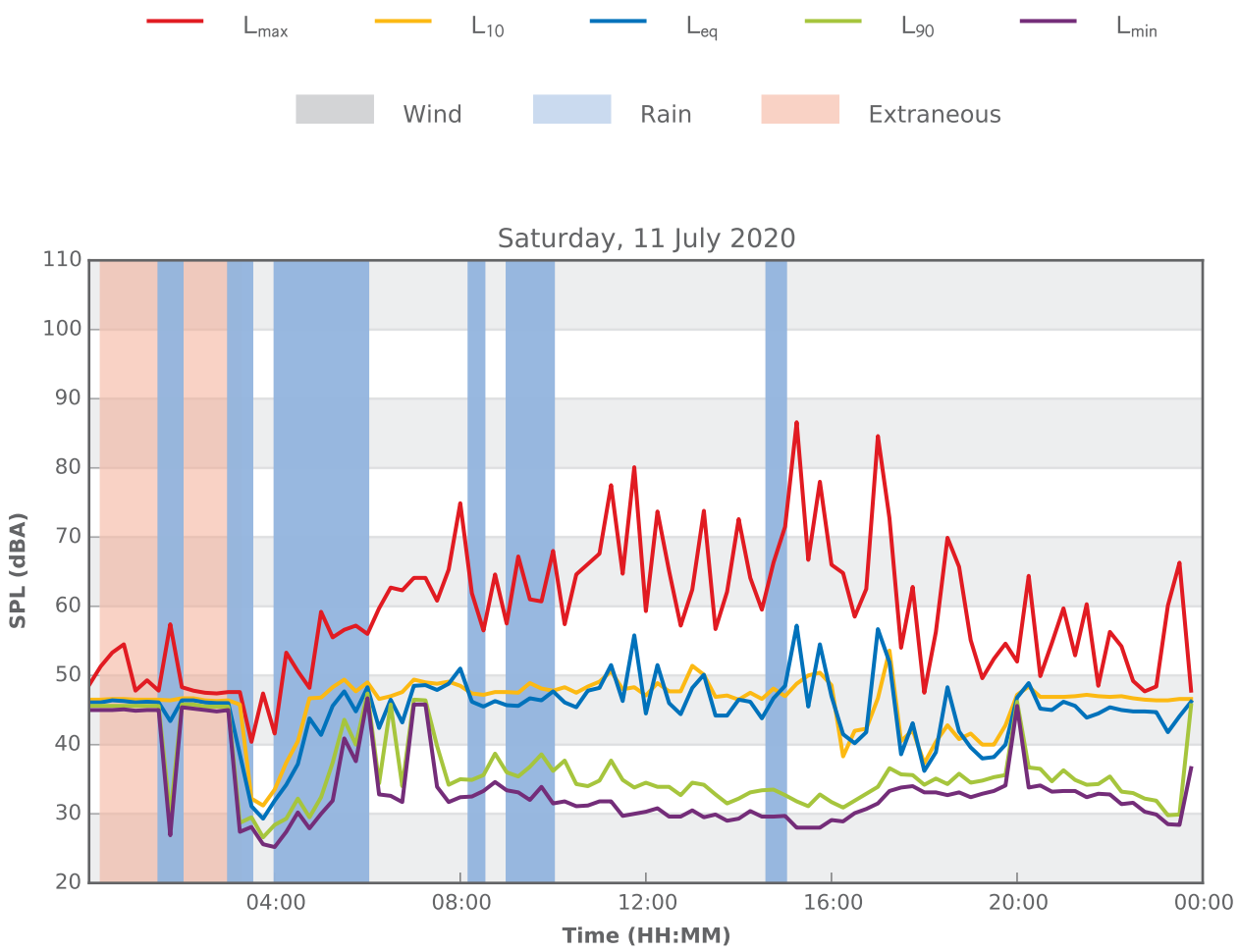

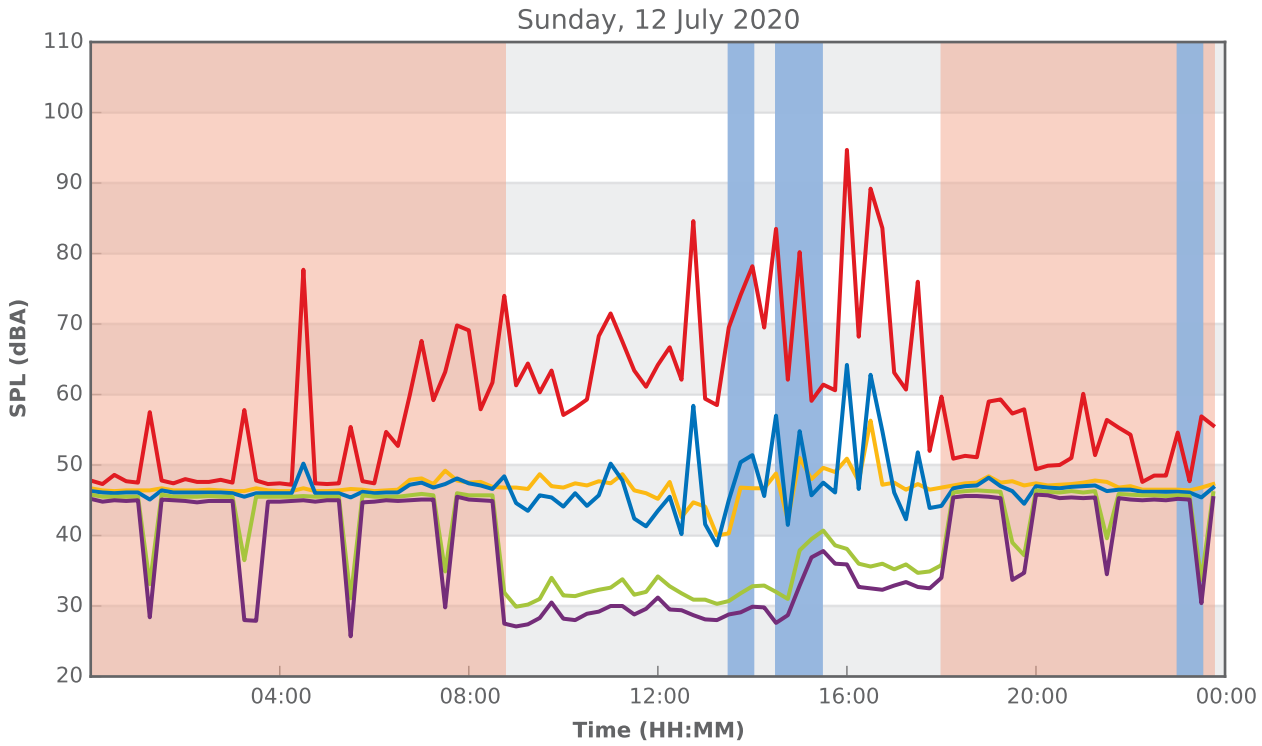

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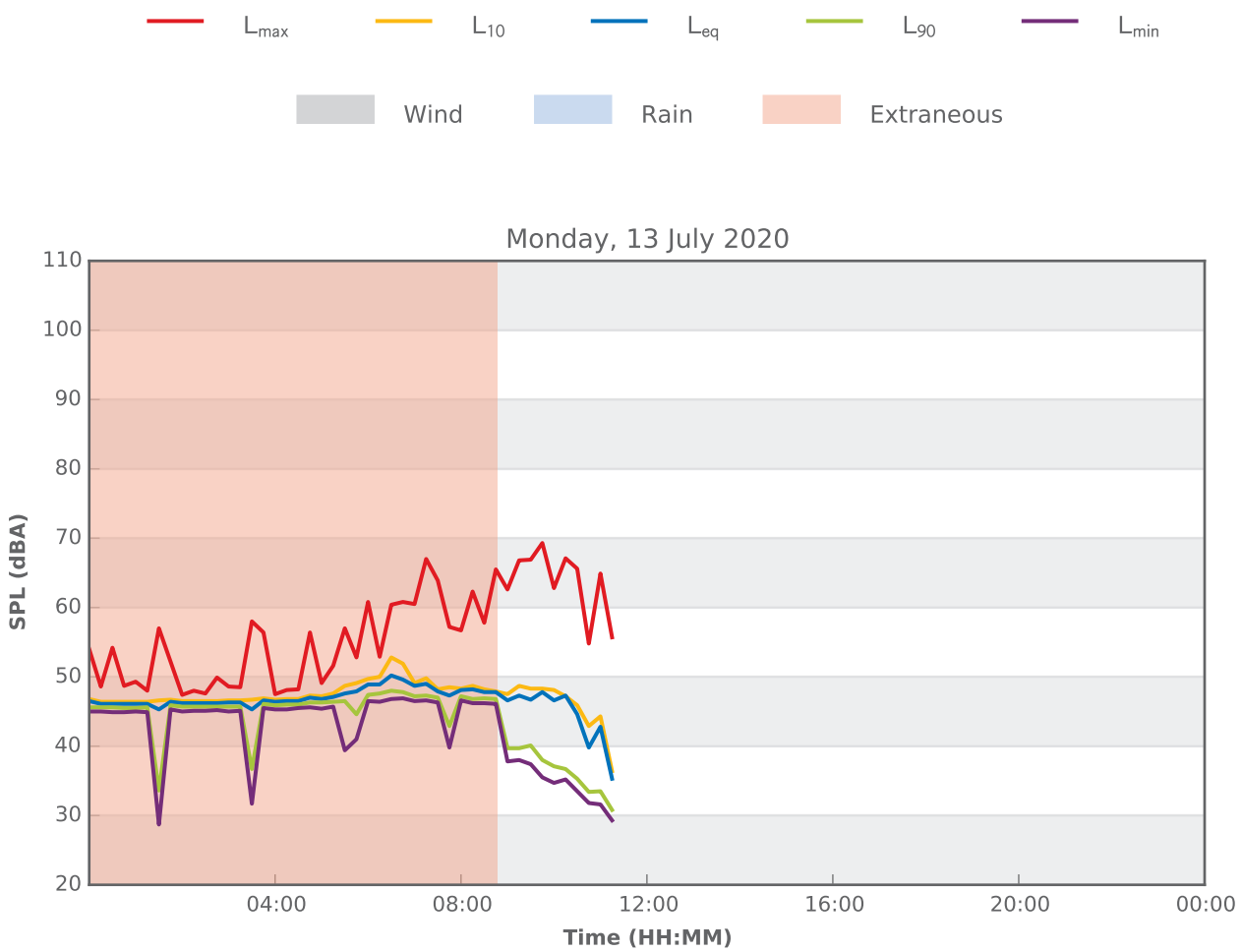

APPENDIX I

Aboriginal Cultural Heritage Management Plan

Stage 3 Facilities, Sydney Business Park

Aboriginal Cultural Heritage Management Plan

February 2021



Prepared by:

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striving for balance between economic, social and environmental ideals…

PJEP Ref: ACHMP_Feb21

Prepared for:

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Revision	*Date*	*Description*	*Author*	*Approved*
DRAFT	22 Dec 20	Draft for consultation	P. Jones, B.App.Sc	
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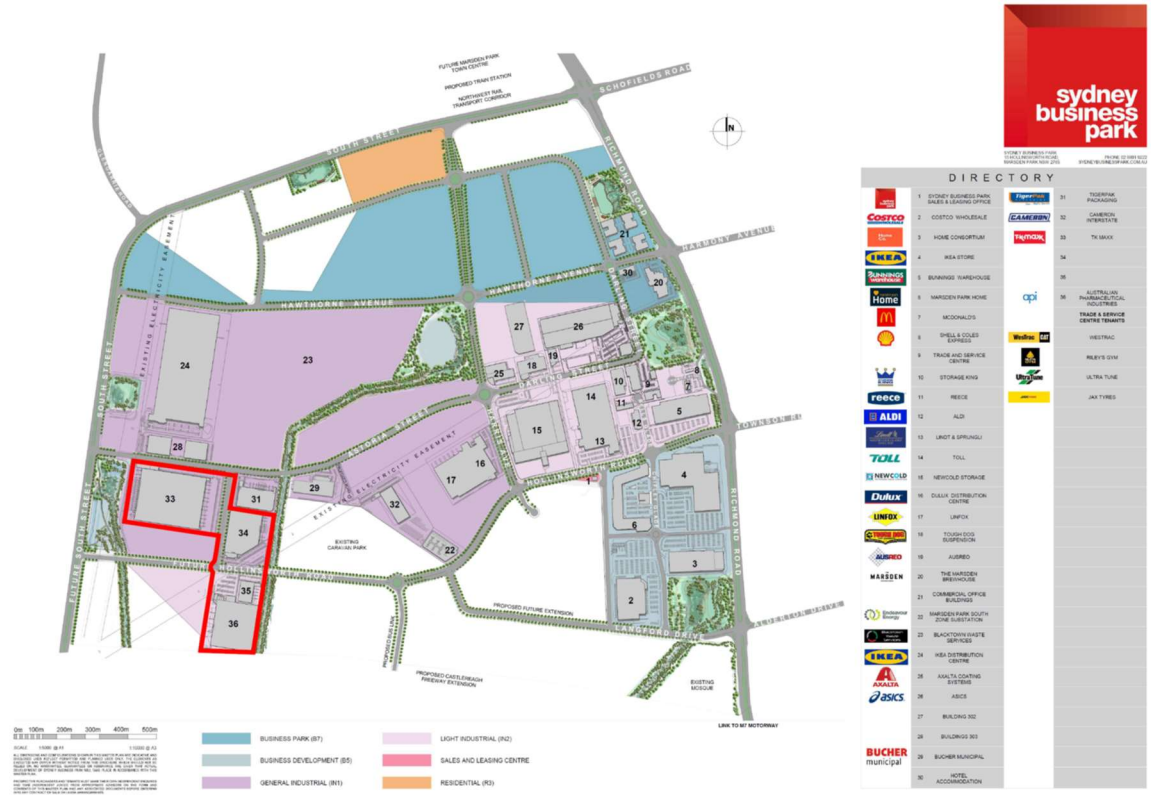
1 INTRODUCTION

Marsden Park Developments Pty Ltd (Sydney Business Park) is developing four warehouse and distribution facilities in the 'Stage 3' area of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney (see **Figure 1**).

This Aboriginal Cultural Heritage Management Plan (ACHMP) has been prepared by PJEP Environmental Planning Pty Ltd (PJEP) on behalf of Sydney Business Park, to provide guidance on the management of Aboriginal cultural heritage during the development of the Stage 3 Facilities.

The ACHMP has been prepared with the assistance of the Project Archaeologist, Matthew Kelleher of Kelleher Nightingale Consulting (KNC), and in consultation with the Registered Aboriginal Parties (RAPs) for the development.



Stage 3 Facilities (approx.)

Figure 1: *Sydney Business Park Master Plan (Source: Sydney Business Park)*

1.1 Development Summary

Sydney Business Park is developing four world-class warehouse and distribution facilities within the Stage 3 area of Sydney Business Park. The development is classified as State Significant Development, and the Minister for Planning and Public Spaces (or his delegate) is the consent authority for the development.

The master plan for the Stage 3 development is shown on **Figure 2**, and the main components of the development are outlined in **Table 1**.

A full description of the development is provided in the Environmental Impact Statement (EIS) and other supporting documentation, which can be viewed on the Department of Planning, Industry and

Environment's (the Department's) website at: Sydney Business Park - Stage 3 | Major Projects - Department of Planning and Environment (nsw.gov.au).

Table 1: *Stage 3 Facilities Development Summary*

Development Summary	**Development of the Sydney Business Park Stage 3 Facilities, including:** • **subdivision;** • **vegetation clearing and earthworks;** • **construction of two estate roads and associated intersections;** • **construction and operation of four warehouse and distribution facilities, including ancillary offices; and** • **ancillary development including car parking, infrastructure provision and landscaping**
Proposed Use	Warehousing and distribution, with ancillary office. Warehouse 1 will be used for storage and distribution of TJX Australia Pty Ltd's (TJX's) range of general consumer products, including clothing, footwear, home wares, beauty products, accessories and related consumer products. Warehouses 2 and 3 will also be used for storage and distribution of general consumer products by as-yet unidentified end users. Warehouse 4 will be used for storage and distribution of Australian Pharmaceutical Industries Ltd's (API's) range of pharmaceutical and related consumer products, including pharmaceutical and therapeutic goods
Subdivision	Lots 4, 5 and 36 will be subdivided to provide seven development lots, one lot for precinct stormwater infrastructure (which will be dedicated to Council), and a lot for the proposed roads (which will also be dedicated to Council)
Clearing, Demolition and Earthworks	Vegetation clearing across the site will be undertaken to facilitate the development. Most of the site is already cleared, though there are some trees in the south-eastern part of the site. Demolition of minor site structures (mainly fencing and a small section of road) will be undertaken, along with bulk and detailed earthworks across the site to facilitate the development
Facility Development	Construction and operation of the Stage 3 Facilities, including: • Warehouse 1 (TJX Facility) – 44,560 m^2 total building area; • Warehouse 2 (unspecified end user) – 16,835 m^2 total building area; • Warehouse 3 (unspecified end user) – 3,860 m^2 total building area; and • Warehouse 4 (API Facility) – 34,201 m^2 total building area. All warehouse facilities will include attached ancillary offices. The warehousing facilities in Warehouse 4 will include a basement level and mezzanine level. Warehouses 1 and 4 will be temperature-controlled warehouses, and Warehouses 2 and 3 will be ambient-temperature warehouses
Landscaping	Implementation of site landscaping consistent with estate landscaping, including street trees in roadways and landscaping within each individual warehouse facility site
Signage	Building identification, business identification and directional signage
Hours of Operation	24 hours a day, 7 days a week
Capital Investment Value	$157.4 million (exc. GST)
Employment[1]	Construction: 670 Operation: 610

Infrastructure and Services	
Roads	Sydney Business Park will extend Hollinsworth Road to the western side of the site, and construct a new north-south collector road between Hollinsworth Road and Astoria Street, as well as constructing associated intersections. The proposal also involves construction of internal driveways, hardstand and parking for each warehouse facility
Stormwater	Development of site stormwater infrastructure will be undertaken for the facilities, draining to estate stormwater infrastructure (including existing Basin E and future Basin A).
Potable Water, Sewer, Electricity and Telecoms	Extension and connection to existing mains in Hollinsworth Road and Astoria Street and/or South Street, and reticulation through the site

1 Estimate

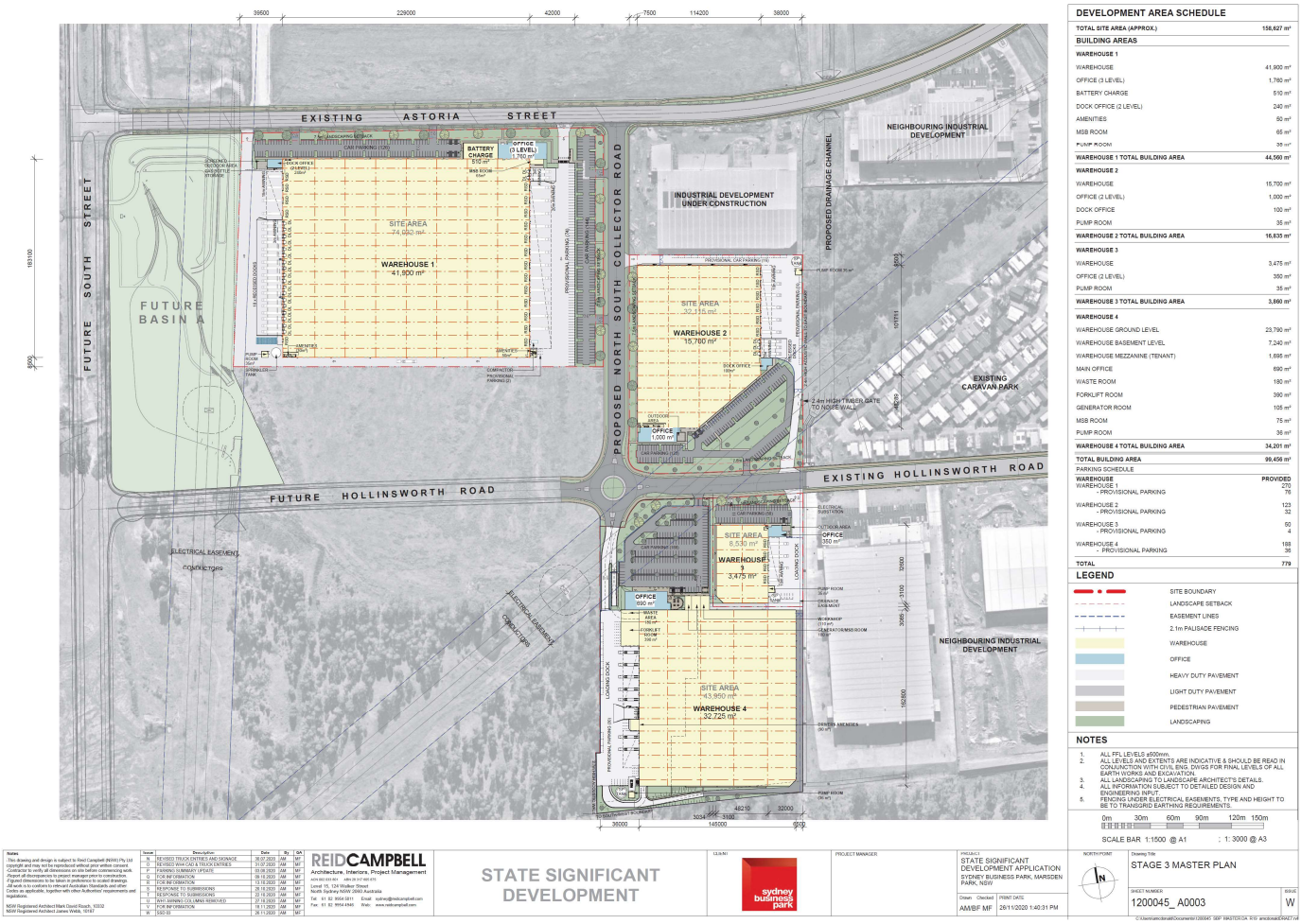


Figure 2: *Stage 3 Master Plan (Source: Reid Campbell)*

2 PURPOSE AND APPLICATION

2.1 Purpose

The purpose of this ACHMP is to describe how Aboriginal heritage will be protected and managed during the construction of the Stage 3 Facilities development.

2.2 Objectives

The key objective of this ACHMP is to ensure that Aboriginal heritage is protected and managed in accordance with the:

- EIS for the Stage 3 Facilities development, including the response to submissions documents;
- the Aboriginal Cultural Heritage Assessment (ACHA) prepared for the development (see Section 3); and
- conditions of development consent.

2.3 Targets

The following targets have been established for the management of Aboriginal heritage impacts during the development:

- Comply with the relevant legislative requirements, conditions of approval and mitigation measures;
- Follow procedures for the mitigation and management of extant Aboriginal sites and any unexpected Aboriginal sites or objects identified during the development;
- Undertake collection and management of extant sites and any additional sites or objects identified during the development, in consultation with the RAPs; and
- Provide heritage awareness training to all personnel including sub-contractors as part of the induction training before they start work onsite and in toolbox talks throughout construction.

2.4 Personnel

Environmental management of the Stage 3 Facilities site and wider Sydney Business Park is the responsibility of all Sydney Business Park employees, end-user employees, contractors and visitors to the site.

All of these stakeholders are responsible for complying with the requirements of this ACHMP, and for complying with wider legal responsibilities, including the development consent for the Stage 3 Facilities development.

Management at all levels and supervising personnel are to lead by example and set the highest standards for environmental and cultural heritage management, in accordance with the Sydney Business Park Environmental Policy and this ACHMP. They are to act immediately to correct any non-conforming condition of behaviours and promote environmental and cultural heritage awareness, good environmental housekeeping and continual improvement at every opportunity.

The key personnel and stakeholders involved in the implementation of this ACHMP include:

- *Sydney Business Park Project Managers* – who will have day-to-day responsibility to ensure that all construction and development activities are undertaken in accordance with this ACHMP, the Environmental Management Plans (EMPs) and all legal and other requirements including the development consent and for ensuring that all contractors and visitors are aware of the ACHMP and their related responsibilities;
- *Project Archaeologist* – Sydney Business Park will retain a suitably qualified archaeologist (nominated as Matthew Kelleher of KNC, or other archaeologist of similar qualification and experience) to review this ACHMP, co-ordinate the collection and management of extant

Aboriginal sites within the Stage 3 Facilities site in consultation with the RAPs, and manage any unexpected Aboriginal sites identified during the development; and

- *Registered Aboriginal Parties (RAPs)* – who will be involved in collection and management of extant Aboriginal sites within the Stage 3 Facilities site, and in the management of any unexpected Aboriginal sites or objects identified during the development.

Additional responsibilities in relation to implementation of the ACHMP are detailed in the following sections.

2.4.1 Registered Aboriginal Parties

As part of the Aboriginal heritage assessment for the development (see Section 3), Aboriginal stakeholders were invited to register an interest in a process of community consultation.

Stakeholders who registered an interest and/or who participated in the assessment are listed in the following table.

Table 2: *Registered Aboriginal Parties*

Group / Individual[1]	***Representative / Contact***
Deerubbin Local Aboriginal Land Council (LALC)	CEO
A1 Indigenous Services (A1)	Carolyn Hickey
Amanda Hickey Cultural Services (AHCS)	Amanda DeZwart
Barraby Cultural Services (BCS)	Lee Field
Butucarbin Aboriginal Corporation (BAC)	Lowanna Gibson
Darug Custodian Aboriginal Corporation (DCAC)	Justine Coplin
Dhinawan Culture and Heritage Pty Ltd (DCH)	Stephen Fields
Didge Ngunawal Clan (DNC)	Paul Boyd & Lilly Carroll
Freeman & Marx Pty Ltd (F&M)	Clive Freeman
Kamilaroi Yankuntjatjara Working Group (KYWG)	Phil Khan
Merrigarn	Shaun Carroll
Muragadi Heritage Indigenous Corporation (MHIC)	Jesse Johnson
Murra Bidgee Mullangari Aboriginal Corporation (MBMAC)	Ryan Johnson
Registered Aboriginal Stakeholder	Details Withheld
Registered Aboriginal Stakeholder	Details Withheld
Tocomwall	Scott Franks
Waawaar Awaaa Aboriginal Corporation (WAAC)	Rodney Gunther
Wailwan Aboriginal Group (WAG)	Phil Boney
Warragil Cultural Services (WCS)	Aaron Slater
Widescope Indigenous Group (WIG)	Steven Hickey
Wurrumay Pty Ltd	Vicky Slater
Yulay Cultural Services (YCS)	Arika Jalomaki
Yurrandaali Pty Ltd	Bo Field

1. Two additional Aboriginal stakeholders registered for the development but have chosen to withhold their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

This ACHMP has been prepared in consultation with the RAPs[1]. Responses were received from DCAC, DCH, MBMAC, MHIC and Tocomwall, and are attached in **Appendix B**. All of the responses apart from DCAC either supported the ACHMP or did not raise any issues. DCAC noted that it did not support the survey recommendation as it was not invited to the survey. KNC notes that DCAC was consulted (as a RAP) during the preparation of the ACHA (see **Appendix A**), and participated in the original survey in 2009 (see below). All RAPs will continue to be consulted during the implementation of the ACHMP.

3 ABORIGINAL HERITAGE ASSESSMENT

The Marsden Park Industrial Precinct has been subject to comprehensive archaeological assessments, including a precinct-wide assessment undertaken by KNC for the Department in 2009.

An additional Aboriginal Cultural Heritage Assessment (ACHA) for the Stage 3 Facilities development was prepared by KNC in September 2020, in consultation with the RAPs. The ACHA is attached as **Appendix A**.

The ACHA identified that two extant Aboriginal sites remain in the southern area of the Stage 3 Facilities site, within the footprint of the Warehouse 4 Facility. No other Aboriginal sites within the Stage 3 Facilities site are identified on the NSW Aboriginal Heritage Information System (AHIMS), or were identified during site surveys.

The two extant sites are shown on **Figure 3**, and include:

- MPIP 17 (AHIMS 45-5-3748) – comprising two stone artefacts (red silcrete); and
- MPIP 18 (AHIMS 45-5-3749) – comprising a scatter of eight stone artefacts (yellow and red silcrete).

The MPIP 17 site was identified during the original 2009 survey. The location of the site was confirmed during the 2020 survey, however the two previously recorded artefacts were not able to be relocated during the visit. The ACHA notes that the area has been subject to ongoing disturbance since the first survey.

The MPIP 18 was identified during the original 2009 survey. The artefact scatter could also not be relocated in the 2020 survey, although two additional silcrete artefacts (comprising one core and one retouched flake) were identified along an eroded vehicle access track. The ACHA notes that the area has been subject to ongoing disturbance since the first survey.

Both the MPIP 17 and MPIP 18 sites were assessed as having low archaeological significance.

The proposed development will effectively cover the entirety of the Stage 3 Facilities site and impact sites MPIP 17 and MPIP 18. Impacts to these sites are unavoidable due to the nature of the development, which requires bulk earthworks across the site to create level building pads for the warehouses.

Part of MPIP 18 lies outside the development site, and this portion of the site will not be impacted by the development (see **Figure 3**).

[1] Via email from KNC dated 23 December 2020.

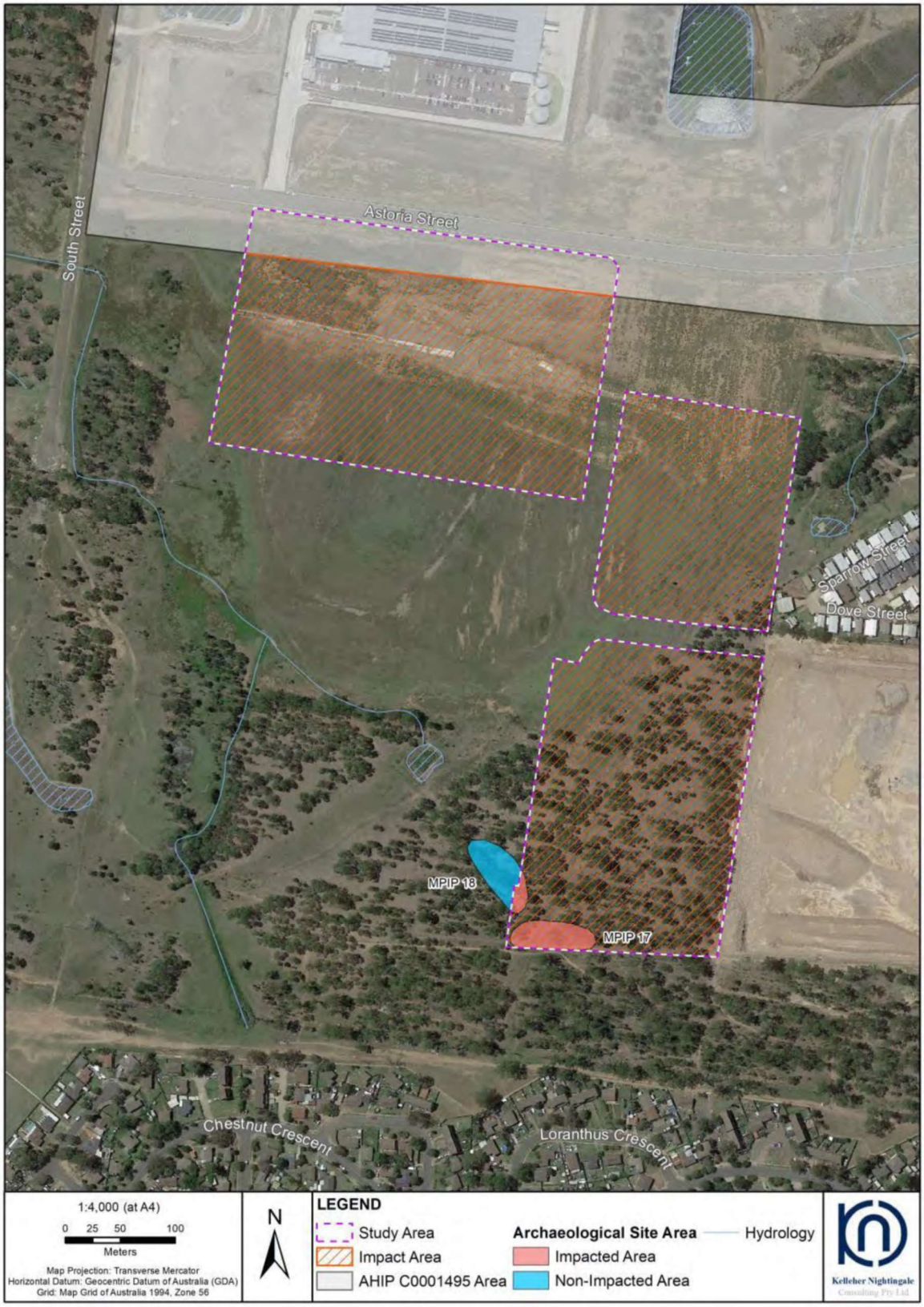


Figure 3: *Aboriginal Sites (Source: KNC)*

4 MITIGATION AND MANAGEMENT

4.1 Mitigating Harm

Consistent with the recommendations of the ACHA, the measures outlined in **Table 3** will be undertaken by Sydney Business Park to mitigate the impacts of the development on Aboriginal cultural heritage.

Table 3: *Mitigation Measures for Impacted Aboriginal Sites*

Site Name	*AHIMS Number*	*Impact Assessment*	*Assessed Significance*	*Harm Mitigation*	*When*	*Responsibility*
MPIP 17	45-5-3748	Direct / total	Low	Community collection, and subsequent management, of surface artefacts.	Prior to disturbance of MPIP 17	Project archaeologist, with RAPs
MPIP 18	45-5-3749	Direct / partial	Low	Community collection, and subsequent management, of surface artefacts.	Prior to disturbance of MPIP 18	Project archaeologist, with RAPs
				Protective fencing of non-impacted portion of site during construction	Prior to and during construction of Warehouse 4	Project Manager
				Identify non-impacted portion of site in Construction Environmental Management Plan (CEMP)	Prior to construction of Warehouse 4	Project Manager
				Include ACHMP training in site induction	Prior to and during construction of Warehouse 4	Project Manager

4.1.1 Method of Collection

Prior to any disturbance of the extant Aboriginal sites, the RAPs will be notified and provided with an opportunity to attend the site with the Project Archaeologist and collect the surface artefacts in accordance with the methodology below.

The objects and their location have been recorded as part of the assessment process (ACHA, archaeological survey and site card). Collection will involve the physical picking up of the objects and the completion of an Aboriginal Site Impact Recording Form (ASIRF).

Collection will only occur after development consent for the Stage 3 Facilities development is granted, and will occur in accordance with the development consent.

4.1.2 Management of Non-Impacted Portion of MPIP 18

Management measures will be implemented for site MPIP 18 to ensure that the non-impacted portion of site is avoided by the development and construction activities.

Management measures to be implemented include the demarcation of the non-impacted portion of MPIP 18 with protective fencing and identification of this area as an environmentally sensitive “no-go zone”.

The site will also be identified within the Construction Environmental Management Plan (CEMP) for the development. Documented toolbox talks will be held to ensure all on-site staff and contractors are aware of obligations and requirements regarding the protection of Aboriginal heritage.

4.2 Management Procedures

4.2.1 Management Policy for Aboriginal Heritage

The policy for the management and conservation of Aboriginal heritage in relation to collection activities and construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) is described below:

Responsibility for Compliance with Management Policy

1. Sydney Business Park will ensure all of its employees, contractors and subcontractors and agents are made aware of and comply with this management policy.

2. Sydney Business Park will appoint a suitably qualified and experienced Project Manager who is responsible for overseeing the activities related to this management policy.

3. Sydney Business Park will appoint a suitably qualified and experienced Project Archaeologist who is responsible for overseeing, for and on behalf of Sydney Business Park, the archaeological activities relating to the construction of the development.

Construction Constraints

4. Where the surface collection of artefacts has been nominated for the impacted site, no construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) can occur in the vicinity of the Aboriginal sites until the relevant surface collection at the nominated site has been completed.

5. Prior to the commencement of early works activity (eg. fencing, minor clearing, establishing site compounds etc.) a construction heritage site map identifying the Aboriginal site requiring the collection of surface artefacts and the Aboriginal sites to be avoided (for all sites in proximity to the project boundary) must be prepared. The construction heritage site map should be prepared to the satisfaction of Sydney Business Park.

6. All employees, contractors, subcontractors and agents carrying out early works activities (eg. fencing, minor clearing, geotechnical investigations, establishing site compounds etc) must undertake a project induction (including the distribution of a construction heritage site map) to ensure that they have an understanding and are aware of the Aboriginal heritage issues affecting the development.

Areas of Aboriginal Archaeological Sites and Objects to be Impacted

7. The areas of archaeological sites and objects identified as being impacted by construction activities are listed in **Table 3** of this plan and are in accordance with the ACHMP and any development consent.

8. No disturbance of Aboriginal sites and objects can occur before a development consent for the Stage 3 Facilities is granted, and all disturbance must be in accordance with the development consent.

Human Remains

9. This management policy does not authorise any damage of human remains.

10. If potential human remains are disturbed the Proponent must follow the procedures outlined in Section 4.3 below.

Involvement of Aboriginal Stakeholders

11. Opportunity must be provided to the RAPs to be involved in the surface collection, which will be undertaken in accordance with the methodology specified in Section 4.1.

Long-Term Care and Management of Collected Aboriginal Objects

12. Recovered Aboriginal objects will be handled in accordance with Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* as required.

Reporting Requirements

13. A written archaeological report documenting the collection must be provided to Sydney Business Park by the Project Archaeologist within a reasonable time following the completion of the archaeological program.

14. An Aboriginal Site Impact Recording Form (ASIRF) must be completed and lodged with Heritage NSW for the archaeological sites listed in **Table 3** within a reasonable time after the approved activities have been completed.

Incident Notification and Reporting

15. Incident reporting requirements in accordance with the development consent is to include Aboriginal heritage.

4.3 Procedures for Handling Human Remains

Development consents do not provide approval for the destruction of Aboriginal or non-Aboriginal human remains.

This section outlines the procedure for handling human remains in accordance with the *Skeletal Remains – Guidelines for the Management of Human Skeletal Remains under the Heritage Act 1977* (NSW Heritage Office 1998) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997).

In the event that construction activity reveals possible human skeletal material (remains), the following procedure is to be followed:

1. As soon as remains are exposed, all work is to halt at that location immediately and the Project Manager is to be immediately notified to allow assessment and management, including:
   i. stopping all activities; and
   ii. securing the site.

2. Contact Police – the discovery of human remains triggers a process which assumes that they are associated with a crime. The NSW Police retain carriage of the process until such time as the remains are confirmed to be Aboriginal or historic.

3. The Department, as the consent authority, will be notified when human remains are found.

4. Once the Police process is complete and if remains are not associated with a contemporary crime contact the Department. The Department will determine the process, in consultation with Heritage NSW as appropriate:
   i. if the remains are identified as Aboriginal, the site is to be secured and the Department and all Aboriginal stakeholders are to be notified in writing. The Department will act in consultation with Heritage NSW as appropriate. Heritage NSW will be notified in writing according to the Department's instructions; or
   ii. if the remains are identified as non-Aboriginal (historical) remains, the site is to be secured and the Department is to be contacted. The Department will act in consultation with the Heritage NSW as appropriate.

5. Once the Police process is complete and if the remains are identified as not being human, work can recommence once the appropriate clearances have been given.

4.4 Procedures for Handling Unexpected Aboriginal Objects

This section outlines the procedure for handling unexpected archaeological sites and objects.

In the event that construction activity reveals possible Aboriginal objects other than those identified in **Table 3**, the following procedure is to be followed:

1. All work is to halt at that location immediately and the Project Manager is to be immediately notified to allow assessment and management, including:
   i. stopping all activities; and
   ii. securing the site.

2. Contact the Project Archaeologist to assess the find and determine if it is consistent with the development consent:
   i. if the find is consistent, the archaeologist will allow work to continue;
   ii. if the find is inconsistent, Heritage NSW will be notified as soon as practical on 131555 providing any details of the Aboriginal object and its location. Work cannot recommence unless authorised in writing by Heritage NSW.

4.5 Procedure for Changes to the Approved Development

Sydney Business Park recognises that during the construction of the development, design alterations or other changes to the approved development may be required.

Any changes that increase the impacted area of MPIP 18 would need to be assessed as part of a modification application or other development approval under the *Environmental Planning and Assessment Act 1979*. Any such application would likely require consultation with the RAPs and applicable government authorities including Heritage NSW.

5 REVIEW

Sydney Business Park will review, and if necessary revise, this ACHMP within 3 months of:[2]

- the identification of any unexpected Aboriginal sites or objects on the site;
- the submission of any incident report required under the development consent involving Aboriginal heritage matters;
- the submission of any environmental audit reports required under the development consent involving Aboriginal heritage matters;
- the approval of any modification of the development consent; or
- the issue of a direction of the Planning Secretary of the Department which requires a review.

[2] Or as otherwise required under the development consent.

If necessary to either improve the performance of the development, cater for a modification or comply with a direction, the plans shall be revised to the satisfaction of the Planning Secretary. [3]

Where revisions are required, the revised document should be submitted to the Planning Secretary for approval within 6 weeks of the review. Any revision involving material changes to the ACHMP should be prepared in consultation with the RAPs and Heritage NSW.

[3] As required under the development consent.

APPENDIX A

STAGE 3 FACILITIES SYDNEY BUSINESS PARK
MARSDEN PARK, NSW

Aboriginal Cultural Heritage Assessment Report

Prepared for Marsden Park Developments Pty Ltd

Blacktown Local Government Area

September 2020

Ref. 1947

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Prepared by	Dr Matthew Kelleher; Mark Rawson; Madeline Harding; Ben Anderson
Approved by	Dr Matthew Kelleher

Executive Summary

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The study area comprises lands located in Part Lots 4 and 5 DP1210172 and Part Lot 36 DP262886 at Marsden Park in the Blacktown Local Government Area (LGA).

The project is State Significant Development (SSD-10477) and subject to approval under Part 5.1 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act). Department of Planning, Environment, Industry and Environment (DPIE) approval would be required prior to any harm to Aboriginal objects. Impacts to Aboriginal heritage will be assessed in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued for the project on 24 July 2020.

To support an application for project approval, Marsden Park Developments Pty Ltd is preparing an Environmental Impact Statement (EIS) and has undertaken Aboriginal heritage assessment for the project. Kelleher Nightingale Consulting (KNC) was engaged by Marsden Park Developments Pty Ltd to assist in the preparation of an Aboriginal cultural heritage assessment report (CHAR) for Aboriginal objects that will be harmed by the proposal.

The study area has been previously assessed in a comprehensive Aboriginal heritage report for the Marsden Park Industrial Precinct (2009). The results from the current assessment are consistent with the existing 2009 cultural heritage assessment results. Background research and archaeological assessment including comprehensive field survey has identified two previously registered archaeological sites within the study area. These sites comprised two low density surface artefact scatter sites: MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Recent archaeological field survey confirmed the findings of previous archaeological assessments undertaken across the study area. The study area has been subject to extensive and widespread landuse disturbance. Disturbed deposits were identified at both MPIP 17 and MPIP 18 site locations; despite the presence of additional artefacts recorded at MPIP18. Intensive vegetation clearance, stripping and earthmoving activities across the study area had resulted in extensive disturbance and related erosion, with limited potential for intact or significant subsurface archaeology to occur. Significance assessment completed as part of the CHAR process confirmed that sites MPIP 17 and MPIP 18 displayed little to no intact archaeological deposit and low archaeological significance.

MPIP 17 and MPIP 18 are located within IN1 and IN2 zoned lands and would be at least partially impacted by the proposed works. Mitigation for the identified impact to the sites in the form of salvage excavation is not warranted as the sites are of low archaeological significance. Similarly, non-practicable avoidance measures are not warranted for the impacted archaeology. The impacted archaeological sites are located in a disturbed landscape context and are not considered likely to retain any intact subsurface archaeological deposit. While Aboriginal objects exist within the disturbed landscape context of the study area, these offer little intrinsic scientific value, being examples of regionally common raw materials and artefact types. Surface artefact collection is recommended for both sites identified within the study area: MPIP17 and MPIP18. Surface collection would be undertaken with registered Aboriginal stakeholders.

Impact assessment determined that MPIP 18 will be partially impacted by the proposed development. Management measures must be implemented for site MPIP 18 to ensure that the non-impacted portion of the site is avoided by proposed development and construction activities. Management measures to be implemented include the demarcation of the non-impacted portion of MPIP 18 with protective fencing and identification of this area as an environmentally sensitive "no-go zone". The site will also be identified on any construction environmental managements plans (or similar), and documented toolbox talks will be held to ensure all on-site staff and contractors are aware of obligations and requirements regarding the protection of Aboriginal heritage.

The proposed works overlaps an area that has been previously assessed for its Aboriginal cultural heritage values and is covered under an existing Aboriginal Heritage Impact Permit (AHIP) held by Marsden Park Development Pty Ltd (AHIP# C0001495). Any works undertaken within the existing AHIP area must be undertaken in accordance with AHIP conditions.

Project approval will be required prior to the impacts to the following Aboriginal archaeological sites:

MPIP 17	AHIMS 45-5-3748	Total impact	Low significance
MPIP 18	AHIMS 45-5-3749	Partial impact	Low significance

This CHAR has been prepared to address the Aboriginal heritage requirements identified in the SEARs for the project. The purpose of this technical paper is to identify and assess the Aboriginal heritage impacts of the project. The CHAR complies with the Heritage NSW *Code of Practice for Archaeological Investigation of Aboriginal Objects in* NSW and *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. A consultation process has been undertaken in accordance with Heritage NSW requirements for the preparation of the CHAR.

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1 Introduction

1.1 Proponent and consultants

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The study area comprises lands located in Part Lots 4 and 5 DP1210172 and Part Lot 36 DP262886 at Marsden Park in the Blacktown Local Government Area (LGA). The location of the study area is shown on Figures 1 and 2.

The project is State Significant Development (SSD-10477) and subject to approval under Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Department of Planning, Environment, Industry and Environment (DPIE) approval would be required prior to any harm to Aboriginal objects. Impacts to Aboriginal heritage will be assessed in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued for the project on 24 July 2020.

To support an application for project approval, Marsden Park Developments Pty Ltd is preparing an Environmental Impact Statement (EIS) and has undertaken Aboriginal heritage assessment for the project. Kelleher Nightingale Consulting (KNC) was engaged by Marsden Park Developments Pty Ltd to assist in the preparation of an Aboriginal cultural heritage assessment report (CHAR) for Aboriginal objects that will be harmed by the proposal. The proposed development area has been previously assessed in an Aboriginal heritage report for the Marsden Park Industrial Precinct (2009). The results from the current comprehensive assessment are consistent with the existing 2009 cultural heritage assessment results.

1.2 Location and scope of activity

The study area is situated in Marsden Park in Sydney, approximately 50 kilometres northwest of the Sydney CBD (Figure 1). The study area comprises lands located at Astoria Street, Marsden Park, NSW 2765. The study area is generally bound by Astoria Road to the north, private property to the east, SP2 infrastructure zoned lands to the south and South Street and private property to west (Figure 2).

The proposed physical works occur within lands zoned IN1 General Industrial, IN2 Light Industrial and SP2 Infrastructure (Local Roads) under the Marsden Park Industrial Precinct Plan. The proposed activities associated with the subdivision and development would likely include:

- Site subdivision;
- Vegetation clearing, demolition of minor structures and earthworks (including cut/fill operations);
- Construction of two estate roads and associated intersections;
- Stormwater infrastructure (including potential temporary estate basin);
- Construction and operation of four warehouse and distribution facilities; and
- Ancillary development including car parking, infrastructure provision and landscaping.

1.3 Project requirements

This CHAR has been prepared to address the Aboriginal heritage requirements identified in the SEARs for the project for the purpose of seeking project approval under Part 5.1 of the EP&A Act. The purpose of this technical paper is to identify and assess the Aboriginal heritage impacts of the project. The objectives of the CHAR combine Aboriginal community consultation with an archaeological investigation in accordance with:

- Secretary's environmental assessment requirements;
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (OEH 2010a);
- *Guide to investigation, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011); and
- *Aboriginal cultural heritage consultation requirements for proponents 2010* (OEH 2010b).

Aboriginal cultural heritage assessment for the project was designed to meet the SEARs. This included:

- Sufficient assessment of Aboriginal cultural heritage items and value of the site and surrounding area;
- Consultation with Aboriginal communities, including Deerubbin Local Aboriginal Land Council and registered Aboriginal stakeholders for the project, to assess impacts and develop mitigation measures; and
- Identification of mitigation and management measures.

Specific requirements of the SEARs in relation to Aboriginal heritage are outlined in the table below.

Table 1. SEARs for Aboriginal heritage

Secretary's Environmental Assessment Requirements	Where addressed in this document
12. Heritage – including:	
– an assessment of Aboriginal and non-Aboriginal cultural heritage items and values of the site and surrounding areas including sufficient detail that is proportional to the predicted impacts. The assessment is to be informed by any previous Aboriginal Cultural Heritage Assessment Report or other heritage assessment undertaken for the site or other projects in the surrounding area (if available), in accordance with the relevant Heritage NSW guidelines.	Sections 1-7
– justification for the level of consultation undertaken with interested stakeholders	Sections 5 and 7
– a description of any measures to avoid, mitigate, and/or manage any impacts.	Sections 8, 9 and 10



Figure 1. Study area location

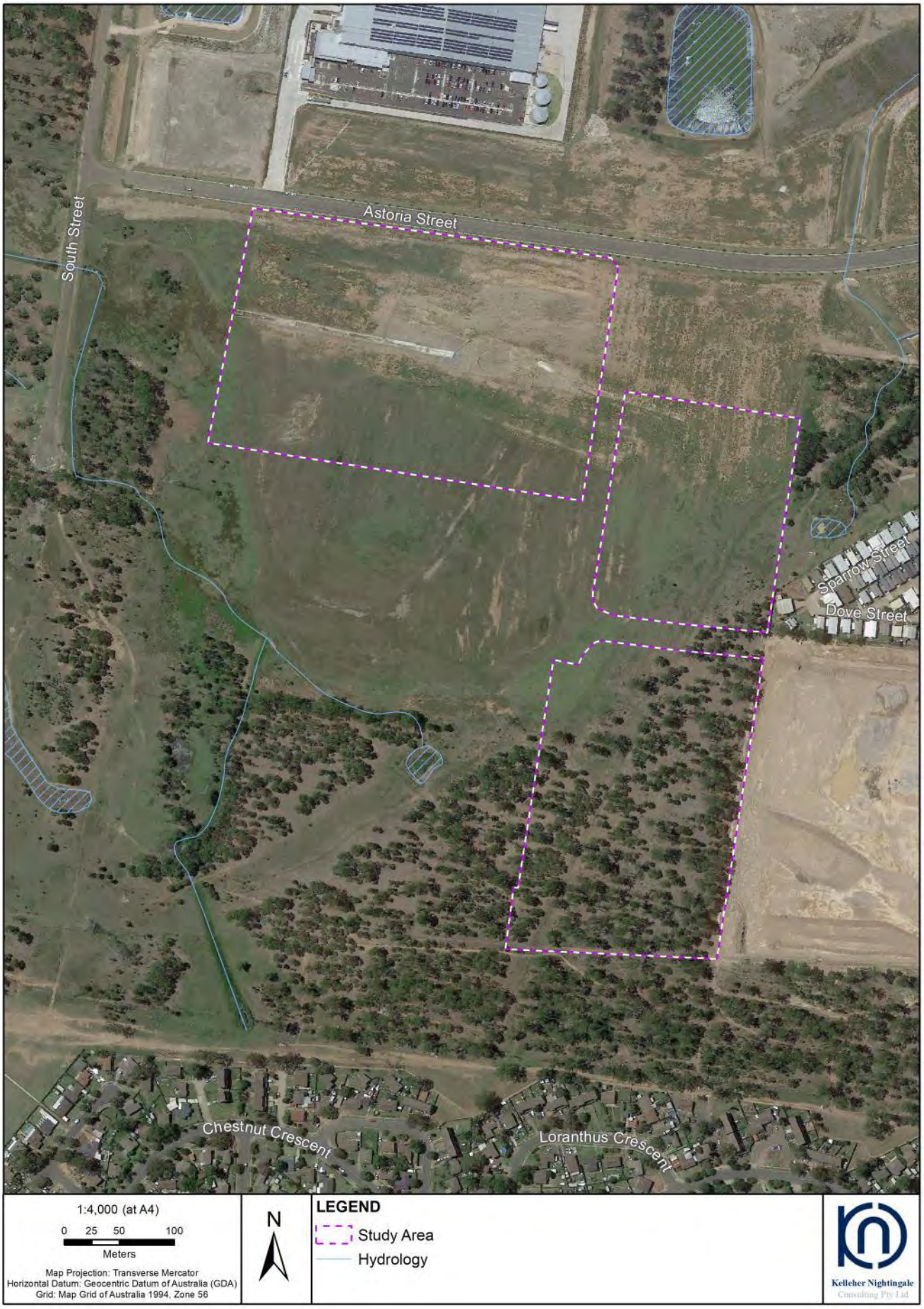

Figure 2. Detail of study area

2 Environmental Context

2.1 Landform, geology and soils

The study area is located in the north west of the Cumberland Plain, a gently undulating and generally low-lying physiographic region of the Sydney Basin. The Sydney Basin is a large geological feature that stretches from Batemans Bay to Newcastle and west to Lithgow. The formation of the basin began between 300 to 250 million years ago when river deltas gradually replaced the ocean that had extended as far west as Lithgow (Pickett and Alder 1997). The oldest, Permian layers of the Sydney Basin consist of marine, alluvial and deltaic deposits that include shales and mudstone overlain by coal measures.

The underlying geology of the study area is entirely composed of Bringelly Shale (Rwb) (Figure 3). The Bringelly Shale Formation consists of shale, carbonaceous claystone, claystone, laminate, fine to medium-grained lithic sandstone, rare coal and tuff. Underlying geology of the study area was generally composed of unsuitable raw materials for the creation of stone artefacts. However, several sources of suitable raw material for artefact production have previously been identified in St Marys Formation and Rickabys Creek Gravel geologies which are present in the general region.

Soils across the study area derive from the Berkshire Park and Blacktown soil landscapes (Figure 3). The majority of the study area comprises Berkshire Park soils, which are characterised by weakly pedal orange heavy clays and clayey sands, often mottled. Iron nodules are common throughout the profile (Bannerman and Hazelton 1989). Solods, yellow Podzolic soils, red Podzolic soils, chocolate soils, structure plastic clays and structure clays are all present within the soil profile. Berkshire Park soils are susceptible to flooding and becoming waterlogged, as well as erosion if vegetation clearance has occurred. The residual Blacktown soil landscape is developed in situ on the slopes from underlying Bringelly Shale geology and is present within the southern portion of the study area. These soils consist of shallow to moderately deep hard-setting red, brown and yellow podzolic soils. Blacktown Soils are subject to minor erosion where surface vegetation is not maintained. The soil landscape is often close to water sources and associated resources without being within flooding areas. Aboriginal objects and archaeological sites may be present in the Berkshire Park and Blacktown soil landscapes but their context and stratigraphic integrity will be variably affected by disturbance through erosion.

The topography of the study area comprises the very gentle slopes descending north and east towards an ephemeral drainage tributary of Little Creek. Little Creek flows generally north into South Creek; a major watercourse which is located approximately 4.5 kilometres northwest of the study area.

2.2 Vegetation and land use history

The distribution of native vegetation within the study area has been affected by historic and contemporary European land use practices in the region. Prior to 1788, a mixture of native vegetation communities would have extended across the entirety of the Cumberland Plain with distribution determined by a combination of factors including soil, terrain and climate. Within the locality, areas of native vegetation are predominantly classified as Shale Gravel Transition Forest. Shale Gravel Transition Forest occurs in areas with shallow deposits of tertiary alluvium overlying shale or in areas of localised iron-indurated gravel. Shale Gravel Transition Forest is characterised by a canopy dominated by *Eucalyptus fibrosa* with *E. moluccana* and *E. tereticornis* occurring less frequently, a sparse shrub stratum typically of *Bursaria spinosa*, *Daviesia ulicifolia* and *Lissanthe strigose*, and a variety of forb species (NSW National Parks and Wildlife Service 2002).

Limited native vegetation remains within the current study area with scattered regrowth Shale Plains Woodland occurring in the southern portion of the study area. Shale Plain Woodlands mostly comprises *Eucalyptus moluccana* and *E. tereticornis* and are widely distributed across the Cumberland Plain; predominantly on soils derived from the underlying Wianamatta Shale geology and in areas containing Holocene alluvial deposits (NSW National Parks and Wildlife Service 2002).

Historic and contemporary land use practices have drastically altered the landscape within and surrounding the study area. The majority of the study area has been subject to agricultural land use and vegetation clearing and/or stripping activities. Aerial photography captured in 1977 demonstrates historic vegetation stripping activities related to the installation of several transmission line corridors across the study area. Further vegetation clearance appears to have since taken place overtime for a multitude of land use management purposes. A number of large dams have been constructed throughout the area within former creek channels, altering the area's hydrology and drainage patterns.

More recent land use disturbance in the locality is related to ongoing development and construction of the Marsden Park Industrial Precinct. Road construction, utilities installation, the creation of water and water related infrastructure and the construction of warehouse facilities immediately to the north and east have contributed to further alteration of the surrounding landscape.

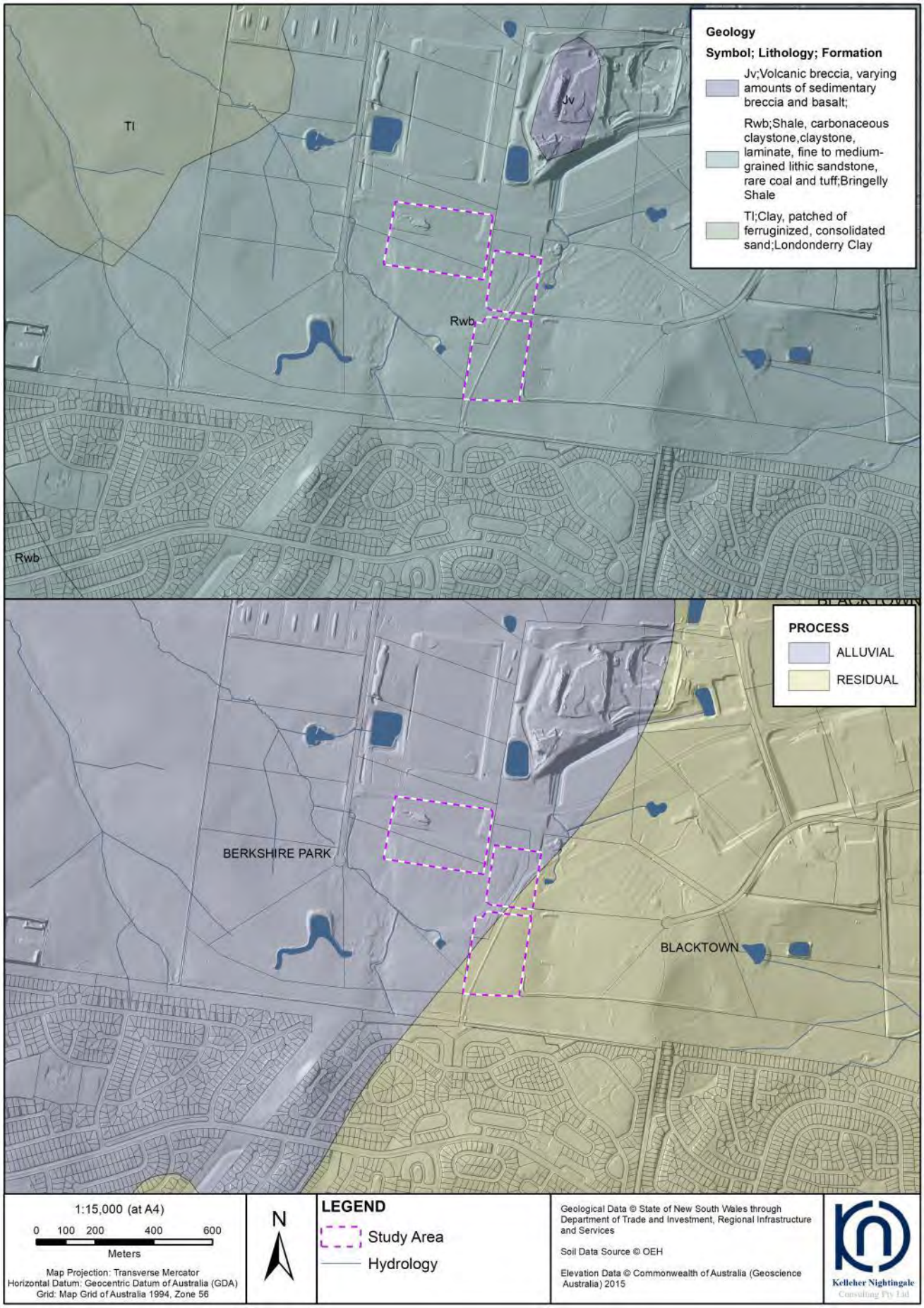

Figure 3. Geology and soil landscapes of the study area

3 Ethnohistoric context

Aboriginal people living throughout Australia at the time of European invasion belonged to a multitude of groups that spoke approximately 250 distinct languages and several hundred dialects (Walsh 1993: 1). Historical descriptions of the social organisation, culture and practices of Aboriginal people living in the Sydney region at the time of European invasion is fragmentary due to the generalised nature of early European accounts which provide vague and at times contradictory information. It should also be noted that the early British accounts are observations of Aboriginal people living in the Sydney region during the late 18th and 19th centuries and should not be used to infer the cultural practices of Aboriginal people living in the preceding millennia which are highly unlikely to have been static. The study area lies within a landscape which was important to, and intensively used by, past Aboriginal peoples (Attenbrow 2002).

The diversity of the groups living in the Sydney region was apparent to the British from their earliest interactions despite having arrived with an almost total ignorance of the land and its people. Watkin Tench, a captain-lieutenant of the marines, was part of several expeditions undertaken to explore the wider Sydney area. Tench documented that on one expedition, two Aboriginal men who had been brought from the coast as guides were unfamiliar with the area west of Rose Hill (Parramatta) (Tench 1793:117-118) and that when the men conversed with an Aboriginal man further inland "they conversed on a par and understood each other perfectly, yet they spoke different dialects of the same language; many of the most common and necessary words used in life bearing no similitude, and others being slightly different" (Tench 1793:122). David Collins, deputy judge advocate and lieutenant-governor of the colony, noted that the Aboriginal people living inland, who he referred to as the 'woods tribes', and the Aboriginal people living along the coast had different dialects, songs, dances, subsistence and some implements (Collins 1798: 557-589). Collins noted that the inland groups had spears inlaid with stones instead of oyster shell and used a type of mesh unlike the nets of the people living along the coast (Collins 1798: 589).

Tench (1793:230) noted that the inland groups 'depend but little on fish, as the river yields only millets and that their principal support is derived from small animals which they kill and some roots (a species of wild yam chiefly) which they dig out of the earth'. Along the rivers and larger creeks, bandicoots and wallabies were caught in traps and snares, while birds were snared using decoys (Collins 1798: 555; Tench 1793). The open woodland of the Cumberland Plain would have played host to possums and gliders and these likely formed a major component of the diet. These were hunted in a number of ways, including smoking out the animal by lighting a fire in the base of a hollow tree, burning large tracts of land and gathering the stranded animals, as well as cutting toe-holds in trees and climbing up to reach them (Kohen 1993:10; Tench 1793:82). Berries, Banksia flowers and wild honey were also recorded as foods of the local inhabitants (Collins 1798 [Kohen 1985:9]). A particularly important plant food was the Burrawong (Macrozamia communis), which provided a nutritious nut that was pounded and soaked in running water to leach out toxins before the flour-like extract was made into small cakes and baked over a fire (Kohen 1993:8).

The arrival of the British in 1788 began a cataclysmic series of events which radically changed the lifestyle of Aboriginal people on the Cumberland Plain. Contact with introduced diseases, such as smallpox, drastically altered the size and structure of the Aboriginal population, the expansion of settlements and establishment of farmland subsumed the traditional areas used to meet subsistence needs and successive government policies were introduced to make Aboriginal people adopt European culture, religion and lifestyle (Attenbrow 2002; Brook and Kohen 1991). British observations from the late 18th and early 19th centuries did not make reference to the Aboriginal name of the language that the 'woods tribes' they encountered spoke and it was only in the late 19th Century that the name Darug (also referred to as Daruk, Dharuk, Dharook, and Dharug) was used to refer to the language of the traditional inhabitants of the Cumberland Plain (Attenbrow 2002:33). In the early twentieth century, anthropologist/linguist R H Matthews noted that "the Dharuk speaking people adjoined the Thurrawal on the north, extending along the coast to the Hawkesbury River, and inland to what are now Windsor, Penrith, Campbelltown, and intervening towns" (Matthews 1901:155 [in Attenbrow 2002: 32]).

Further east of the study area is the Colebee and Nurragingy land grant, a thirty acre area granted to two Darug men named Colebee and Nurragingy by Governor Macquarie in 1816. It represents the first land grant to an Aboriginal person after colonisation and is a site of exceptional historical, social and Aboriginal cultural heritage significance. The land grant was a reward for the two men's assistance as guides in punitive expeditions sent by Macquarie to capture or kill Aboriginal people who had been involved in skirmishes with the British. The expansion of British settlement along the Nepean and Hawkesbury Rivers in the early nineteenth century and a period of drought during 1814-1816 saw another period of intensive conflict involving a series of raids and retaliatory killings between Aboriginal groups and settlers at Bringelly, Appin and along the Nepean and Hawkesbury Rivers. Many officials, including the then Governor Lachlan Macquarie, often recognised that these conflicts were initiated by the settlers; however, in 1816, Macquarie issued a proclamation that banned Aboriginal people from carrying weapons, banned traditional customs relating to punishment and limited the number of Aboriginal people allowed to gather within the colony (Campbell 1816: 1). The proclamation also stated Macquarie's intention to change how the Aboriginal people of the Cumberland Plains lived and encourage them to adopt the lifestyle of the British (Campbell 1816: 1).

In addition, punitive expeditions were dispatched to capture or kill those Aboriginal people involved in the conflict (Brook and Kohen 1991:23). Three groups of soldiers were sent from Sydney to Cowpastures, the Airds and Appin district and to Parramatta, Windsor, the Grose and the banks of the Nepean respectively (Brook and Kohen 1991: 23). Several Aboriginal guides took part in the punitive expeditions, including Colebee and Nurragingy. Brook and Kohen (1991: 34) note that of the three punitive expedition parties sent out, the two with Aboriginal guides did not make any significant contact with Aboriginal groups, whereas the one party without Aboriginal guides did, leading to the suggestion that the Aboriginal guides were 'cunningly and successfully shielding their "wild" compatriots'. Nevertheless, Colebee and Nurragingy were invited to select a parcel of land as a reward for their assistance.

The actual location of the grant within the District of Bathurst was selected by Colebee and Nurragingy. Brook and Kohen (1991: 44-45) suggest that they chose this location based on its proximity to the abundant raw materials located at Plumpton Ridge and proximity to the important watercourses of Eastern Creek and Bells Creek. These features would have been significant to local Aboriginal groups at the time (Brook and Kohen 1991). The grant was registered in 1819 with only Colebee's name (Brook and Kohen 1991: 38). Colebee did not stay long on the grant, instead becoming a constable at Windsor in 1822, before marrying an Aboriginal girl called Kitty from the Black Town. The 'Colebee and Nurragingy Land Grant' is listed on the State Heritage Register (SHI 01877) and has been recorded as a Potential Archaeological Deposit (PAD) on the AHIMS database.

Located opposite the Colebee and Nurragingy Land Grant heritage item is the Blacktown Native Institution site. The site is located 2.5 kilometres south east of the current study area and is of historical, social and cultural significance to the contemporary Aboriginal community. The Native Institution was established by Governor Macquarie in the early years of the nineteenth century as a residential school for Aboriginal children and Reserve. In addition to the schoolhouse, residence, kitchen and stables, the Reserve had both a garden and a stockyard with 22 head of cattle. Water was gathered from Bells Creek, (then called Gidley Chain of Ponds) which bisected the area, the only supply for all fresh water needs. The site was one of the earliest schools for Aboriginal children in the colony, operating between 1823 and 1829. From 1822 onwards, historical records also indicate that a number of Aboriginal people were present in the area, and were camping along Bells Creek in order to remain near their children who were in the Institution (Bickford 1981:15). The site is especially important as a place of early and sustained cross-cultural engagement between the British and Aboriginal people, particularly in the context of educational and missionary programs reflecting the British desire to 'civilise' the Indigenous people. The Blacktown Native Institution is a registered contact/mission site listed on the NSW State Heritage Register (SHI 01866).

The value of the Marsden Park area and surrounds to both the past and the present Aboriginal community is underscored by the presence of two important places of post-European settlement history: the Colebee and Nurragingy Land Grant and the Blacktown Native Institution. Aboriginal culture endures to this day across the Cumberland Plain and has influenced many aspects of Australian culture including in the names of animals, localities, creeks and rivers (Walsh 1993). Members of the contemporary Aboriginal community continue to experience connection with the area through cultural and family associations.

4 Archaeological context

4.1 Database searches (AHIMS) and known information sources

4.1.1. AHIMS web services

The Aboriginal Heritage Information Management System (AHIMS) is a database operated by Heritage NSW and regulated under section 90Q of the *National Parks and Wildlife Act 1974*. AHIMS contains information and records pertaining to registered Aboriginal archaeological sites (Aboriginal objects, as defined under the Act) and declared Aboriginal places (as defined under the Act) in NSW.

A search of AHIMS was conducted on 21 July 2020 to identify registered (known) Aboriginal sites or declared Aboriginal places within or adjacent to the study area (AHIMS Client Service ID: 521834). The AHIMS search results are attached as Appendix C.

The AHIMS Web Service database search was conducted within the following coordinates (GDA, Zone 56):

Eastings:	297387 – 299192
Northings:	6265766 – 6267406
Buffer:	0 metres (coordinates included a buffer around the study area)

The AHIMS search results showed:

32	**Aboriginal sites are recorded in or near the above location**
0	**Aboriginal places have been declared in or near the above location**

The distribution of recorded Aboriginal sites within these coordinates is shown on Figure 4. The frequencies of site types within the AHIMS database search area are listed in Table 2.

Table 2. Site features and context from AHIMS database search

Site Context	Site Feature	Number	*Frequency (%)*
Open	Artefact	31	*96.9*
	Potential Archaeological Deposit	1	*3.1*
Total		***32***	***100***

AHIMS records and site information show that there are two previously registered sites (AHIMS 45-5-3748 & 45-5-3749) located within the study area. Seven registered AHIMS sites have also been destroyed according to the AHIMS search results.

4.1.2. Other heritage registers and databases

A search was undertaken of the following statutory and non-statutory heritage registers for Aboriginal heritage items:

- Blacktown Local Environment Plan (LEP) 2015
- Sydney Water Heritage Register
- Roads and Maritime Heritage Register
- State Heritage Register and State Heritage Inventory
- Commonwealth Heritage List
- National Heritage List
- Australian Heritage Database
- Australian Heritage Places Inventory and
- Register of the National Estate - note the Register was closed in 2007 and is no longer a statutory list. It is maintained on a non-statutory basis as a publicly available archive and educational resource.

No Aboriginal archaeological sites or Aboriginal heritage items were recorded on these databases within the study area.



Figure 4. AHIMS search results

4.2 Previous archaeological investigations

Several Aboriginal heritage assessments have been undertaken for large scale development projects and precinct planning in Marsden Park and neighbouring suburbs. Previous archaeological investigations have been undertaken bordering and within the current study area. The pertinent studies as they relate to the study area are discussed in this chapter.

Marsden Park Industrial Precinct
The current study area has been previously assessed as part of a comprehensive Aboriginal heritage assessment undertaken for the Marsden Park Industrial Precinct (MPIP) in 2009. This existing Aboriginal cultural heritage assessment was completed in accordance with the Growth Centres Commission (GCC) *Precinct assessment method and Protocol for Aboriginal heritage assessment* and *Aboriginal community consultation and stakeholder involvement*. Following completion of the GCC assessment, a number of Aboriginal Heritage Impact Permits (AHIPs) issued under Section 90 of the National Parks and Wildlife Act 1979 have since been granted for various developments within the Marsden Park Industrial Precinct, resulting in the removal of some previously identified Aboriginal archaeological sites in proximity to the current study area.

The MPIP assessment area was generally bound by South Street to the north and west, Bells Creek to the east and the suburbs of Bidwell and Hassall Grove to the south. The area also incorporated some smaller land parcels to the east of Bells Creek and west of South Street. The assessment included the entirety of the current study area.

The assessment encompassed an archaeological survey and desktop review of previous investigations, the environmental context and ethno-historical background of the area. A full and detailed Aboriginal community consultation program was also completed as part of the GCC assessment. A total of 63 archaeological sites, one area of high cultural significance (Colebee and Nurragingy's Land Grant) and four potential archaeological deposits were identified within the assessment area. Sites identified generally comprised artefact scatters and isolated finds. Artefacts types identified at these sites were predominantly proximal, medial and distal flakes and flaked pieces. Several cores were also recorded. The predominant artefact raw material was silcrete, with occasional occurrences of chert, tuff, quartz, petrified wood and other raw materials. Naturally fractured silcrete was also observed across the assessment area and at site locations.

Four areas of PAD were assessed as demonstrating potential for subsurface archaeological deposits due to: their relatively stable soil profiles, relative elevation, moderate slope, proximity to water and proximity to known archaeological sites. PAD areas were assessed as demonstrating moderate archaeological potential. Analysis of the spatial distribution of the artefact scatters determined that 31 of the archaeological sites were located within 12 distinct concentrations with lower levels of disturbance and moderate to high heritage significance. The remaining 32 archaeological sites were found in disturbed contexts and were assessed as having low heritage significance.

Two Aboriginal archaeological sites identified as a result of the MPIP assessment were identified within the current study area. These include sites MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Site MPIP 17 consisted of a low density artefact scatter containing two red silcrete flaked pieces identified on a gentle slope landform along the southern boundary of the current study area. Site MPIP 18 consisted of an artefact scatter containing six red and yellow silcrete flaked pieces and two complete flakes recorded along the south western boundary of the current study area. The site was recorded across a gentle slope landform. Both Aboriginal sites were identified as displaying some (low) archaeological significance based upon site frequency and disturbance assessment. The MPIP assessment recommended that a Section 90 Consent should be obtained for sites of some (Low) archaeological significance prior to the commencement of any works affecting these sites.

South Street, Marsden Park
An archaeological survey was undertaken for Lots 37 to 42, DP 262886 at South Street, Marsden Park in 1996 (AMBS 1996). The assessment included lands bordering the southwestern portion of the current study area. The surveyed area encompassed approximately 20 hectares located on the western side and southern end of South Street. The survey identified a total of seven Aboriginal archaeological sites comprising four low density surface artefact scatters and three isolated artefacts. One site of low archaeological significance SROS5; (AHIMS 45-5-2384) recorded during the survey was located within proximity to the western boundary of the current study area. The Aboriginal sites were predominantly located on crest landforms and within the northern portion of the assessment area in the vicinity of the unnamed northeast flowing creek. The majority of artefacts identified were made from silcrete, while one chert broken flake was also recorded. The artefact assemblage predominantly consisted of flakes, broken flakes and flaked pieces with one scraper and one backed blade also identified. Significance assessment identified that four of the seven sites were of low archaeological significance and did not require further archaeological assessment. Three sites were determined to have potential for subsurface archaeological deposit with a program of subsurface investigation recommended prior to any impacts.

Sydney Business Park – Marsden Park Industrial Stage 3.01

Archaeological assessment was undertaken for lands known as Marsden Park Industrial Stage 3.01 within the Sydney Business Park at Marsden Park (KNC 2015). The assessment included the preparation of a CHAR, a process of Aboriginal community consultation and a limited test excavation program. The assessment overlaps a portion of the current study area Testing was undertaken at site MPIP23 (includes MPIP 23A) (AHIMS 45-5-3756), a previously identified isolated find with PAD. Testing was undertaken to determine the nature and extent of the deposit at this site location. Three artefacts were recovered from 23, 50x50 centimetre test squares excavated across the site. The artefacts were recovered from three separate squares and consisted of one silcrete proximal flake fragment, one tuff proximal flake fragment and one tuff medial flake fragment. The site was found to be disturbed, with poor soil integrity and impacts from previous easement construction and maintenance activities, agricultural practice and natural erosional processes present.

The assessment identified three valid Aboriginal archaeological sites (comprising five AHIMS registrations) within the proposed works area. The sites consisted of MPIP22 (includes MPIP22A) (AHIMS 45-5-3754 & 45-5-3755), MPIP23 (includes MPIP23A) and MP 12 Marsden Park (AHIMS45-5-2040). Three additional AHIMS registered sites had been destroyed by previous quarrying works and were listed as destroyed on the AHIMS database. Significance assessment determined that sites MPIP 23 (includes MPI23A) and MP 12 Marsden Park were of low archaeological significance, with no further archaeological mitigation required. Site MPIP22 (includes MPIP 22A) was determined to have moderate archaeological potential, with mitigation measures including archaeological salvage excavation prior to the commencement of works. AHIP #C0001495 was granted for the project on 12 November 2015 and covers a portion of the current study area (see Figure 1). MPIP22 (includes MPIP 22A) was subsequently subject to salvage works which recovered a low density, disturbed subsurface archaeological deposit. All five AHIMS registrations have since been destroyed on the AHIMS database in accordance with AHIP conditions.

Marsden Park Industrial Precinct S94 Stormwater Infrastructure Works, Package 1

Eco Logical Australia Pty Ltd undertook archaeological investigations for proposed stormwater infrastructure related to the Marsden Park Industrial Precinct and included lands adjacent to the western and southern portions of the study area. The assessment included archaeological field survey, a test excavation program, a process of community consultation and the preparation of a CHAR (Eco Logical Australia Pty Ltd 2017). Archaeological survey undertaken for the project identified two newly recorded low density artefact scatter sites: Glengarrie Rd 1 (AHIMS 45-5-4900) and South St 1 (AHIMS 45-5-4904). Newly recorded site South St 1 was determined to be located outside of the assessment area. Archaeological survey revealed that the majority of the assessment corridor contained low to nil archaeological potential and had been subject to disturbance by current land use activities related to dam construction, oval equestrian training tracks, tree clearance, bulk earthworks activities, grading and levelling activities and road culvert construction.

Subsequent archaeological test excavation was undertaken across the project area and encompassed locations associated with four previously identified sites (three previously identified surface scatters and one registered PAD area). The testing program identified archaeological deposit at four site locations. A total of 102 artefacts were identified across 59, 50x 50cm test squares excavated across the project area. Artefacts consisted primarily of flakes and angular fragments (30%). Smaller numbers of split flakes, flake fragments, cores and core fragments were also recorded. One silcrete retouched flake and one medial flake fragment displaying evidence of usewear were among the artefacts recovered. The primary raw material type identified was silcrete (n=74), followed by lesser numbers of quartz (n=16) and tuff (n=12). Site Glengarrie Rd 1 (AHIMS 45-5-4900) was the highest density site, with 45 artefacts recovered. The site was located within the northern portion of the project corridor and was found to contain an intact archaeological deposit revealing the presence of a probable knapping event. Test excavation at site MPIP 21 (includes MPIP 21A) (AHIMS 45-5-3752 & 45-5-3753) identified a subsurface archaeological deposit containing 40 artefacts; 23 of which were recovered from one test square and surrounding expansion test squares. Both Glengarrie Rd 1 and MPIP 21 (includes MPIP 21A) were determined to have moderate archaeological significance with further investigations likely to contribute to an understanding of the Aboriginal landscape in the region. The remaining four valid sites (including nearby site MPIP PAD 3 (AHIMS 45-5-4620)) within the assessment area were found to be of low archaeological significance; having been subject to severe disturbance. These sites contained low to nil further archaeological potential.

Lot 2 DP1233067 and Lot 37 DP 262886 at 38 South Street, Marsden Park

OzArk Environment & Heritage recently undertook Aboriginal cultural heritage assessment of Lot 2 DP1233067 and Lot 37 DP 262886 at 38 South Street, Marsden Park (OzArk Environment & Heritage 2019). The project area borders the current study area immediately to the south and west. The assessment included a due diligence assessment with visual inspection, a review of previous archaeological investigations within the assessment area, a process of community consultation and significance and impact assessment of the proposed works formulated within a CHAR.

A total of five previously recorded Aboriginal archaeological sites (comprising six AHIMS registrations) were identified within the assessment area. These comprised AHIMS sites: South St 1 (AHIMS 45-5-4904), SROS5 (AHIMS 45-5-2384), MPIP PAD 3 (AHIMS 45-5-4620), MPIP 21 (includes MPIP 21A) (AHIMS 45-5-3752 & 45-5-3753) and MPIP 20 (AHIMS 45-5-3751).

The overall archaeological assessment confirmed the findings of previous studies (AMBS 1996; KNC 2009; Eco Logical 2017a) undertaken within the assessment area. One additional isolated artefact was identified during an Aboriginal Focus Group (AFG) meeting held onsite during the course of the project. The site was subsequently registered on AHIMS as a silcrete flaked piece (AHIMS 45-5-5217) and included in the proceeding assessment.

The assessment area was found to have been subject to moderate to high levels of disturbance consistent with impacts related to agricultural land use practices. Significance assessment confirmed that five of the six sites were of low archaeological significance, representing commonly occurring site types within the local area, with little potential for further intact subsurface deposits. Community consultation undertaken for the project determined that all sites within the assessment area were identified as having high social and cultural value for the contemporary Aboriginal community given their locations between Bells Creek and Eastern Creek. MPIP 21 (includes MPIP 21A) was confirmed to display moderate archaeological significance, with further archaeological salvage likely to contribute a greater understanding of Aboriginal landscape use in the region.

It was determined that five of the six sites would be impacted by the proposal; MPIP 21 (includes MPIP 21A) was not to be impacted, based upon its location within E2 zoned lands. Recommended mitigation measures for impacted sites included surface collection at AHIMS sites 45-5-4904, 45-5-5217, 45-52384 and 45-5-4620, followed by artefact reburial within E2 zoned lands within the assessment area. No further archaeological assessment or management and mitigations measures were recommended for MPIP PAD 3 (AHIMS 45-5-4620). A further five sites within the overall project assessment area (not subject to testing) were included within significance assessment: including three sites covered under existing AHIPs (#C0002345 and #C0001495). In total, two of the sites were identified as being of moderate archaeological significance MPIP 21A (AHIMS 45-5-3753) and Glengarrie Rd 1 (AHIMS 45-5-4900) and requiring further archaeological assessment in the form of salvage excavation. The remaining sites were determined to be of low archaeological significance with no further archaeological mitigation required. It was recommended that an AHIP be sought for all valid sites located within the project area not covered under existing AHIPs.

4.3 Aboriginal archaeological survey 2020 – Stage 3 Facilities Sydney Business Park, Marsden Park

A full archaeological survey of the Stage 3 Sydney Business Park project area was undertaken in August 2020. The survey was completed with the Deerubbin Local Aboriginal Land Council. The 2020 survey confirmed the 2009 Marsden Park Industrial Precinct assessment.

Background research identified two previously registered Aboriginal archaeological sites within the current study area: MPIP 17 (AHIMS 45-5-3748) and MPIP 18 (AHIMS 45-5-3749). Both sites were originally recorded as a result of the Marsden Park Industrial Precinct assessment and comprised low density surface artefact scatters. The study area was inspected on 5 August 2020 by Mark Rawson (KNC) and Steve Randall (Deerubbin Local Aboriginal Land Council). The study area was divided into three survey units based upon the proposed works layout and study area location. The surveyed area comprised the gentle slope landform descending towards an ephemeral drainage line located to the south and west.

Survey commenced in the north western portion of the study area within Survey Unit 1. This survey unit comprised lands located immediately south of Astoria Street. The large block had been subject to extensive land use disturbance (see Figure 5). Several large mounds of redeposited soil associated with earth moving activities could be seen across the survey unit. Artificial drainage had also been constructed through the central portion of Survey Unit 1. The southern portion of Survey Unit 1 contained evidence of old furrows, previous cattle grazing and former earthmoving activities related to overburden from former quarrying activities (see Figure 5). Vegetation across the survey unit had been cleared, with only low grasses remaining. The site location for destroyed AHIMS site MPIP 22 (included MPIP 22A) was revisited and assessed. The site was confirmed to have been destroyed by previous AHIP approved project works. Ground surface exposure within the survey unit varied, with the majority of the survey unit covered in low weeds and grasses. Increased visibility and exposure was present in stripped areas or areas displaying high levels of visible ground surface disturbance. No new Aboriginal objects or areas of archaeological potential were identified within the highly modified Survey Unit 1.



Plate 1. View south-west. Photo shows artificial drainage across the large block in Survey Unit 1. Note cattle grazing in background.



Plate 2. Facing west in southern portion of Survey Unit 1. Note furrows and uneven ground surface from previous landuse activities.



Plate 3. Facing south east. Photo shows previous earthmoving activities in Survey Unit 2.



Plate 4. View to north. From top former railway mound in Survey Unit 2.

Survey Unit 2 comprised a smaller block located south of Astoria Road and west of Sparrow Street. The entirety of the lot had been subject to vegetation clearance, with only high grasses remaining. The northern half of the survey unit had been subject to extensive disturbance with evidence of earthworks activities and large mounds of redeposited soil present. Surface exposures were carefully inspected for any evidence of Aboriginal objects, however none were identified. The southern half of the survey unit contained a former railway embankment and was covered in high grasses. Ground surface visibility within this part of the survey unit was very low to zero. Evidence of uneven ground surfaces was present in the form of a large drainage channel ditch present across the central part of the survey unit (see Figure 5). The entirety of Survey Unit 2 was found to be extensively disturbed. No Aboriginal archaeological sites, objects or areas of potential archaeological deposit were identified within this part of the study area.

The survey team continued south in Survey Unit 3 which sloped gently towards the southwest of the study area. Survey Unit 3 was characterised by a large block containing regrowth vegetation in the form of Ironbark and Grey Box Eucalypts, low grass cover and small shrubs. Ground surface visibility was impeded by vegetation cover. Some areas of exposure were present in erosion scours and along vehicle access tracks. Visibility on exposures along a vehicle access track running along the eastern boundary of the survey unit ranged from 20% to 70% and was impeded by leaf litter and fine ironstone gravels. Visible surface disturbance was limited within Survey Unit 3.



Plate 5. Facing north from eastern boundary in Survey Unit 3. Example of surface exposure on access track.



Plate 6. Facing north. View along risen former railway embankment dissecting Survey unit 3.

The central portion of the survey unit was dissected by the southwest to northeast running former railway embankment. Survey continued within the remaining portion of the study area located in Survey Unit 3, west of the former railway track. The site location for registered site MPIP 18 (AHIMS 45-5-3749) was revisited during the survey. The artefacts recorded during the original site recording could not be relocated.

Two additional artefacts were recorded at the site location during the current survey. The artefacts were recorded approximately eight metres apart on an exposure present along a section of the vehicle access track bordering the western boundary of the current study area. Visibility on the exposure was approximately 50% with a background of leaf litter and fine ironstone gravels present. The newly recorded artefacts consisted of one pink red silcrete elongated core containing four negative flake scars and one pale pink silcrete flake with evidence of retouching on the right ventral surface and a scarred platform. The site was determined to retain low potential for further subsurface archaeological deposit, consistent with its original site recording.

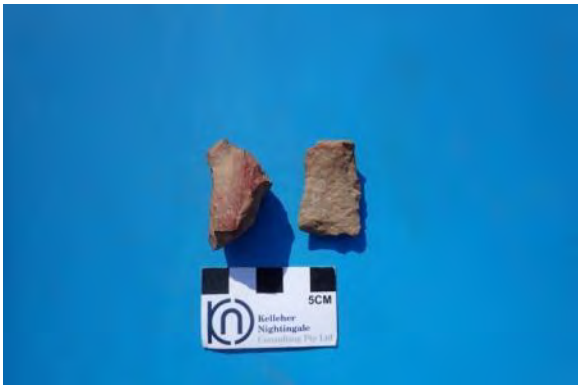

Plate 7. Newly recorded silcrete artefacts identified at registered site MPIP 18 (AHIMS 45-5-3749).



Plate 8. Facing north. View along western boundary in Survey Unit 3 showing newly recorded artefact location at MPIP 18 (AHIMS 45-5-3749) within study area.

Survey continued south. The site location for MPIP 17 was revisited by the survey team. The site was previously recorded along a vehicle access track exposure present along the southern boundary of the study area. Field survey did not identify any previously or newly recorded artefacts at the site location. Assessment of the site area confirmed that MPIP 17 displayed low archaeological potential for subsurface archaeological deposit, consistent with its original site recording.



Plate 9. Facing west. Site location of MPIP 17 (AHIMS 45-5-3748). Note generally low visibility on surface exposure.



Plate 10. Facing east at MPIP 17 (AHIMS 45-5-3748). Photo demonstrates typical regrowth vegetation cover present within Survey Unit 3.

Field survey of the study area confirmed that the majority of the study area had been subject to extensive land use disturbance related to former railway embankment construction, overburden deposits from former quarrying activities, bulk earthworks and drainage related infrastructure (Figure 5). Significant portions of the study area had been subject to extensive vegetation stripping, clearance and revegetation and were actively being utilised for cattle grazing at the time of survey. As a result of historic and contemporary land use practices, the likelihood of intact deposits occurring across the study area was considered to be low.

The results from the 2020 assessment were consistent with the existing 2009 cultural heritage assessment results.

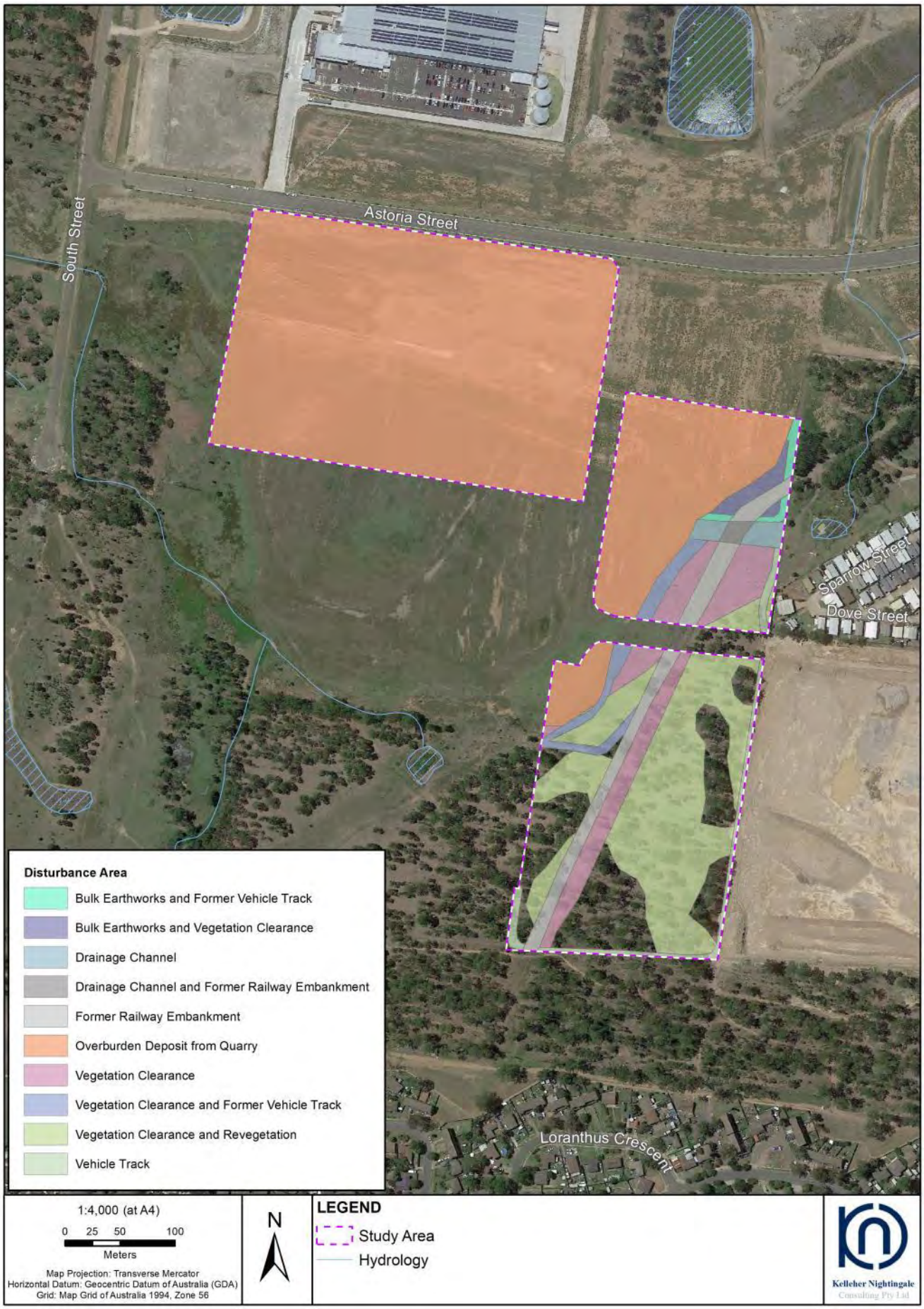

Figure 5. Disturbance map of the study area

5 Consultation Process

5.1 Stakeholder identification and consultation

The aim of consultation is to integrate cultural and archaeological knowledge and ensure registered stakeholders have information to make decisions on Aboriginal cultural heritage. For the preparation of this CHAR, consultation with Aboriginal people has been undertaken in accordance with the Heritage NSW *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010a) and the requirements of Clause 60 of the *National Parks and Wildlife Regulation 2019*. Consultation records are attached as Appendix D. The formal consultation process has included:

- Notification of Aboriginal persons, including register of native title determinations search and government agency notification letters;
- advertising for registered stakeholders in local print media (Appendix A);
- notification of closing date for registration (31/07/2020)
- record of registration of interest (Heritage NSW and DLALC notified 3/08/2020);
- provision of project-specific information (17/06/2020 and 31/07/2020);
- provision of assessment methodology for review (28 day review period ending on 28/08/2020)
- invitation to advise on Aboriginal cultural value of the study area;
- provision of draft CHAR for review (28 day review period ending on 28/09/2020); and
- ongoing consultation with the local Aboriginal community including regular project updates.

5.2 Registration of interest

Aboriginal people who hold knowledge relevant to determining the cultural heritage significance of Aboriginal objects and Aboriginal places in the study area were invited to register an interest in a process of community consultation. Investigations for the current project have included consultation with Aboriginal community individuals and groups as listed in Table 1*.

Table 3. Registered Aboriginal Stakeholders*

Group / Individual	Representative / Contact
Deerubbin Local Aboriginal Land Council	CEO
A1 Indigenous Services	Carolyn Hickey
Amanda Hickey Cultural Services	Amanda DeZwart
Barraby Cultural Services	Lee Field
Butucarbin Aboriginal Corporation	Lowanna Gibson
Darug Custodian Aboriginal Corporation	Justine Coplin
Dhinawan Culture and Heritage Pty Ltd	Stephen Fields
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll
Freeman & Marx Pty Ltd	Clive Freeman
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Merrigarn	Shaun Carroll
Muragadi Heritage Indigenous Corporation	Jesse Johnson
Murra Bidgee Mullangari Aboriginal Corporation	Ryan Johnson
Registered Aboriginal Stakeholder	Details Withheld
Registered Aboriginal Stakeholder	Details Withheld
Tocomwall	Scott Franks
Waawaar Awaaa Aboriginal Corporation	Rodney Gunther
Wailwan Aboriginal Group	Phil Boney
Warragil Cultural Services	Aaron Slater

Group / Individual	Representative / Contact
Widescope Indigenous Group	Steven Hickey
Wurrumay Pty Ltd	Vicky Slater
Yulay Cultural Services	Arika Jalomaki
Yurrandaali Pty Ltd	Bo Field

*two additional Aboriginal stakeholder has registered for the project but has chosen to withhold their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b).

5.3 Consultation regarding the land and proposed activity

Following on from Stage 1 of the consultation process undertaken by KNC (stakeholder identification and registration), project-specific consultation was undertaken. Information regarding the proposed development was provided to registered Aboriginal stakeholder groups in a letter dated 31/07/2020. Information included an outline of the proposal, location of the study area and an invitation to consult during the assessment.

Stakeholders were also provided with the proposed assessment methodology for the Cultural Heritage Assessment Report, and invited to review and provide feedback (review period of 28 days, closing on 28/08/2020). An invitation was extended for Aboriginal cultural knowledge holders and stakeholders to provide comments on the proposed cultural heritage assessment methodology, including any protocols regarding the gathering of information and any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology.

5.4 Stakeholder responses to the proposed assessment methodology for the Cultural Heritage Assessment Report

Formal responses to the proposed assessment methodology were received from A1 Indigenous Services (A1), Barraby Cultural Services (BCS), Didge Ngunawal Clan (DNC), Kamilaroi Yunkuntjatjara Working Group (KYWG), Murra Bidgee Mullangari Aboriginal Corporation (MBMAC), Muragadi Heritage Indigenous Corporation (MHIC), Wailwan Aboriginal Group (WAG), Yurrandaali Cultural Services and Yulay Cultural Services. Responses generally expressed support and did not result in any changes to the assessment methodology.

A1 stated that they had reviewed and supported the project information and proposed assessment methodology provided. A1 expressed interest in being involved in any fieldwork undertaken for the project (email dated 11/08/2020).

BCS stated that they supported the methodology for the project (email dated 4/08/2020).

DNC expressed that they agreed with the proposed assessment methodology (email dated 1/08/2020).

KYWG expressed that they had read the proposed assessment methodology and noted that the area was highly significant to Aboriginal people due to its general proximity to Bells Creek (email dated 24/082020).

MBMAC read the project information and methodology letter for the project. MBMAC endorsed the proposed assessment methodology (email dated 5/08/2020).

MHIC stated that they had read the project information and methodology letter for the Sydney Business Park Stage 3 Marsden Park project. They endorsed the proposed assessment methodology (email dated 6/08/2020).

WAG indicated that they had read the methodology for the project and added that they did not have any issues with the project or the proposed assessment methodology (email dated 2/08/2020).

Yulay Cultural Services supported the proposed assessment methodology for the project (email dated 27/08/2020).

Yurrandaali Cultural Services supported the proposed assessment methodology for the project (email dated 6/08/2020).

5.5 Review of draft CHAR

The draft CHAR was provided to stakeholders for a 28 day review and comment period (letters dated 31/08/2020). Stakeholders were invited to comment on the Aboriginal cultural significance of the study area and the identified sites, along with the management recommendations presented in the report. Formal responses were received from A1

DCAC, DNC, MBMAC and WAG. Comments and information received from stakeholders during this period are attached in full in Appendix B and summarised below.
A1 indicated that they had reviewed the draft CHAR and supported the recommendations (email dated 6/09/2020).

DCAC expressed overall support for the project and reiterated their connection to and knowledge of the study area (email and letter dated 3/09/2020).

DNC indicated general support for the project (email dated 31/08/2020).

KYWG reiterated that the area was of high significance for his group. They noted a spiritual attachment to the area guided by the knowledge that their people had camped in the area. KYWG agreed that salvage excavation was not warranted for the sites located within the study area and supported ongoing management of the sites which would involve both archaeologists and Aboriginal representatives (surface artefact collection undertaken with registered Aboriginal stakeholders). KYWG also expressed support for the recommended management measures for the non-impacted portion of MPIP 18 (late response received by email dated 29/09/2020).

MBMAC stated that they had read the draft CHAR for the project and endorsed the recommendations made (email dated 3/09/2020).

WAG supported the heritage assessment undertaken by KNC, indicating that they had no additional comments to add and that they were happy with the Aboriginal cultural heritage assessment undertaken for the project (email dated 1/09/2020).

5.6 Aboriginal cultural values

It has been identified during the consultation process that the wider study area has cultural heritage value to the local Aboriginal community. Some of the Aboriginal cultural heritage values expressed by stakeholders include:

- strong association with the land and the local area
- responsibility to look after the land, including the heritage sites, plants and animals, creeks and the land itself
- scarred trees
- artefact sites and landscape features
- creek lines, especially South Creek and Bells Creek, their tributaries and their floodplains
- indigenous plants and animals

Additional cultural values for the Marsden Park area have been provided by stakeholders throughout the registration of interest period and consultation process.

A1 stated that they held cultural knowledge of, and maintained a cultural connection to the study area (email dated 28/07/2020).

Amanda Hickey Cultural Services (AHCS) expressed that they held cultural knowledge relevant to determining the significance of Aboriginal objects and areas within the project area (email dated 3/08/2020).

DCAC expressed that their group held a vast knowledge of the Marsden Park area. They noted the significance of the area to Darug people, based upon the connection of sites and continued occupation of the area (email/letter dated 27/07/2020).

One stakeholder who chose to withheld their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b) has expressed strong connection to the area but has chosen to withhold the specifics from publication (letter dated 17/07/2020).

One additional stakeholder who chose to withheld their details in accordance with item 4.1.5 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (OEH 2010b) has expressed strong connection to the area but has chosen to withhold the specifics from publication (letter dated 17/07/2020).

Waawaar Awaaa Aboriginal Corporation (WAAC) stated that their organisation comprised Aboriginal people who had an interest in the study area. Their members also held a cultural connection & knowledge relevant to the study area. They expressed a deep interest and responsibility related to impacts to Aboriginal heritage within the traditional cultural areas of Dharawal, Gundungurra and Darug lands, and within the boundary areas of Tharawal, Deerubbin, Gandangara, La Perouse and Metropolitan local Aboriginal land councils (email and letter dated 20/0/2020).

Widescope indicated that they had members who were recognised as cultural knowledge holders. They stated that they held cultural knowledge of, and maintained a cultural connection to the study area and its surrounds (email dated 26/07/2020).

Wurrumay Pty Ltd stated that they held knowledge and connection to Country through Ancestral ties with Black Kitty (related to the history of the Blacktown Native Institution) (email dated 17/07/2020).

6 Summary and Analysis of Background Information

Analysis of the background information presented in the preceding chapters allows an assessment of the cultural heritage values within the study area to be made. Combining data from historical/ethnographic sources, landscape evaluation and archaeological context provides an insight into how the landscape was used and what sort of events took place in the past.

Culturally, the general Marsden Park area has demonstrated importance to the contemporary Aboriginal community. Many registered stakeholders expressed their personal family and cultural connections to the area. Stakeholders also expressed the responsibility and importance associated with caring for the land, including the heritage sites, plants and animals, creeks and the land itself. The interconnectivity of sites through the landscape has also been highlighted.

Archaeological evidence of past Aboriginal occupation and use of the landscape shows that the types and preservation of archaeological sites in the vicinity of the project area are highly influenced by geology, soil landscapes and ground surface disturbance. Archaeological site types in the vicinity of the study area generally comprise open artefact scatters and isolated finds. Artefact density and site frequency in the region is influenced by the reliability and permanence of fresh water sources, with higher site frequency and artefact density in the vicinity of the higher order watercourses of Bells Creek and South Creek. The study area and immediate surrounds are located in an area of ephemeral fresh water supply and sites are typified by low density artefact surface scatters and isolated artefacts indicative of intermittent occupation.

Archaeologically, open artefact scatters with stratigraphic integrity provide the most archaeological research potential. The residual soil landscape present within the study area is generally favourable for the preservation of in situ archaeological material; however, natural processes and land use practices can have a detrimental effect on the preservation of archaeological sites.

Comprehensive archaeological assessment was undertaken by KNC as part of the CHAR process in 2020. The archaeological field survey confirmed the disturbed nature of the soils across the majority of the study area and the low potential for any intact archaeological deposit to remain. The current study area has been subject to repeated episodes of vegetation clearance and stripping as well as significant earthmoving activities related to former quarrying activities which have left visible ditches and mounds across the landscape. This has resulted in significant ground surface disturbance across the study area.

6.1 Archaeological sites within the study area

Background assessment and field survey have identified two Aboriginal archaeological sites within the study area. Sites MPIP 17 and MPIP 18 are shown on Figure 6.

Site name: **MPIP 17**
AHIMS site ID: **45-5-3748**

MPIP 17 consisted of a low density artefact scatter recorded along an unformed vehicle access track. The site comprised two artefacts recorded approximately 40 metres apart. The artefacts consisted of two silcrete flaked pieces. The site was identified across a gentle midslope descending to the south-west towards an ephemeral drainage line. Ground surface visibility on exposures at the time of survey was low to moderate (up to 50%). Disturbance at the site consisted of land clearing activities and the presence of a raised access track running perpendicular to the property boundary fence. The raised track was located between the two recorded surface artefacts and was determined to likely be an old railway embankment given its constant height and gradient. The site was surrounded by occasional regrowth eucalypt trees.

Survey was undertaken as part of the current Aboriginal heritage assessment for the Stage 3 Facilities at the Sydney Business Park. The location of the site was confirmed. However, the previously recorded artefacts were not relocated during the revisit. Since its original recording, the site had been subject to continual disturbance associated with modern land use and increased erosion across the property. Based upon the archaeological assessment, the site was assessed as exhibiting low significance, consistent with its original site recording.

Site name: **MPIP 18**
AHIMS site ID: **45-5-3749**

Site MPIP 18 comprised a low density artefact scatter recorded along an unformed vehicle access track present along a property boundary fence. Eight artefacts were recorded across the track and consisted of six yellow and red silcrete flaked pieces and two complete yellow silcrete flakes. Some vehicle damage was evident at the time of recording. The site was identified in a mid slope context, across a gentle slope descending to the west and northwest. The area surrounding the site consisted of occasional regrowth eucalypt trees with increased grass cover around the track. The site was identified on a large surface exposure with visibility up to 75%.

Archaeological survey undertaken for the current project could not relocate the artefacts originally recorded at the site location. Two additional silcrete artefacts (comprising one core and one retouched flake) were identified along the eroded vehicle access track. Ongoing agricultural land use disturbance since the time of original recording had further reduced the likelihood of any intact deposits remaining. Based on the archaeological assessment, the site was confirmed to exhibit low archaeological significance. The results were consistent with the original site recording.

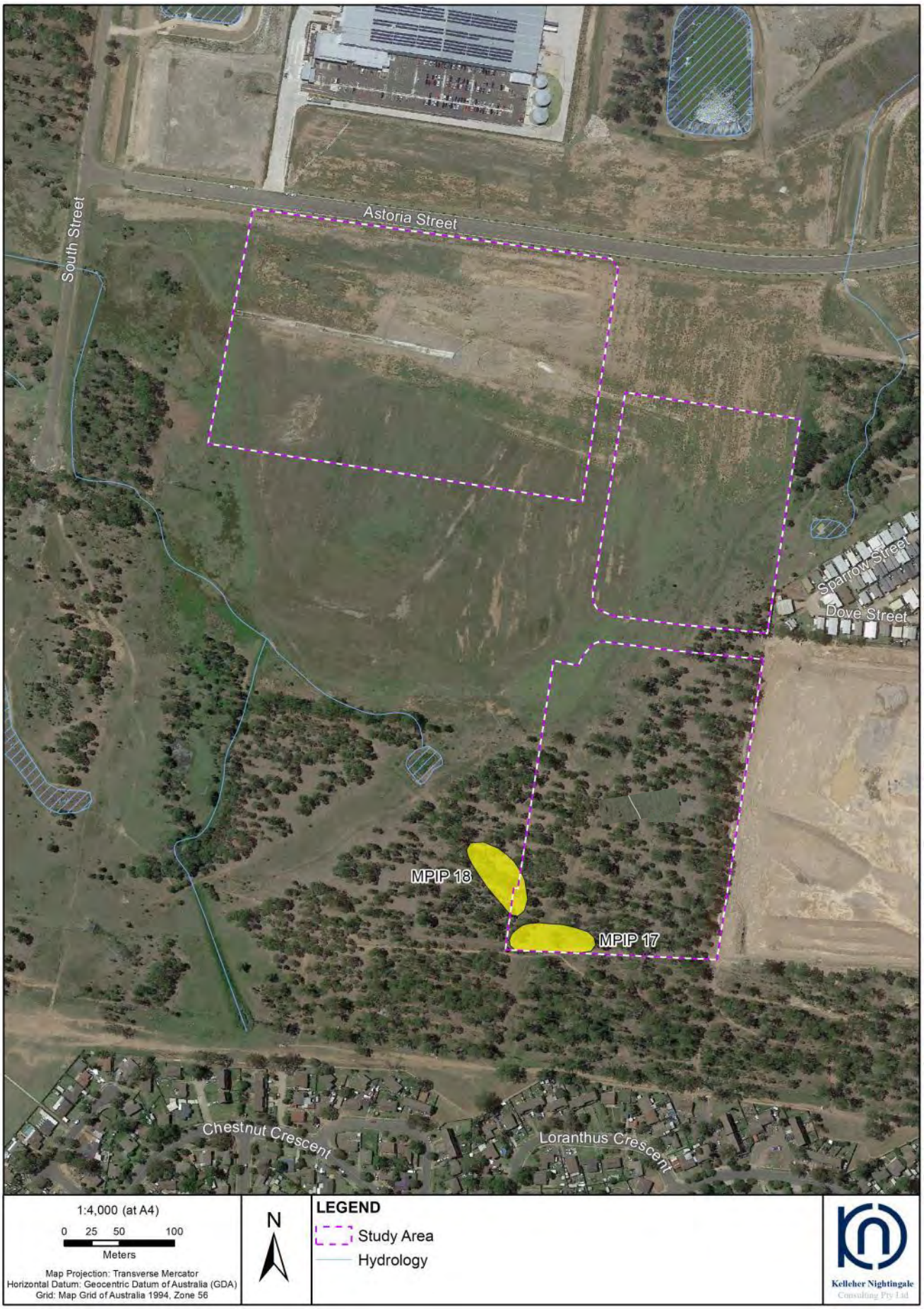

Figure 6. Identified Aboriginal archaeological sites in the study area

7 Cultural Heritage Values and Statement of Significance

7.1 Significance assessment criteria

One of the primary steps in the process of cultural heritage management is the assessment of significance. Not all sites are equally significant and not all are worthy of equal consideration and management (Sullivan and Bowdler 1984, Pearson and Sullivan 1995:7). The determination of significance can be a difficult process as the social and scientific context within which these decisions are made is subject to change (Sullivan and Bowdler 1984). This does not lessen the value of the heritage approach, but enriches both the process and the long-term outcomes for future generations, as the nature of what is conserved and why, also changes over time.

Significance assessments can generally be described under three broad headings (Pearson and Sullivan 1995:7):

- value to groups such as Aboriginal communities
- value to scientists and other information gatherers
- value to the general public in the context of regional, state and national heritage.

The assessment of significance is a key step in the process of impact assessment for a proposed activity as the significance or value of an object, site or place will be reflected in resultant recommendations for conservation, management or mitigation.

The *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010b) requires significance assessment according to criteria established in the *Australia ICOMOS Burra Charter* (Australia ICOMOS 2013). The *Burra Charter* and its accompanying guidelines are considered best practice standard for cultural heritage management, specifically conservation, in Australia. Guidelines to the *Burra Charter* set out four criteria for the assessment of cultural significance:

- Aesthetic value - relates to the sense of the beauty of a place, object, site or item;
- Historic value - relates to the association of a place, object, site or item with historical events, people, activities or periods;
- Scientific value - scientific (or research) value relates to the importance of the data available for a place, object, site or item, based on its rarity, quality or representativeness, as well as on the degree to which the place (object, site or item) may contribute further substantial information; and
- Social value - relates to the qualities for which a place, object, site or item has become a focus of spiritual, political, national or other cultural sentiment to a group of people. In accordance with the Heritage NSW *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, the social or cultural value of a place (object, site or item) may be related to spiritual, traditional, historical or contemporary associations. "Social or cultural value can only be identified though consultation with Aboriginal people" (OEH 2011:8).

Significance assessment for identified archaeological sites focusses on the social/cultural, historic, scientific and aesthetic significance of Aboriginal heritage values as identified in *The Burra Charter* (Australia ICOMOS 2013). The identification of significance is developed in consultation with the registered Aboriginal stakeholders. Assessed values for the sites within the study area are detailed below.

Cultural / social significance

This area of assessment concerns the value(s) of a place, feature or site to a particular community group, in this case the local Aboriginal community. Aspects of social significance are relevant to sites, objects and landscapes that are important or have become important to the local Aboriginal community. This importance involves both traditional links with specific areas as well as an overall concern by Aboriginal people for sites generally and their continued protection. Aboriginal cultural significance may include social, spiritual, historic and archaeological values and is determined by the Aboriginal community.

It has been identified during the consultation process that the local area has cultural heritage value (social value) to the local Aboriginal community. No specific cultural or social values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR.

Historic significance

Community consultation and historical research has not identified any information regarding specific historical significance of identified Aboriginal archaeological sites in or near the study area. No specific historical values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR. Archaeologically, the study area does not contain these values in relation to Aboriginal heritage.

Scientific / archaeological significance

For archaeologists, scientific significance refers to the potential of a site to contribute to current research questions. Alternately, a site may be an in situ repository of demonstrably important information, for example rare artefacts of unusually high antiquity.

Scientific significance is assessed using criteria to evaluate the contents of a site, state of preservation, integrity of deposits, representativeness of the site type, rarity/uniqueness and potential to answer research questions on past human behaviour. Heritage NSW's recommended criteria for assessing archaeological significance include:

- Archaeological Research Potential - significance may be based on the potential of a site or landscape to explain past human behaviour and can incorporate the intactness, stratigraphic integrity or state of preservation of a site, the association of the site to other sites in the region (connectivity), or a datable chronology.

- Representativeness - all sites are representative of those in their class (site type/subtype) however the issue here relates to whether particular sites should be conserved to ensure a representative sample of the archaeological record is retained. Representativeness is based on an understanding of the regional archaeological context in terms of site variability in and around the study area, the resources already conserved and the relationship of sites across the landscape.

- Rarity – which defines how distinctive a site may be, based on an understanding of what is unique in the archaeological record and consideration of key archaeological research questions (i.e. some sites are considered more important due to their ability to provide certain information). It may be assessed at local, regional, state and national levels.

High significance is usually attributed to sites which are so rare or unique that the loss of the site would affect our ability to understand an aspect of past Aboriginal use/occupation of an area. In some cases a site may be considered highly significant because it is now rare due to destruction of the archaeological record through development. Moderate (medium) significance is attributed to sites which provide information on an established research question.

Sites with moderate significance are those that offer the potential to yield information that will contribute to the growing holistic understanding of the Aboriginal cultural landscape of the project area. Archaeological investigation of moderately significant sites will contribute knowledge regarding site type interrelationships, cultural use of landscape features and occupation patterns

Low significance is attributed to sites which cannot contribute new information about past Aboriginal use/occupation of an area. This may be due to site disturbance or the nature of the site's contents.

Aesthetic Values

Aesthetic values are often closely related to the social values of a site or broader cultural landscape. Aspects may include scenic sights, smells and sounds, architectural fabric and creative aspects of a place. No specific aesthetic values for the sites within the study area were provided by the registered Aboriginal stakeholders following the review of the draft CHAR. Archaeologically; the study area does not contain these values.

7.2 Statement of significance

The study area has cultural value for the local Aboriginal community. The identified cultural value is a feeling of attachment and responsibility for the land. These values become tangible when tied to identified Aboriginal objects found at the archaeological sites. In this way, the Aboriginal objects can be seen as exhibiting both scientific information and cultural meaning, knowledge about the past tied with social values and belief systems.

The study area contains two identified Aboriginal archaeological sites as defined under the *National Parks and Wildlife Act 1974*. Significance assessment is based on a consideration of the research value, representativeness, intactness and rarity of the sites in a local and regional context. The significance of the sites within the study area is outlined below.

MPIP 17 (AHIMS 45-5-3748)
MPIP 17 represents a commonly occurring site type, comprising a low density surface artefact scatter identified on a mid slope descending towards an ephemeral drainage line. The artefacts at the site are typical of the region in terms of type and raw material. The site has been subject to extensive disturbance from historic/contemporary land use practices and associated environmental factors. The site is located in a disturbed context and has low to nil potential for intact subsurface deposit. The recorded surface artefacts form part of a disturbed deposit. The site demonstrates low archaeological potential and scientific value and it is unlikely that further investigation could contribute to our understanding of Aboriginal landscape use in the region. Based on the intactness, representativeness and research potential of the site, MPIP 17 is determined to have low archaeological significance.

MPIP 18 (AHIMS 45-5-3749)
MPIP 18 represents a commonly occurring site type, consisting of a low density surface artefact scatter recorded on a mid slope descending towards an ephemeral drainage line. The artefacts at the site are typical of the region in terms of type and raw material. The site has been subject to extensive disturbance from historic/contemporary land use practices and associated environmental factors. MPIP 18 is located in a disturbed context and has low to nil potential for intact subsurface deposit. The recorded surface artefacts form part of a disturbed deposit. The site demonstrates low archaeological potential and scientific value and it is unlikely that further investigation could contribute to our understanding of Aboriginal landscape use in the region. Based on the intactness, representativeness and research potential of the site, MPIP 18 is determined to have low archaeological significance.

8 Impact Assessment and Mitigation Strategies

8.1 Proposed activity

Marsden Park Developments Pty Ltd proposes to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park within the Marsden Park Industrial Precinct. The proposal includes the construction of several local roads and associated infrastructure works to support the new development in the IN1 General Industrial, IN2 Light Industrial, and SP2 Infrastructure (Local Roads) zoned lands. The proposed activities associated with the subdivision and development include:

- Site subdivision;
- Vegetation clearing, demolition of minor structures and earthworks (including cut/fill operations);
- Construction of two estate roads and associated intersections;
- Stormwater infrastructure (including potential temporary estate basin);
- Construction and operation of four warehouse and distribution facilities; and
- Ancillary development including car parking, infrastructure provision and landscaping.

The proposal would effectively cover the entirety of the study area and impact sites MPIP 17 and MPIP 18. Impacts to the sites are unavoidable due to the scale of the project and requirements for the proposal. Assessed impact to the identified sites within the study area is shown on Figure 7 and listed in Table 4 below.

Table 4. Proposed impact to Aboriginal archaeological sites within the project area

Site name	AHIMS number	Type of harm	Degree of harm	Consequence of harm	Significance of harm
MPIP 17	45-5-3748	Direct	Total	Total loss of value	Low
MPIP 18	45-5-3749	Direct	Partial	Partial loss of value	Low

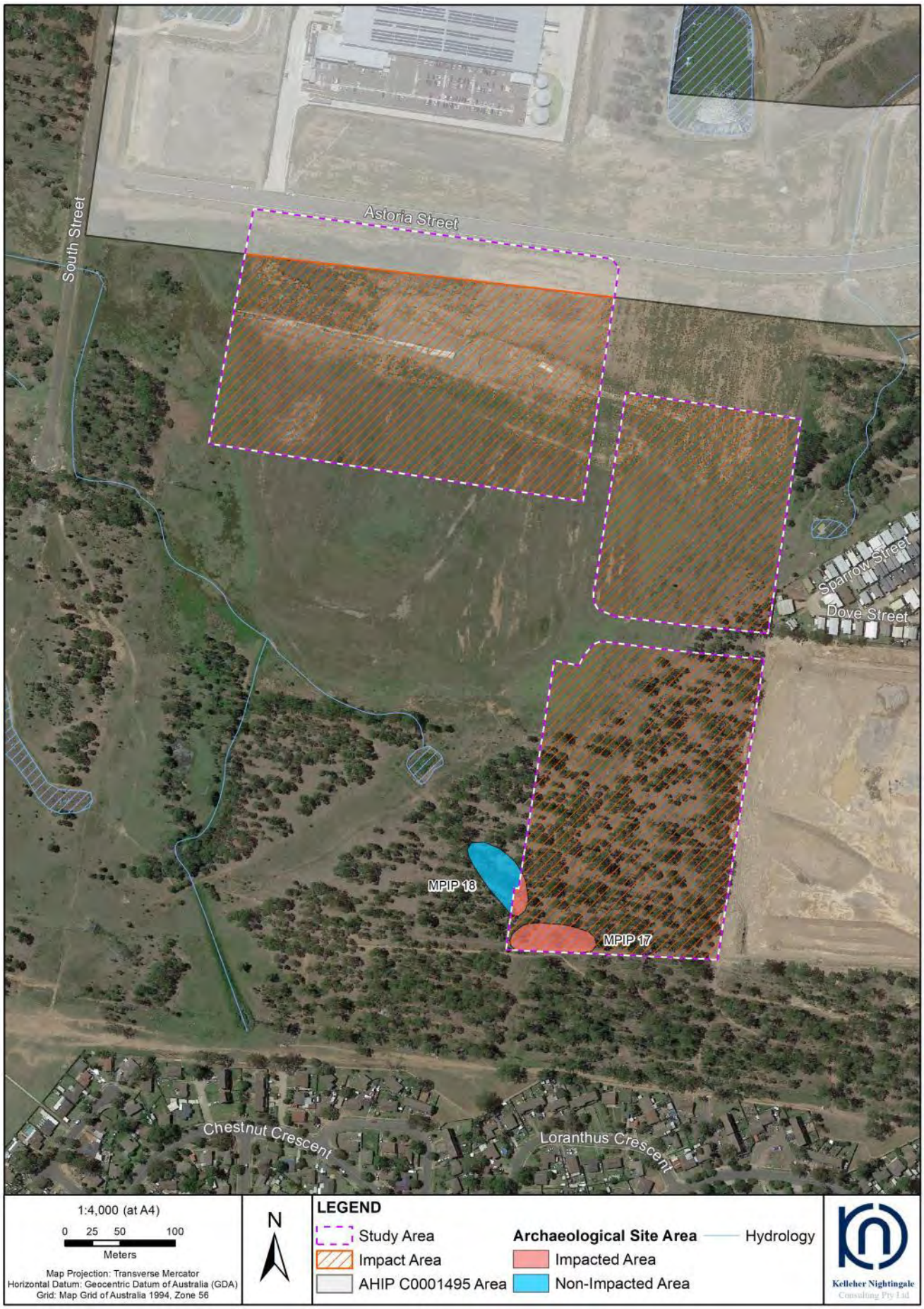

Figure 7. Impact assessment for archaeological sites in the study area

8.2 Mitigating harm

The identified Aboriginal archaeological sites recorded within the study area have been considered by Marsden Park Developments Pty Ltd in relation to the proposed warehouse development activities. Unfortunately, direct impacts to sites MPIP 17 and MPIP 18 could not be avoided for the current project due to the requirement for bulk earthworks and given the topographic context of the sites. Both MPIP 17 and MPIP 18 will be at least partially impacted by the proposal.

Archaeological mitigation (salvage) is generally recommended where sites of moderate significance or higher are to be impacted. Mitigation for the identified impact to the sites within the study area by the proposed activities in the form of salvage excavation is not warranted as both MPIP 17 and MPIP 18 are considered to display low archaeological significance based on scientific value and potential to inform on Aboriginal landscape use in the area. The impacted archaeological sites are located in a disturbed landscape context and are unlikely to retain intact subsurface archaeological deposit. Based on their assessed significance, the sites do no warrant non-practicable avoidance or conservation measures.

Consultation with Aboriginal stakeholders has determined that the loss of intrinsic Aboriginal cultural value of impacted sites cannot be offset; however, information recovered from mitigation activities is equally as valuable to the contemporary Aboriginal community. Suitable recommendations for the identified impacts to both sites have been developed based on environmental context and condition, background research and consultation with stakeholders.

Proposed mitigation measures include the collection of recorded surface artefacts at MPIP 17 and the impacted portion of MPIP 18. Measures for mitigating harm to the site are outlined in Table 5 below. Additional measures will be put in place to ensure no impacts upon the non-impacted portion of MPIP 18 (see Table 5 and Chapter 9).

Table 5. Proposed mitigation measures for impacted Aboriginal sites

Site Name	AHIMS Number	Impact Assessment	Assessed Significance	Mitigation Harm
MPIP 17	45-5-3748	Direct / Total	Low	Disturbed deposit. Community collection of surface artefacts. Relevant project approval required prior to commencement of works affecting the site.
MPIP 18	45-5-3749	Direct / Partial	Low	Disturbed deposit. Community collection of surface artefacts. Management measures to be implemented including protective fencing of non-impacted portion of site during construction. Identify non-impacted portion of site on construction environmental management plan and included within site induction to ensure no impact. Relevant project approval required prior to commencement of works affecting the site.

Method of Collection

Following project approval registered Aboriginal stakeholders for the project should be provided with an opportunity to attend site and collect the surface artefacts in accordance with the methodology below.

The objects and their location have been recorded as part of the assessment process (CHAR, archaeological survey and site card). Collection would involve the physical picking up of the objects and the completion of an Aboriginal Site Impact Recording Form (ASIRF).

9 Management Outcomes

The following general management outcomes will be implemented in accordance with the mitigation strategy for the proposal as outlined in Chapter 10.

9.1 Mitigation through the collection of surface artefacts

The archaeological sites listed in Table 6 are of low archaeological significance and will be impacted by the project.

The sites would require the collection of surface artefacts to mitigate the impact. Collection can only occur after Project Approval is obtained.

The collection must be completed prior to any activities which may harm Aboriginal objects at these site locations. The collection would be undertaken in accordance with the methodology presented in section 8.2.

Table 6. Aboriginal sites requiring mitigation (collection)

Archaeological sites requiring mitigation (collection)	
Archaeological Sites (requiring the collection of surface artefacts)	MPIP17
	MPIP18

9.2 Management of non-impacted portion of Aboriginal site MPIP 18

Impact assessment determined that MPIP 18 will be partially impacted by the proposed development. Management measures must be implemented for site MPIP 18 to ensure that the non-impacted portion of site is avoided by proposed development and construction activities. Management measures to be implemented include the demarcation of the non-impacted portion of MPIP 18 with protective fencing and identification of this area as an environmentally sensitive “no-go zone”. The site will also be identified on any construction environmental managements plans (or similar), and documented toolbox talks will be held to ensure all on-site staff and contractors are aware of obligations and requirements regarding the protection of Aboriginal heritage. Recommendations for the management and site protection for non-impacted portion of MPIP 18 include:

- The boundaries of the non-impacted portion of MPIP 18 should be demarcated with protective fencing and identified as an environmentally sensitive “no-go zone”.
- The location of the non-impacted portion of MPIP 18 should be included on construction environmental management plans (or similar) and identified as an environmentally sensitive “no-go zone”.
- All site workers inducted as to appropriate site protection measures for the non-impacted portion of MPIP 18.

10 Management Procedures

10.1 Management Policy for Aboriginal Heritage

The policy for the management and conservation of Aboriginal heritage in relation to salvage activities and construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) is described below:

Responsibility for compliance with Management Policy

1. The Proponent must ensure all of its employees, contractors and subcontractors and agents are made aware of and comply with this management policy.
2. The Proponent must appoint a suitably qualified and experienced environmental manager who is responsible for overseeing the activities related to this management policy.
3. The Proponent must appoint a suitably qualified and experienced Archaeologist who is responsible for overseeing, for and on behalf of the Proponent, the archaeological activities relating to the project.

Construction constraints

4. Where the surface collection of artefacts has been nominated for the impacted site, no construction activities (or fencing, geotechnical investigations, minor clearing, establishing site compounds, adjustment to services/utilities etc.) can occur on the lands to be investigated until the relevant surface collection at the nominated site has been completed.
5. Prior to the commencement of early works activity (e.g. fencing, minor clearing, establishing site compounds etc.) a construction heritage site map identifying the Aboriginal site requiring the collection of surface artefacts and the Aboriginal sites to be avoided (for all sites in proximity to the project boundary) must be prepared. The construction heritage site map should be prepared to the satisfaction of Marsden Park Developments Pty Ltd.
6. All employees, contractors, subcontractors and agents carrying out early works activities (e.g. fencing, minor clearing, geotechnical investigations, establishing site compounds etc) must undertake a Project induction (including the distribution of a construction heritage site map) to ensure that they have an understanding and are aware of the Aboriginal heritage issues affecting the activity.

Areas of Aboriginal archaeological sites and objects to be impacted

7. The areas of archaeological sites and objects identified as being impacted by construction activities are listed in Table 6 of this report and are in accordance with the Project Approval.

Human Remains

8. This management policy does not authorise any damage of human remains.
9. If potential human remains are disturbed the Proponent must follow the procedures outlined in section 10.2 below.

Involvement of Aboriginal groups and/or individuals

10. Opportunity must be provided to the registered Aboriginal stakeholders to be involved in the following activities:
    a. assist with the surface collection in accordance with the methodology specified in Chapter 8.

Conservation of salvaged/collected Aboriginal objects

11. Department of Planning, Industry and Environment (DPIE), as the approval authority, will be consulted.
12. Recovered Aboriginal objects should be handled in accordance with Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* as required.

Reporting requirements

13. A written archaeological report documenting the salvage collection must be provided to Marsden Park Developments Pty Ltd within a reasonable time in accordance with the Project Approval following the completion of the archaeological program.
14. An Aboriginal Site Impact Recording Form (ASIRF) must be completed and lodged with Heritage NSW for the archaeological sites listed in Table 6 within a reasonable time after the approved activities have been completed.

Notification and reporting about incidents that breach this management policy

15. Incident reporting requirements in accordance with the Project Approval is to include Aboriginal heritage.

10.2 Procedures for Handling Human Remains

- **Note that Project Approvals do not include the destruction of Aboriginal remains**

This section outlines the procedure for handling human remains in accordance with the Skeletal Remains – Guidelines for the Management of Human Skeletal Remains under the *Heritage Act 1977* (NSW Heritage Office 1998) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997). In the event that construction activity reveals possible human skeletal material (remains), the following procedure is to be followed:

1. as soon as remains are exposed, all work is to halt at that location immediately and the Project environmental manager on site is to be immediately notified to allow assessment and management;
    i. stop all activities; and
    ii. secure the site.
2. contact police, the discovery of human remains triggers a process which assumes that they are associated with a crime. The NSW Police retain carriage of the process until such time as the remains are confirmed to be Aboriginal or historic;
3. DPIE, as the approval authority, will be notified when human remains are found;
4. once the police process is complete and if remains are not associated with a contemporary crime contact DPIE. DPIE will determine the process, in consultation with Heritage NSW as appropriate;
    i. if the remains are identified as Aboriginal, the site is to be secured and DPIE and all Aboriginal stakeholders are to be notified in writing. DPIE will act in consultation with Heritage NSW as appropriate. Heritage NSW will be notified in writing according to DPIE instructions; or
    ii. if the remains are identified as non-Aboriginal (historical) remains, the site is to be secured and the DPIE is to be contacted. DPIE will act in consultation with the Heritage NSW as appropriate.
5. once the police process is complete and if the remains are identified as not being human work can recommence once the appropriate clearances have been given.

10.3 Procedures for Handling Unexpected Aboriginal Objects

This section outlines the procedure for handling unexpected archaeological sites and objects. In the event that construction activity reveals possible Aboriginal objects other than those identified in Table 10, the following procedure is to be followed:

1. all work is to halt at that location immediately and the Project environmental manager on site is to be immediately notified to allow assessment and management;
    i. stop all activities; and
    ii. secure the site.
2. contact the project archaeologist to assess the find and determine if it is consistent with the Project Approval;
    i. if the find is consistent, the archaeologist will allow work to continue
    ii. if the find is inconsistent, Heritage NSW will be notified as soon as practical on 131555 providing any details of the Aboriginal object and its location. Work cannot recommence unless authorised in writing by Heritage NSW.

10.4 Procedure for proposed changes to the Approved Project

Marsden Park Developments Pty Ltd recognises that during the construction of the project design alterations or other changes to the Approved Project may be required.

A proposed change to the Approved Project (such as an alteration of the current design, the location of ancillary facilities) within the project corridor may result in a:

- Reduced impact to Aboriginal cultural heritage; or an
- Increased impact to Aboriginal cultural heritage.

Note: the use of the word impact in this section is defined as an impact on the significance of Aboriginal cultural heritage rather than simply an increased physical impact.

To ensure consistency with the Approved Project and this document any change in the overall impact on Aboriginal cultural heritage will need to be considered. The process to determine consistency is outlined in section 10.4.1 below.

Where a proposed change to the Approved Project occurs outside of the project boundary considered for the EIS further heritage assessment will be required to determine if there would be an impact on Aboriginal cultural heritage and whether this represents a modification to the Approved Project (outlined below).

10.4.1. Changes in heritage impact

Where the Proponent seeks to make a change to the design and construction of the Approved Project which changes the assessed impact on Aboriginal cultural heritage the Proponent will need to prepare an assessment of the new impacts of this work in consultation with the appointed Archaeologist. The continued involvement of the Aboriginal stakeholders in this process is outlined in section 10.5.

- New impacts consistent with previously identified impacts

If a proposed change to the Approved Project is considered to have a neutral or lesser significant impact on Aboriginal cultural heritage than that identified in this document it would be considered a consistent impact.

If the proposed change is considered to be consistent with the Approved Project Marsden Park Developments Pty Ltd may approve the change with no requirements to seek further approval. However, in certain circumstances, further consultation with Aboriginal stakeholders may still be required (see section 10.5 below).

- New impacts inconsistent with previously identified impacts

If a proposed change to the Approved Project is considered to have a more significant impact on Aboriginal cultural heritage than that identified in the EIS it would be considered an inconsistent impact.

If the proposed change is considered inconsistent with the assessed impact on Aboriginal cultural heritage, as detailed in the Project Approval, Marsden Park Developments Pty Ltd would require an amendment to the mitigation measures agreed in this report. If this proposed change is considered inconsistent with the Approved Project Marsden Park Developments Pty Ltd would require a modification of the Approved Project. Further consultation with Aboriginal stakeholders will be undertaken (see 10.5 below).

10.5 Process for continued consultation with Aboriginal stakeholders

The extent to which Marsden Park Developments Pty Ltd will continue to consult with Aboriginal stakeholders is dependent upon the level of impact and whether the area was assessed as part of the EIS. The types of potential impacts are identified as reduced impacts, increased impacts or unknown impacts.

a) Reduced or neutral impact
If as a result of alterations to the project design a previously identified impact to an Aboriginal heritage item is reduced or neutral then no further consultation is required.

If as a result of alterations to the project design an impact to an Aboriginal heritage item is proposed that results in a reduced impact on the overall heritage significance of the project area (i.e. the cumulative impact is reduced), then further consultation with Aboriginal stakeholders will be undertaken. This consultation may entail a phone call and phone log of comments received or the provision of a report for comment (10 working days).

b) Increased Impact
Where as a result of alterations to the project design an impact on Aboriginal heritage is considered to be greater than identified by the Approved Project further consultation will be undertaken. This consultation will either entail a phone call and phone log of comments received or the provision of a report for comment (10 working days).

c) Unknown impacts: Assessment process
Where a proposed change is an area located outside of the project boundary assessed as part of the Approved Project the impact on Aboriginal cultural heritage is considered to be unknown. This area would require preliminary assessment to determine any impacts upon Aboriginal heritage. Should no impacts be identified then no additional consultation with Aboriginal stakeholders is required. Should potential impacts be identified, consultation with Aboriginal stakeholders will be undertaken. This consultation will entail the provision of a report for stakeholder comment (10 working days) detailing the impacts and mitigation strategies proposed.

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Appendix A Advertisement for Registration for Interest



‹ Back to results | All Classifieds › Notices ›

Notice for Registration of Interest

Date listed 17/7/2020

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

Marsden Park Developments Pty Ltd will be seeking approval through a State Significant Development (SSD) application under the NSW *Environmental Planning & Assessment Act 1979*. Marsden Park Developments Pty Ltd proposes to carry out consultation with Aboriginal communities in accordance with the Heritage NSW *Aboriginal cultural heritage consultation requirements for proponents 2010*. The purpose of this consultation process is to inform the preparation of an Environmental Impact Statement and to assist Heritage NSW (as part of the Department of Premier and Cabinet) in its consideration of the proposal. Kelleher Nightingale Consulting Pty Ltd has been engaged by Marsden Park Developments Pty Ltd to facilitate the consultation process.

Marsden Park Developments Pty Ltd invites Aboriginal groups and/or Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at Marsden Park, NSW to register interest in a process of community consultation with the contact shown below (on behalf of Marsden Park Developments Pty Ltd):

Kelleher Nightingale Consulting

Level 10, 25 Bligh Street

Sydney NSW 2000

phone 9232 5373

The closing date for registration is 31 July 2020.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names and contact details of each Aboriginal person who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Published 17/07/2020. Listed in 'Public Notices' section for Marsden Park, NSW.

Published online via *The Daily Telegraph* at: https://www.dailytelegraph.com.au/classifieds/notices/public-notices/notice-for-registration-of-interest/5489267/

Appendix B Aboriginal Stakeholder Responses to Proposed Assessment Methodology and Draft CHAR

Zac Thomas

From: Carolyn .H <cazadirect@live.com>
Sent: Tuesday, 11 August 2020 10:46 AM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - A1

Follow Up Flag: Follow up
Flag Status: Completed

INDIGENOUS SERVICES PTY LTD
Contact: Carolyn Hickey
M: 0411650057
E: Cazadirect@live.com
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876

Hi Zac,
I have reviewed the document and support the Information and Methodology.
A1 would like to be involved in any future field work.
Kind regards
Carolyn Hickey

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 5:19 PM
To: Caza X <cazadirect@live.com>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - A1

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

1

Zac Thomas

From: Lee Field <barrabyculturalservices@gmail.com>
Sent: Tuesday, 4 August 2020 11:15 AM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - BCS

Dear Zac

Barraby supports the methodology for this project

Thanks
Lee Field

On 31 Jul 2020, at 5:20 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

<4.2-4.3_BCS_310720.pdf>

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1

Zac Thomas

From: Lilly Carroll <didgengunawalclan@yahoo.com.au>
Sent: Saturday, 1 August 2020 8:36 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - DNC

Hi Zac

DNC agrees to all proposals of the methodology

Kind regards DNC
Paul Boyd & Lilly Carroll
0426823944

Sent from myMail for iOS

Friday, 31 July 2020, 5:23 pm +1000 from Zac Thomas <zac.thomas@knconsult.com.au>:

> Dear registered Aboriginal stakeholder,
>
> Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
>
> warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.
>
> This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.
>
> Please see the attached project information and proposed assessment methodology.
>
> Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

1

Zac Thomas

From: philip khan <philipkhan.acn@live.com.au>
Sent: Monday, 24 August 2020 8:34 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Follow Up Flag: Follow up
Flag Status: Completed

Dear Zac,

I have reviewed your methodology for Sydney Business Park, within the Marsden Park Industrial Precinct, this area is highly significant to us Aboriginal People & it is also near Bells Creek ,therefore I agree to your methodology recommending further testing is required.

Warm regards

Phil Khan



From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 5:25 PM
To: philip khan <philipkhan.acn@live.com.au>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

1

Zac Thomas

From: Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Wednesday, 5 August 2020 5:36 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - MBMAC

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac
I have read the project information and methodology for the above project, I endorse the recommendations made.
Kind regards
Darleen Johnson

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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1

Zac Thomas

From: jesse johnson <muragadi@yahoo.com.au>
Sent: Thursday, 6 August 2020 12:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - MHIC

Hi Zac,
I have read the project information and methodology for the Sydney business park, Marsden Park. I agree with the recommendations made.
Thanks
Jesse Johnson

On Friday, 31 July 2020, 05:26:18 pm AEST, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

1

Zac Thomas

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Sunday, 2 August 2020 9:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - WAG

Hi Zac,

Phil Boney here. I have read the methodology report for this project and I do not have any issues about this project or its methodology. Thank you.

With regards, Phil Boney
Wailwan Aboriginal Group

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 31 July 2020 12:27 AM
To: Phillip Boney <Waarlan12@outlook.com>
Subject: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - WAG

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.

This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.

Please see the attached project information and proposed assessment methodology.

Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Arika Jalomaki <yulayculturalservices@gmail.com>
Sent: Thursday, 27 August 2020 1:06 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - YCS

Dear Zac,

I on behalf of Yulay cultural service's support the methodology for the above project.

Kind regards,
Arika Jalomaki

On Fri, 31 Jul 2020 at 5:29 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed

warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal

cultural heritage assessment for the project.

1

Zac Thomas

From: Bo <yurrandaali_cs@hotmail.com>
Sent: Thursday, 6 August 2020 8:16 PM
To: Zac Thomas
Subject: Re: Project Info & Methodology Letter - 1947 Sydney Business Park Stage 3, Marsden Park - Yurrandaali

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac

Yurrandaali supports the methodology associated with this project

Thanks
Bo Field

On Fri, 31 Jul 2020 at 5:30 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear registered Aboriginal stakeholder,
>
> Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed
>
> warehouse and distribution facilities in the area known as ?Stage 3? of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. Kelleher Nightingale Consulting has been contracted to assist with Aboriginal cultural heritage assessment for the project.
>
> This email is to inform registered stakeholders about project information and the proposed assessment methodology in accordance with the Heritage NSW Aboriginal cultural heritage consultation requirements for proponents 2010.
>
> Please see the attached project information and proposed assessment methodology.
>
> Comments on the proposed assessment methodology, including relevant cultural information that might affect, refine or inform the proposed methodology, should be provided by **28 August 2020**, using the contact details on the attached letter.
>
> Kind regards,

1

Zac Thomas

From: Carolyn .H <cazadirect@live.com>
Sent: Sunday, 6 September 2020 9:58 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - A1

A1 INDIGENOUS SERVICES PTY LTD
Contact: Carolyn Hickey
M: 0411650057
E: Cazadirect@live.com
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876
ABN: 31 639 868 876

Hi,
I have reviewed the document and support the Draft ACHAR.
A1 would like to be involved in any future Meetings and field work.
Kind regards
Carolyn Hickey

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Monday, 31 August 2020 4:58 PM
To: Caza X <cazadirect@live.com>
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - A1

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd

1

Zac Thomas

From:	justinecoplin@optusnet.com.au
Sent:	Thursday, 3 September 2020 10:46 AM
To:	Zac Thomas
Subject:	Proposed Cultural Heritage Assessment Report Methodology
Attachments:	Proposed Cultural Heritage Assessment Report Methodology.pdf
Follow Up Flag:	Follow up
Flag Status:	Completed

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DARUG CUSTODIAN
ABORIGINAL CORPORATION

DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgokiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: KNC **Date:03092020**

Subject: Proposed Cultural Heritage Assessment Report Methodology 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Dear Zac

Our group is a non-profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

Our group promotes Darug Culture and works on numerous projects that are culturally based as a proud and diverse group. It has been discussed by our group and with many consultants and researches that our history is generic and is usually from an early colonists perspective or solely based on archaeology and sites. These histories are adequate but they lack the people's stories and parts of important events and connections of the Darug people and also other Aboriginal people that now call this area home and have done so for numerous generations.

This area is significant to the Darug people due to the evidence of continued occupation, within close proximity to this project site there is a complex of significant sites.

Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people. Aboriginal people (Darug) had a complex lifestyle that was

based on respect and belonging to the land, all aspects of life and survival did not impact on the land but helped to care for and conserve land and the sustenance that the land provided. As Darug people moved through the land there were no impacts left, although there was evidence of movement and lifestyle, the people moved through areas with knowledge of their areas

and followed signs that were left in the landscape. Darug people knew which areas were not to be entered and respected the areas that were sacred.

Knowledge of culture, lifestyle and lore have been part of Darug people's lives for thousands of years, this was passed down to the next generations and this started with birth and continued for a lifetime. Darug people spent a lifetime learning and as people grew older they passed through stages of knowledge, elders became elders with the learning of stages of knowledge not by their age, being an elder is part of the kinship system this was a very complicated system based on respect.

Darug sites are all connected, our country has a complex of sites that hold our heritage and past history, evidence of the Darug lifestyle and occupation are all across our country, due to the rapid development of Sydney many of our sites have been destroyed, our sites are thousands of years old and within the short period of time that Australia has been developed pre contact our sites have disappeared.

The *Aboriginal cultural heritage consultation requirements for proponents* Section 4.1.8 refers to "Aboriginal organisations representing Aboriginal people who hold cultural knowledge". Recent consultation meetings have revealed that many of these Aboriginal organisations and individuals do not hold cultural knowledge of the Western Sydney area. The increasing involvement of such parties in cultural heritage management means that genuine local Aboriginal organisations are unable to properly care for our cultural heritage.

Many Aboriginal organisations listed in the OEH response letter do not contribute to the Aboriginal community of Western Sydney. Individuals listed in the OEH response letter do not represent the community and while they may be consulted with, should not be employed for their own personal financial benefit.

Our organisation is committed to providing benefits back to our local Aboriginal community through such measures as funding the local Aboriginal juniors' touch football team, painting classes for the local children and donating money to various charities. Employment in cultural heritage activities is source of income that organisations such as ours can use to contribute to beneficial activities and support within the community.

Darug custodian Aboriginal Corporation's site officers have knowledge of Darug land, Darug Culture,Oral histories, landforms, sites, Darug history, wildlife, flora and legislative

requirements. We have worked with consultants and developers for many years in Western Sydney (Darug Land) for conservation, site works, developments and interpretation/education strategie

Darug Custodian Aboriginal Corporation have received and reviewed the Proposed Cultural Heritage Assessment Report Methodology.

We look forward to receiving the methodology for review for this project.

Please contact us with all further enquiries on the above contacts.

Regards



Justine Coplin

Zac Thomas

From: lilly carroll <didgengunawalclan@yahoo.com.au>
Sent: Monday, 31 August 2020 6:30 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - DNC

Hi Zac,

As always DNC he's happy for the methodology towards the project at Sydney business Park Marsden Park

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC

Sent from Yahoo Mail for iPhone

On Monday, August 31, 2020, 5:02 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

1

Zac Thomas

From: philip khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 29 September 2020 2:39 PM
To: Zac Thomas
Subject: RE: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - KYWG

Hi Zac,

Thank you for your Draft CHAR, to us Aboriginal People this area still holds high significance & spiritual feelings as it was a area that our people camped & there could be the possibility of burial sites. I understand where you are coming from and support your impact to the site in the form of salvage excavation is not warranted in this place, I would like to see that the area is monitored by a archaeologist & Aboriginal Reps. MP1P17 AHIMS 45 – 5-3748 & MP1P18 AHIMS 45 – 5 – 3749 & support all your recommendations that the Non-Impacted Portion of the situ is divided by Proposed Development & Construction activities management measures to be implemented including demarcation of MP1P with protective fencing & identification of this area as a environmental sensitive "No Go Zone" , I think this will make our spirit people happy & our people still at Bidwill.

Kind Regards
Phil Khan



Sent from Mail for Windows 10

From: Zac Thomas
Sent: Monday, 31 August 2020 5:03 PM
To: philip khan
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - KYWG

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

1

Zac Thomas

From: Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Thursday, 3 September 2020 5:25 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - MBMAC

Hi Zac,
I have read the project information and ACHAR for the above project, I endorse the recommendations made
Kind regards
Darleen Johnson

On Monday, 31 August 2020, 05:03:29 pm AEST, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

1

Zac Thomas

From: Phillip Boney <Waarlan12@outlook.com>
Sent: Tuesday, 1 September 2020 8:54 PM
To: Zac Thomas
Subject: Re: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - WAG

Hi Zac,

Phil here. At this stage I have nothing more to add to this assessment regarding Aboriginal cultural heritage you guys did a great job in that respect.

Regards, Phil Boney
Wailwan Aborignal Group

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Monday, 31 August 2020 12:04 AM
To: Phillip Boney <Waarlan12@outlook.com>
Subject: 1947 Draft CHAR Review - Sydney Business Park Stage 3, Marsden Park - WAG

Dear Registered Aboriginal Stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal Cultural Heritage Assessment Report for the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project, we would like to invite you to review the report and provide us with any comments or feedback regarding the assessment and the Aboriginal cultural heritage significance of the study area/Aboriginal archaeological sites.

Please forward any comments to myself or the office by **28 September 2020**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Appendix C AHIMS Search Results

Office of Environment & Heritage

NSW Government

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 1947

Client Service ID : 521834

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2031	MP3 Marsden Park	GDA	56	298664	6266959	Open site	Destroyed	Artefact : -	Open Camp Site	4152
	Contact	**Recorders**	Helen Brayshaw,Matthew Kelleher,Ms.Laila Haglund,Kelleher Nightingale Consultin					**Permits**		
45-5-2032	MP4 Marsden Park	GDA	56	299144	6267239	Open site	Destroyed	Artefact : -	Open Camp Site	4152
	Contact	**Recorders**	Helen Brayshaw,Matthew Kelleher,Ms.Laila Haglund,Kelleher Nightingale Consultin					**Permits**		
45-5-2040	MP 12 Marsden Park	GDA	56	299115	6267040	Open site	Destroyed	Artefact : -	Open Camp Site	4152
	Contact	**Recorders**	Helen Brayshaw,Ms.Laila Haglund,Kelleher Nightingale Consulting Pty Ltd,Miss.Kri					**Permits**	3909	
45-5-3315	Western Sydney 3	GDA	56	298624	6266125	Open site	Valid	Artefact : 2		100559
	Contact Searle	**Recorders**	Navin Officer Heritage Consultants Pty Ltd					**Permits**		
45-5-2380	SROS1;	AGD	56	297880	6266910	Open site	Valid	Artefact : -	Open Camp Site	3759
	Contact	**Recorders**	Mr.Neville Baker,Central West Archaeological and Heritage Services Pty Ltd					**Permits**		
45-5-3863	MPIP 31	AGD	56	297712	6266594	Open site	Valid	Artefact : 4		
	Contact Deerubbin LALC	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**		
45-5-3864	MPIP 29	AGD	56	297610	6266194	Open site	Valid	Artefact : 5		
	Contact Deerubbin LALC	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**		
45-5-3865	MPIP 30	AGD	56	297491	6266623	Open site	Valid	Artefact : -		
	Contact Deerubbin LALC	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**		
45-5-1022	ADF-17;	AGD	56	298950	6266040	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	**Recorders**	Margrit Koettig,Rex Silcox,Miss.Marjorie Sullivan,Phil Hughes					**Permits**		
45-5-2381	SROS2;	AGD	56	297720	6267160	Open site	Valid	Artefact : -	Open Camp Site	3759
	Contact	**Recorders**	Mr.Neville Baker,Central West Archaeological and Heritage Services Pty Ltd					**Permits**		
45-5-2382	SROS7;	AGD	56	297800	6267210	Open site	Valid	Artefact : -	Open Camp Site	3759
	Contact	**Recorders**	Mr.Neville Baker,Central West Archaeological and Heritage Services Pty Ltd					**Permits**	870	
45-5-2384	SROS5;	GDA	56	297944	6266709	Open site	Valid	Artefact : -	Open Camp Site	3759
	Contact	**Recorders**	Mr.Neville Baker,Central West Archaeological and Heritage Services Pty Ltd,OzArk					**Permits**	892	
45-5-2386	SROS3;	AGD	56	297720	6267120	Open site	Valid	Artefact : -	Open Camp Site	3759
	Contact	**Recorders**	Mr.Neville Baker,Central West Archaeological and Heritage Services Pty Ltd					**Permits**		
45-5-3744	MPIP 15	GDA	56	299090	6266400	Open site	Valid	Artefact : 1		
	Contact	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**	4171	
45-5-3745	MPIP 15A	GDA	56	299072	6266474	Open site	Valid	Artefact : 1		
	Contact	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**	4171	
45-5-3747	MPIP 16	GDA	56	299143	6266957	Open site	Valid	Artefact : 2		
	Contact	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**		
45-5-3748	MPIP 17	GDA	56	298438	6266288	Open site	Valid	Artefact : 2		
	Contact	**Recorders**	Kelleher Nightingale Consulting Pty Ltd					**Permits**		

Report generated by AHIMS Web Service on 21/07/2020 for Matthew Kelleher for the following area at Datum :GDA, Zone : 56, Eastings : 297387 - 299192, Northings : 6265766 - 6267406 with a Buffer of 0 meters. Additional Info : Arch Assessment. Number of Aboriginal sites and Aboriginal objects found is 32

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 1 of 2

Office of Environment & Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 1947
Client Service ID : 521834

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-3749	MPIP 18	GDA	56	298368	6266361	Open site	Valid	Artefact : 9		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-3750	MPIP 19	GDA	56	298236	6266549	Open site	Valid	Artefact : 2		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits	3928	
45-5-3751	MPIP 20	GDA	56	297986	6266350	Open site	Valid	Artefact : 1		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-3752	MPIP 21	GDA	56	298020	6266770	Open site	Valid	Artefact : 1		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-3753	MPIP 21A	GDA	56	297998	6266831	Open site	Valid	Artefact : 4		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-3754	MPIP 22	GDA	56	298150	6267010	Open site	Destroyed	Artefact : 1		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi						Permits	3909	
45-5-3755	MPIP 22A	GDA	56	298160	6266975	Open site	Destroyed	Artefact : 3		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi						Permits	3909	
45-5-3756	MPIP 23	GDA	56	298170	6267395	Open site	Destroyed	Artefact : 1		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd,Kelleher Nightingale Consulting Pty Ltd,Mi						Permits	3909	
45-5-2034	MP5 Marsden Park	GDA	56	299154	6267359	Open site	Destroyed	Artefact : -	Open Camp Site	4157
Contact	Recorders	Helen Brayshaw,Matthew Kelleher,Ms.Laila Haglund,Kelleher Nightingale Consulti						Permits		
45-5-4179	MPP-16	GDA	56	297789	6266917	Open site	Valid	Artefact : 3		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-4180	MPP-17	GDA	56	297954	6266788	Open site	Valid	Artefact : 1		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-4620	MPIP PAD 3	GDA	56	298179	6266413	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact	Recorders	Kelleher Nightingale Consulting Pty Ltd						Permits		
45-5-5217	South St 2	GDA	56	298056	6266363	Open site	Valid	Artefact : -		
Contact	Recorders	OzArk Environmental and Heritage Management,Miss.Stephanie Rusden						Permits		
45-5-4904	South St 1	GDA	56	298002	6266477	Open site	Valid	Artefact : 1		
Contact	Recorders	Eco Logical Australia Pty Ltd - Sydney - Individual users,Beebe Tyler						Permits		
45-5-4894	Hollinsworth Industrial IF2	GDA	56	298648	6266553	Open site	Valid	Artefact : -		
Contact	Recorders	Mr.Oliver Brown,Associates Archaeology and Heritage						Permits	4171	

Report generated by AHIMS Web Service on 21/07/2020 for Matthew Kelleher for the following area at Datum :GDA, Zone : 56, Eastings : 297387 - 299192, Northings : 6265766 - 6267406 with a Buffer of 0 meters. Additional Info : Arch Assessment. Number of Aboriginal sites and Aboriginal objects found is 32

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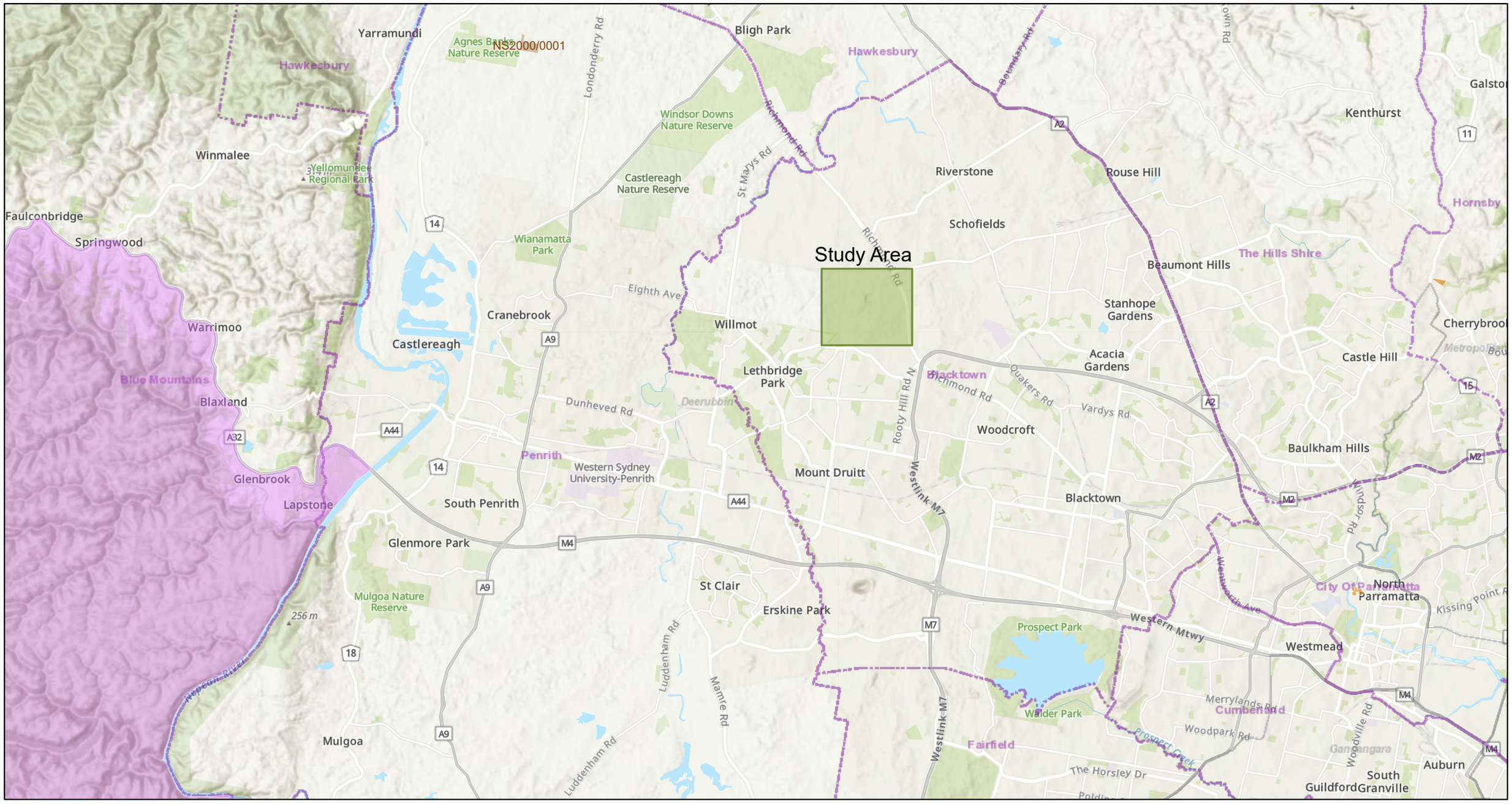
Page 2 of 2

Appendix D Aboriginal Stakeholder Consultation Records

Native TitleVision Web Map



6/22/2020, 4:44:51 PM

RATSIB Areas

Determinations

In effect - Finalised

Determined Outcomes

Native title does not exist

Indigenous Land Use Agreements

ILUA registered

Future Act Notices (Current)

Local Government Areas

Local Aboriginal Land Councils

1:144,448

0 1.5 3 6 mi

0 2.25 4.5 9 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap

Native TitleVision

Esri, USGS | Esri, HERE, Garmin, FAO, METI/NASA, USGS |

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

The General Manager
Blacktown City Council
PO Box 63
Blacktown NSW 2148

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

Marsden Park Developments Pty Ltd is proposing to develop four world-class warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown City Council local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

Marsden Park Developments Pty Ltd will be seeking approval through a State Significant Development (SSD) application under the NSW *Environmental Planning & Assessment Act 1979.* Marsden Park Developments Pty Ltd proposes to carry out consultation with Aboriginal communities in accordance with the DPIE *Aboriginal cultural heritage consultation requirements for proponents 2010*. The purpose of this consultation process is to inform the preparation of an Environmental Impact Statement (EIS) and to assist DPIE in its consideration of the proposal. Kelleher Nightingale Consulting Pty Ltd has been engaged by Marsden Park Developments Pty Ltd to facilitate the consultation process.

In following section 4.1.2 of the consultation requirements, it would be appreciated if your organisation could provide a list of the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects or Aboriginal places at Marsden Park, NSW. It would be appreciated if you could provide your response to:

Marsden Park Developments Pty Ltd
c/- Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
SYDNEY NSW 2000
zac.thomas@knconsult.com.au

Thank you for your assistance and advice in this matter. If you have any questions or would like to discuss this further, please contact our office on 02 9232 5373.

Yours sincerely,

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

CEO
Deerubbin Local Aboriginal Land Council
PO Box 40
PENRITH BC NSW 2751
Via email: staff@deerubbin.org.au; srandall@deerubbin.org.au

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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SYDNEY NSW 2000
zac.thomas@knconsult.com.au

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

Senior Team Leader, Planning
Metro Branch, Greater Sydney Region
Department of Planning, Industry and Environment
PO Box 644
PARRAMATTA NSW 2124
Via email: gs.ach@environment.nsw.gov.au

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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zac.thomas@knconsult.com.au

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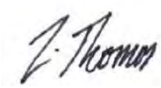
Yours sincerely,



Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

The General Manager
Greater Sydney Local Land Services
PO Box 4515
WESTFIELD PENRITH NSW 2750

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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SYDNEY NSW 2000
zac.thomas@knconsult.com.au

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

National Native Title Tribunal
Sydney Office, Operations East
Via email: GeospatialSearch@NNTT.gov.au

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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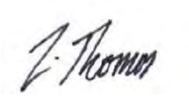

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

NTSCORP Limited
PO Box 2105
STRAWBERRY HILLS NSW 2012

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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SYDNEY NSW 2000
zac.thomas@knconsult.com.au

Thank you for your assistance and advice in this matter. If you have any questions or would like to discuss this further, please contact our office on 02 9232 5373.

Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373

22 June 2020

Office of the Registrar
Aboriginal Land Rights Act
PO Box 5068
PARRAMATTA NSW 2124

Dear Sir/Madam

RE. STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Request for information regarding potential Aboriginal stakeholders as required under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

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SYDNEY NSW 2000
zac.thomas@knconsult.com.au

Thank you for your assistance and advice in this matter. If you have any questions or would like to discuss this further, please contact our office on 02 9232 5373.

Yours sincerely,

Z. Thomas

Zac Thomas

Zac Thomas

From: Sue Galt <Sue.Galt@blacktown.nsw.gov.au>
Sent: Monday, 3 August 2020 11:49 AM
To: Zac Thomas
Subject: STAGE 3 FACILITIES SYDNEY BUSINESS PARK - MARSDEN PARK, NSW

Dear Zac,

Thank you for your email dated 22 June 2020 regarding Aboriginal stakeholders contact details relevant to the above.

The NSW Department of Planning, Industry and Environment (DPIE) has advised us that the consultation list for this purpose is confidential and may only be obtained on a project by project basis from the agency administering Aboriginal Cultural Heritage regulation (e.g. Aboriginal Heritage Impact Permits (AHIPS), Registered Aboriginal Parties, Care Agreements, etc). We have been advised that as from 1 July 2020 enquiries regarding Aboriginal Cultural Heritage regulation (e.g. Aboriginal Heritage Impact Permits (AHIPS), Registered Aboriginal Parties, Care Agreements, etc) should now be referred to Heritage NSW.

Your enquiry regarding Aboriginal stakeholders therefore is best directed to heritagemailbox@environment.nsw.gov.au, or (02) 9873 8500.

Regards,

Sue.

Sue Galt
Senior Policy/Heritage Planner

9839 6216
0414 194 474
Sue.Galt@blacktown.nsw.gov.au
PO Box 63 Blacktown NSW 2148
blacktown.nsw.gov.au

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Report this message as spam

Premier & Cabinet

Our reference: Doc20/534817

Zac Thomas
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
SYDNEY NSW 2000

Dear Zac,

Thank you for your letter dated 22 June 2020 to the Department of Planning, Industry and Environment regarding obtaining a list of the Aboriginal stakeholders that may have an interest in the proposed development at Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please note: on 1 July 2020 the Aboriginal Cultural Heritage Regulation functions under the *National Parks and Wildlife Act 1974* were transferred from the Department of Planning, Industry and Environment into Heritage NSW in the Department of Premier and Cabinet (DPC).

Please find attached the list of Aboriginal stakeholders known to DPC that may have an interest in the project.

As the Planning and Assessment Group in the Department of Planning, Industry and Environment is the approval authority for this project, the consultation process should be in accordance with the relevant guidelines as stipulated by the Group.

If you wish to discuss any of the above matter further please email:
heritagemailbox@environment.nsw.gov.au

Yours sincerely

10 July 2020

Jackie Taylor
Senior Team Leader
Aboriginal Cultural Heritage Regulation - South
Heritage NSW

LIST OF ABORIGINAL STAKEHOLDERS FOR THE GREATER SYDNEY BRANCH HELD BY OEH FOR THE PURPOSES OF THE *ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010*

These lists are provided to proponents in accordance with section 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the "Consultation Requirements") which commenced on 12 April 2010.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

A copy of the Consultation Requirements can be found on the OEH website at: http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf.

Under the Consultation Requirements; a proponent is required to provide Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places as relevant to the proposed project area, with an opportunity to be involved in consultation. Section 3.3.1 of the Consultation Requirements states that Aboriginal people who can provide this information are, based on Aboriginal lore and custom, the traditional owners or custodians of the land that is the subject of the proposed project.

The Consultation Requirements also state that:

Traditional owners or custodians with appropriate cultural heritage knowledge to inform decision making who seek to register their interest as an Aboriginal party are those people who:

- *continue to maintain a deep respect for their ancestral belief system, traditional lore and custom*
- *recognise their responsibilities and obligations to protect and conserve their culture and heritage and care for their traditional lands or Country*
- *have the trust of their community, knowledge and understanding of their culture, and permission to speak about it.*

Please note: the placement of an organisation's name on any OEH Aboriginal stakeholder list for the Consultation Requirements does not override a proponent's requirement to also advertise in the local newspaper and to seek from other sources the names of any other Aboriginal people who may hold cultural knowledge as required under clause 80C of the National Parks and Wildlife Regulation 2009.

How to use this list

1. **Determine which Local Government Area/s (LGA/s) your project area falls into**
2. **Identify which organisations and individuals on the list have an interest in the LGA/s relevant to your project – identified in column 6 of the list**
3. **Contact the organisations/individuals who have indicated an interest in the relevant LGA/s and invite them to register an interest in your project**

Do not reproduce the attached list in publicly available reports and other documents. Your report should only contain the names of the organisations and individuals who you have invited to register an interest in your project and those who have registered as stakeholders for your project.

PLEASE NOTE: THE STAKEHOLDER LIST HAS NOT BEEN UPDATED TO INCLUDE THE RECENT COUNCIL MERGERS AND NAME CHANGES. PLEASE CONSIDER THE PRE-MERGER COUNCIL BOUNDARIES WHEN DETERMINING WHO SHOULD BE INVITED TO REGISTER FOR YOUR PROJECT. Last updated 15 June 2020

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's		Additional information
Deerubbin Local Aboriginal Land Council	Kevin Cavanagh	(02) 4724 5600	srandall@deerubbin.org.au Reception@deerubbin.org.au F: (02) 4722 9713	Level 1, Suite 3 291-295 High Street, Penrith NSW 2750 PO Box 40, Penrith NSW 2751	Hawkesbury Blacktown Penrith Fairfield	Holroyd Blue Mountains The Hills Shire Parramatta	
Tharawal Local Aboriginal Land Council	Robyn Straub (CEO)	(02) 46810059	ceo@tharawal.com.au reception@tharawal.com.au	PO Box 245 Thirlmere NSW 2572	Camden Campbelltown Wollondilly	Sutherland Liverpool	
Metropolitan Local Aboriginal Land Council	Nathan Moran	(02) 83949666	officeadmin@metrolalc.org.au	PO Box 1103 Strawberry Hills NSW 2016	The Hills Shire Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Burwood Ashfield Auburn Canada Bay Hawkesbury	Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
Gandangara Local Aboriginal Land Council	Melissa Williams CEO	(02) 96025280	**mwilliams@glalc.org.au**	PO Box 1038 Liverpool NSW 2170	Liverpool Fairfield Holroyd Parramatta	Auburn Bankstown Sutherland	
La Perouse Local Aboriginal Land Council	Chris Ingrey	(02) 9311 4282	admin@laperouse.org.au	PO Box 365 Matraville NSW 2036	Sutherland Randwick Botany Bay Waverly	Woollahra Sydney Rockdale	
Parramatta City Council Aboriginal Advisory Committee	Parramatta City Council	(02)9806 5050	Not provided	PO Box 32, Parramatta, NSW, 2124	Parramatta		
Holroyd City Council Advisory Committee	Holroyd City Council	(02) 9840 9840	Not provided	P.O. Box 42, Merrylands, NSW 2160	Holroyd		
Darug Custodian Aboriginal Corporation	Justine Coplin	0414 962 766	justinecoplin@optusnet.com.au	PO Box 81, Windsor NSW 2756	Hawkesbury Blacktown Penrith Fairfield Holroyd Blue Mountains	Camden Campbelltown The Hills Shire Liverpool Parramatta	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
Darug Tribal Aboriginal Corporation	Not provided	02 9622 4081	Not provided	PO Box 441, Blacktown NSW 2148	Hawkesbury Blacktown Penrith Fairfield Holroyd Blue Mountains Camden Campbelltown The Hills Shire Liverpool Parramatta	
Darug Aboriginal Cultural Heritage Assessments	Gordon Morton	02 9410 3665 or 0422 865 831	Not provided	Unit 9, 6 Chapman Avenue, Chatswood, NSW 2067	Hawkesbury Blacktown Penrith Fairfield Holroyd Blue Mountains Camden Campbelltown The Hills Shire Liverpool Parramatta Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
Darug Land Observations	Jamie Workman and Anna Workman	0418 494 951 0413 687 279	daruglandobservations@gmail.com	PO Box 173, Ulladulla, NSW 2539	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
Darug Aboriginal Land Care	Mark Dyer	0428 714 242	markdyer2009@live.com.au	PO Box 405 Donnside 2767 NSW	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown The Hills Shire Liverpool Parramatta	
Ken Foster		0411 818 091	Not provided	68 Australia St Matraville	Sutherland	
La Perouse Botany Bay Corporation	Yvonne Simms	04660 94491	Fax (02) 9311 3440	10 Murrong Place, La Perouse NSW 2036	Sutherland	
Norma Simms		04660 94491	Not provided	10 Murrong Place, La Perouse NSW 2036	Sutherland	
Matthew and Andrew Coe		(08)83442196	Not provided	37 Derlanger Avenue, Collingswood, South Australia 5081	Sutherland	
Gundungurra Aboriginal Heritage Association Inc	Merle Williams	02 4757 3223	Not provided	PO Box 31, Lawson NSW 2783	Blue Mountains	
Gundungurra Tribal Council Aboriginal Corporation	Sharon Brown	02 4729 3713	Not provided	PO Box 7244, Leura NSW 2780	Blue Mountains	
Trevor Robinson		Not provided	Not provided	PO Box 73, Peak Hill, NSW 2869	Blue Mountains	
Tania Matthews		0409 193 612/ (02) 67924038	aboriginalhistoryhunter@gmail.com	U2 11 Walowa Street, Narrabri, NSW 2390	Blue Mountains	
A1 Indigenous Services	Carolyn Hickey	0411 650 057	cazadirect@live.com	10 Marie Pitt Place Glenmore Park 2745 NSW.	Blue Mountains Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill	Carolyn is Wonnarua

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's		Additional information
					Hurstville Kogarah Ku-ring-gai Lane Cove Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly		
Cubbitch Barta	Glenda Chalker	0427 218 425	Not provided	55 Nightingale Rd, Pheasants Nest NSW 2574	Camden Campbelltown	Liverpool Wollondilly	
	Rebecca Chalker	Not Provided	Not provided	99 Menangle street, Picton 2571			
Eric Keidge		04311 66423	Not provided	11 Olsson Close Hornsby Heights NSW 2077	The Hills Shire Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Burwood Ashfield Auburn Canada Bay	Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
Gunjeewong Cultural Heritage Aboriginal Corporation	Cherie Carroll Turrise	0438 428 805	gunjeewong@yahoo.com.au	1 Bellvue Place, Portland NSW, 2847	Hawkesbury Blacktown Penrith Fairfield	Holroyd Camden Campbelltown Parramatta	Cherie is a Ngunnawal Elder however lived in the Western Sydney area during her childhood.

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
						She recognises she is not from the area but has associations
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnson	0415911159	corroboreecorp@bigpond.com	PO Box 3340, Rouse Hill, NSW 2155	Western Sydney Camden Hawkesbury Blacktown Penrith Fairfield Campbelltown Parramatta Holroyd Camden	Ngunnawal and lives in Western Sydney
Murra Bidgee Mullangari Aboriginal Corporation	Darleen Johnson Ryan Johnson	0490 051 102 0475565517	murrabidgeemullangari@yahoo.com.au	PO Box 3035 Rouse Hill NSW 2155	Hawkesbury Blacktown Penrith Fairfield Blue Mountains Holroyd Camden Campbelltown Parramatta	Born in Blacktown Hospital and worked in the Aboriginal community in the Western suburbs.
Muragadi Heritage Indigenous Corporation	Jesse Johnson	0447 970 049	muragadi@yahoo.com.au	5 Hession Road, Nelson, NSW 2765	Western Sydney Camden Campbelltown Parramatta	Ngunnawal and lives in Western Sydney
Bidjawong Aboriginal Corporation	James Carroll	0433 224 324	Not provided	PO Box 124, Round Corner, NSW 2158	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Parramatta	
Kamilaroi Yankuntjatjara Working Group	Phil Khan	0434 545 982	**philipkhan.acn@live.com.au**	78 Forbes Street, Emu Plains, NSW 2750	Blue Mountains Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Canberra Hawkesbury The Hills Holroyd Hornsby	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Wurrumay Pty Ltd	Kerrie Slater and Vicky Slater	0421077521	wurrumay@hotmail.com;	89 Pyramid street, Emu Plains NSW 2750 PO Box 414 Emu Plains NSW 2750	Hawkesbury Blacktown Penrith Fairfield Holroyd Blue Mountains Sutherland Liverpool Camden Campbelltown Parramatta Wollondilly The Hills Shire Auburn Bankstown	
Warragil Cultural Services	Aaron Slater (Manager)	0481 280 067	Warragil_c.s@hotmail.com		Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta	
Tocomwall	Scott Franks	0404 171 544	Not provided	PO Box 76, Caringbah NSW 1495	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Strathfield Burwood Ashfield Auburn Canada Bay Leichhardt Manly	

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					The Hills Shire Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
D'harawal Mens Aboriginal Corporation	Elwyn Brown	0401920982	Not provided	187 Riverside Drive, Airds NSW 2560	Camden Campbelltown Wollondilly	
Amanda Hickey Cultural Services	Amanda Hickey	0434 480 588	amandahickey@live.com.au	57 Gough st emu plains 2750	Blue Mountains Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Strathfield Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Liverpool Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Penrith Parramatta Marrickville Wollondilly	Amanda is Wonnarua
Widescope Indigenous Group	Steven Hickey and Donna Hickey	0425 230 693 (Steven) 0425 232 056 (Donna)	Not provided	73 Russell Street, Emu Plains, NSW 2750	Hawkesbury Blacktown Penrith Fairfield Holroyd Parramatta Blue Mountains	
Dhinawan Culture & Heritage Pty Ltd	Stephen Fields	0411232285	dhinawan.ch@gmail.com		Hawkesbury Blacktown	

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					Penrith Fairfield Cumberland Parramatta Hornsby The Hills Hornsby Ryde Auburn Blue Mountains Campbelltown Liverpool		
HSB Consultants	Patricia Hampton	0424 142 216	Not provided	62 Ropes Crossing Boulevard, Ropes Crossing 2760	Hawkesbury Blacktown Penrith	Fairfield Holroyd Parramatta	
Rane Consulting	Tony Williams	02 88246991	ajw1901@bigpond.com	1 Pyrenees Way Beaumont Hills NSW 2155	Hawkesbury Blacktown Penrith	Fairfield Holroyd Parramatta	
Anthony Williams		0456 399 687	Not provided	Unit 2 / 24 Goodwin Street Narrabeen NSW 2101	Hawkesbury Blacktown Penrith	Fairfield Holroyd Parramatta	
Gunyuu	Kylie Ann Bell	Not provided	gunyuuchts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River.
Walbunja	Hika Te Kowhai	0402 730 612	walbunja@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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					Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Wollondilly	
Badu	Karia Lea Bond	0476 381 207	Not provided	11 Jeffery Place, Moruya, NSW 2537	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Goobah Developments	Basil Smith	0405 995 725	Not provided	66 Grantham Road, Batehaven NSW, 2536	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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Wullung	Lee-Roy James Boota	0403 703 942	Not provided	54 Blackwood Street, Gerringong, NSW, 2534	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Yerramurra	Robert Parson	Not provided	yerramurra@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Nundagurri	Newton Carriage	Not Provided	nundagurri@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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					Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Pittwater Botany Bay Ryde Warringah Willoughby	
Murrumbul	Mark Henry	Not provided	murrumbul@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River.
Jerringong	Joanne Anne Stewart	0422 800 184	jerringong@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Pemulwuy CHTS	Pemulwuy Johnson	0425 066 100	pemulwuyd@gmail.com	14 Top Place, Mt Annan	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden	Strathfield Burwood Ashfield Auburn Canada Bay Leichhardt	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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					Campbelltown The Hills Shire Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown	Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
Bilinga	Simalene Carriage	Not provided	bilingachts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River.
Munyunga	Kaya Dawn Bell	Not provided	munyungachts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River.

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Wingikara	Hayley Bell	Not provided	wingikarachts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River.
Minnamunnung	Aaron Broad	0402 526 888	Not provided	1 Waratah Avenue, Albion Park Rail NSW 2527	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield	Burwood Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	
Walgalu	Ronald Stewart	Not provided	walgaluchts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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					Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	
Thauaira	Shane Carriage	Not provided	thauairachts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Dharug	Andrew Bond	Not provided	dharugchts@gmail.com	Not provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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					Bankstown Strathfield Randwick Woollahra	Blue Mountains Burwood The Hills Waverly Wollondilly	
Gulaga	Wendy Smith	Not Provided	gulagachts@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Biamanga	Seli Storer	Not Provided	biamangachts@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

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						Waverly Wollondilly	
Callendulla	Corey Smith	Not Provided	cullendullachts@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Murramarang	Roxanne Smith	Not Provided	murramarangchts@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's		Additional information
DJMD Consultancy	Darren Duncan	0410 510 397	darrenjohnduncan@gmail.com	Not Provided	Hawkesbury Blacktown Penrith Parramatta Sydney Marrickville Strathfield Warringah Willoughby Blue Mountains Burwood The Hills Ryde	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater	Darren is associated with Metro and Deerubbin LALCs
Butucarbin Aboriginal Corporation	Jennifer Beale	(02)9832 7167	butuheritage@gmail.com.	PO Box E18, Emerton, NSW 2770	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	Preferred contact via email
Didge Ngunawal Clan	Lillie Carroll Paul Boyd	0426 823 944	didgengunawalclan@yahoo.com.au	33 Carlyle Crescent Cambridge Gardens NSW 2747	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	
Ginninderra Aboriginal Corporation	Steven Johnson and Krystle Carroll	0406991221	Ginninderra.corp@gmail.com	PO BOX 3143 Grose Vale NSW 2754	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	
Garrara Aboriginal Corporation	Raymond Ingrey		raymond@bariyu.org.au		Sutherland Liverpool Camden Campbelltown Wollondilly	
Duncan Falk Consultancy	Duncan Falk	0406 610 644	duncanfalk@hotmail.com	34 Robinia Drive, Bowral NSW 2576	Camden Campbelltown	
Sharon Hodgetts		0405288814	sharonhodgetts@hotmail.com	21/29 Central Coast Hwy West Gosford 2250	Hawkesbury	
Wailwan Aboriginal Group	Philip Boney	0436 483 210	waarlan12@outlook.com		Hawkesbury Blacktown Penrith Ashfield Auburn Canada Bay	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly	
Guntawang Aboriginal Resources Incorporated	Wendy Morgan	0414 964 657 9601 7183	Wenlissa01@hotmail.com	113 Reservoir Road Mt Pritchard NSW 2170	Camden Campbelltown Liverpool Fairfield Holroyd Wollondilly Blue Mountains	
Barking Owl Aboriginal Corporation	Mrs Jody Kulakowski (Director)	0426 242 015	barkingowlcorp@gmail.com	2-65/69 Wehlow St. Mt Druitt	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Wollondilly	
Yulay Cultural Services	Arika Jalomaki (Manager)	0411 048 794	yulayculturalservices@gmail.com	15 Rowley Place, Airds NSW 2560	Deerubbin LALC Tharawal LALC Gandangarra LALC	LGAs of interest not specified, rather, LALC boundaries within which the organisation wish to be consulted
Thoorga Nura	John Carriage (Chief Executive Officer)	0401 641 299	thoorganura@gmail.com	50B Hilltop Crescent, Surf Beach, 2536, NSW	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Barraby Cultural Services	Lee Field (Manager)	0423 906 606	barrabyculturalservices@gmail.com	6 Macgibbon Parade, Old Erowal Bay, NSW 2540	Tharawal LALC Gandagarra LALC	LGAs of interest not specified, rather, LALC boundaries within which the organisation wish to be consulted
Yurrandaali Cultural Services	Bo Field (Manager)	0457 546 643	yurrandaali_cs@hotmail.com	3 Sheeran Street, Old Erowal Bay NSW 2540	Tharawal LALC Gandagarra LALC	LGAs of interest not specified, rather, LALC boundaries within which the organisation wish to be consulted
Darug Boorooberongal Elders Aboriginal Corporation	Paul Hand (chairperson)	0456786738	paulhand1967@gmail.com	PO.Box 14 Doonside NSW 2767	Ashfield Auburn Bankstown Blacktown Blue Mountains Leichhardt Liverpool Manly Marrickville Mosman North Sydney	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's		Additional information
					Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove	Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
B.H. Heritage Consultants	Ralph Hampton Nola Hampton	0435 785 138 0401 662 531	hamptonralph46@gmail.com kinghampton@77gmail.com	184 Captain Cook Drive Willmot 2770 NSW 95 Mount Ettalong Road Umina Beach 2257 NSW	Hawkesbury Blacktown Penrith Fairfield Holroyd Camden Campbelltown Liverpool Parramatta Sutherland Sydney Kogarah Hurstville Rockdale Canterbury Marrickville Bankstown Strathfield Randwick Woollahra	Ashfield Auburn Canada Bay Leichhardt Manly Mosman North Sydney Lane Cove Hunters Hill Hornsby Ku-Ring-Gai Pittwater Botany Bay Ryde Warringah Willoughby Blue Mountains Burwood The Hills Waverly Wollondilly	Nola and Ralph would BOTH like to be notified of all projects
Ngambaa Cultural Connections	Kaarina Slater	0417861882	ngambaaculturalconnections@hotmail.com	6 Natchez Cresent, Greenfield Park NSW 2167	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden	Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater	LALC boundaries within which the organisation wish to be consulted: Deerubbin LALC Gandangarra LALC Tharawal LALC

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's		Additional information
					Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove	Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Goodradigbee Cultural & Heritage Aboriginal Corporation,	Caine Carroll	0410974236	goodradigbee1@outlook.com	1 Morilla Road, East Kurrajong NSW 2758	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove	Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Mura Indigenous Corporation,	Phillip Carroll	0448824188	mura.indigenous@bigpond.com	11 Nargal Street Flinders NSW 2529	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay	Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Aragung Aboriginal Cultural Heritage Site Assessments	Jamie Eastwood	0427793334 0298323732	James.eastwood@y7mail.com	33 Bulolo Drive Whalan NSW 2770	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Louise Adermann	Louise Adermann	0405037869	louiseadermann@hotmail.com	Number 10/8 Selmon Street Sans Souci 2219 NSW	Bayside Council. The Bayside Council area includes the suburbs of Arncliffe, Banksia, Banksmeadow, Bardwell Park, Bardwell Valley, Bexley, Bexley North, Botany,	.

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Brighton-Le-Sands, Carlton (part), Daceyville, Dolls Point, Eastgardens, Eastlakes, Hillsdale, Kingsgrove (part), Kogarah (part), Kyeemagh, Mascot, Monterey, Pagewood, Ramsgate (part), Ramsgate Beach, Rockdale, Rosebery (part), Sandringham, Sans Souci (part), Turrella and Wolli Creek	
Paul Gale	Paul Gale	0404652922	Cenobite100@gmail.com	67 Ginahgullah Avenue Gross Vale NSW 2753	Blue Mountains Blacktown Hawkesbury	
Waawaar Awaa	Rodney Gunther	0410580962	Waawaar.awaa@gmail.com	15 Bungonia Street Prestons NSW 2170	Ashfield Auburn Bankstown Blacktown Blue Mountains Botany Bay Burwood Camden Campbelltown Canada Bay Leichhardt Liverpool Manly Marrickville Mosman North Sydney Parramatta Penrith Pittwater Randwick Rockdale Ryde	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
					Canterbury Fairfield Hawkesbury The Hills Holroyd Hornsby Hunter's Hill Hurstville Kogarah Ku-ring-gai Lane Cove Strathfield Sutherland Sydney Warringah Waverley Willoughby Woollahra Wollondilly	
Clive Freeman	Clive Freeman	Mob:0437721481 Home Number: 02-44421117	clive.freeman@y7mail.com	6 Dhugan Close Wreck Bay Aboriginal Community JBT 2540	Blacktown, Penrith Fairfield Parramatta Blue Mountains Holroyd Bankstown Liverpool Camden Campbelltown Wollondilly Sutherland Kogarah Randwick Auburn Canada Bay Strathfield Sydney Woollahra Waverley Burwood Ashfield Leichhardt Marrickville	
Guringai Tribal Link Aboriginal Corporation	Tracey Howie	0404 182 049	tracey@guringai.com.au	PO Box 4061 Wyongah NSW 2259	North Sydney Lane Cove Hornsby Ku-Ring-Gai Pittwater Hawkesbury	

Organisation/ Individual	Contact Name	Phone Number	Email Address/ Fax	Postal Address	LGA's	Additional information
Galamaay Cultural Consultants (GCC)	Robert Slater	Mob: 0401 871 526	galamaay@hotmail.com		121 Robert Street, Tamworth NSW 2340	Penrith Fairfield Parramatta Holroyd Bankstown Liverpool Camden Campbelltown Wollondilly Sutherland Auburn

Zac Thomas

From: Barry Gunther <Barry.Gunther@environment.nsw.gov.au>
Sent: Friday, 10 July 2020 11:58 AM
To: Zac Thomas
Subject: RAP list for the Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
Attachments: SSD Planning and Environment Letter Stage 3 of Sydney Business Park within the Marsden Park Industrial Precinct in Western Sydney NSW.doc; 4.1.2_DPIE_220620.pdf; GSB Stakeholder list - updated 15 June 2020.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Zac,

Please find attached your request for the DPC RAP list for the Stage 3ôof Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Apologies for the lateness as we are transitioning from DPIE to DPC.

regards

Barry Gunther, Aboriginal Heritage Planner Officer
Heritage NSW, Community Engagement, Department of Premier and Cabinet
Level 6, 10 Valentine Ave, Parramatta | Locked Bag 5020 Parramatta 2124
T: 02 9995 6830 | barry.gunther @environmrnt.nsw.gov.au

Please lodge all Applications to Heritagemailbox@environment.nsw.gov.au

I acknowledge and respect the traditional custodians and ancestors of the lands I work across.

Heritage NSW and coronavirus (COVID-19)
Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, communities and customers. Whilst our offices remain open, we have put in place flexible working arrangements for our teams across NSW and continue to adapt our working arrangements as necessary. Face-to-face meetings and field work/site visits with our customers are subject to rules on gatherings and social distancing measures. We thank you for your patience and understanding at this time.

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.
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Zac Thomas

From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Thursday, 25 June 2020 7:20 PM
To: Zac Thomas
Subject: RE: SR20/588 - Native Title Search Request - (our ref #1947) - SR20/588
Attachments: 20200624_SR20_588_NSW_Blacktown_City_Council.xlsx

UNCLASSIFIED

Native title search – *NSW LGA – Blacktown City Council*
Your ref: *1947* - **Our ref:** *SR20/588*

Dear Zac Thomas,

Thank you for your search request received on 22 June 2020 in relation to the above area. Based on the records held by the National Native Title Tribunal as at 24 June 2020 it would appear that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area. Please find your results attached.

Search Results
The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- National Native Title Register
- Register of Indigenous Land Use Agreements
- Notified Indigenous Land Use Agreements

At the time this search was carried out, there were **no relevant entries** in the above databases.

Please note: There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The Tribunal accepts no liability for reliance placed on enclosed information
The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

Regards,

Geospatial Searches
National Native Title Tribunal | Perth
Email: GeospatialSearch@nntt.gov.au **| www.nntt.gov.au**

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Monday, 22 June 2020 3:41 PM
To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Subject: SR20/588 - FW: Native Title Search Request - (our ref #1947)

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear National Native Title Tribunal team,

Could we please request a Native Title search be carried out within the Blacktown City Council Local Government Area.

Please find attached a completed Cover Letter outlining reasons for the search request, a Search Area Map and a completed Request for Search of Tribunal Registers form. The Department of Planning, Industry and Environment requires us to write to various sources of information regarding the names of Aboriginal people who may have an interest in the project.

If you require any further information please don't hesitate to contact me.

Kind Regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Rachel Rewiri <rachel.rewiri3@oralra.nsw.gov.au>
Sent: Thursday, 30 July 2020 9:09 AM
To: Zac Thomas
Subject: RE: Stage 3 Facilities Sydney Business Park - Marsden Park, NSW
Attachments: Kelleher Nightingale - Reply Letter 30072020.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Zac,

Please find attached, results as per your ACHA request dated 22/06/2020

I apologise for the delay in replying.

Kind Regards

Rachel Rewiri
Project Officer (Aboriginal Owners)
Office of the Registrar, *Aboriginal Land Rights Act 1983*

Ph: 8633 1266
www.oralra.nsw.gov.au

****
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OFFICE OF THE REGISTRAR
ABORIGINAL LAND RIGHTS ACT 1983 (NSW)

30 July 2020

By email: zac.thomas@kconsult.com.au

Zac Thomas
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street
SYDNEY NSW 2000

Dear Zac,

Request - Search for Registered Aboriginal Owners

We refer to your letter dated 22 June 2020 seeking the identification of Aboriginal organisations and people who may have an interest in the proposed warehouse and distribution facilities within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Under Section 170 of the Aboriginal Land Rights Act 1983 the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO). A search of the RAO has shown that there are currently no Registered Aboriginal Owners in the project area.

We suggest you contact the Deerubbin Local Aboriginal Land Council on (02) 4724 5600 or via email kcavanagh@deerubbin.org.au as they may wish to participate.

Yours sincerely

Rachel Rewiri
Project Officer
Office of the Registrar, Aboriginal Land Rights Act 1983

Address: Level 3, 2 – 10 Wentworth Street, PARRAMATTA NSW 2150
Post: P.O Box 5068, PARRAMATTA NSW 2124
Phone: 02 8633 1266

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Carolyn Hickey
A1 Indigenous Services
cazadirect@live.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

Marsden Park Developments Pty Ltd will be seeking approval through a State Significant Development (SSD) application under the NSW *Environmental Planning & Assessment Act 1979*. Marsden Park Developments Pty Ltd proposes to carry out consultation with Aboriginal communities in accordance with the Heritage NSW *Aboriginal cultural heritage consultation requirements for proponents 2010*. The purpose of this consultation process is to inform the preparation of an Environmental Impact Statement and to assist Heritage NSW (as part of the Department of Premier and Cabinet) in its consideration of the proposal. Kelleher Nightingale Consulting Pty Ltd has been engaged by Marsden Park Developments Pty Ltd to facilitate the consultation process.

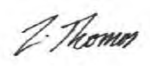
You or your organisation have been identified as a possible stakeholder for the project area. If you (or a member of your organisation) have an interest in the project area and hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places at Marsden Park, please register your interest in the consultation process using the details below:

Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 9232 5373
Email: zac.thomas@knconsult.com.au

The closing date for registration of interest is 31 July 2020.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names and contact details of each Aboriginal person who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Yours sincerely,



Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Jamie Eastwood
Aragung Aboriginal Cultural Heritage Site Assessments
James.eastwood@y7mail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Yours sincerely,



Zac Thomas

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ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Amanda Hickey
Amanda Hickey Cultural Services
amandahickey@live.com.au

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

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Phone: 9232 5373
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Yours sincerely,



Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Anthony Williams
Unit 2/24 Goodwin Street
Narrabeen NSW 2101

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

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Yours sincerely,



Zac Thomas

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Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Jennifer Beale
Butucarbin Aboriginal Corporation
butuheritage@gmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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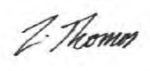

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

James Carroll
Bidjawong Aboriginal Corporation
PO Box 124
Round Corner NSW 2158

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

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Phone: 9232 5373
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Yours sincerely,



Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Karia Lea Bond
Badu
11 Jeffery Place
Moruya NSW 2537

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

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Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 9232 5373
Email: zac.thomas@knconsult.com.au

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

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17 July 2020

Ralph Hampton and Nola Hampton
B.H. Heritage Consultants
hamptonralph46@gmail.com
kinghampton77@gmail.com

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17 July 2020

Seli Storer
Biamanga
biamangachts@gmail.com

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Simalene Carriage
Bilinga
bilingachts@gmail.com

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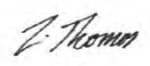

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17 July 2020

Mrs Jody Kulakowski
Barking Owl Aboriginal Corporation
barkingowlcorp@gmail.com

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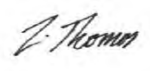

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17 July 2020

Corey Smith
Callendulla
cullendullachts@gmail.com

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17 July 2020

Clive Freeman
clive.freeman@y7mail.com

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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Gordon Morton
Darug Aboriginal Cultural Heritage Assessments
Unit 9, 6 Chapman Avenue
Chatswood NSW 2067

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17 July 2020

Mark Dyer
Darug Aboriginal Land Care
markdyer2009@live.com.au

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Paul Hand
Darug Boorooberongal Elders Aboriginal Corporation
paulhand1967@gmail.com

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17 July 2020

Justine Coplin
Darug Custodian Aboriginal Corporation
justinecoplin@optusnet.com.au

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17 July 2020

Stephen Fields
Dhinawan Culture & Heritage Pty Ltd
dhinawan.ch@gmail.com

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Andrew Bond
Dharug
dharugchts@gmail.com

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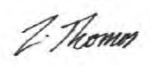

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Darren Duncan
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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 9232 5373
Email: zac.thomas@knconsult.com.au

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Yours sincerely,



Zac Thomas

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Nightingale Consulting Pty Ltd
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25 Bligh Street
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17 July 2020

CEO
Deerubbin Local Aboriginal Land Council
srandall@deerubbin.org.au

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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Jamie Workman and Anna Workman
Darug Land Observations
daruglandobservations@gmail.com

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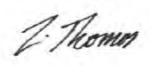

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17 July 2020

Lillie Carroll and Paul Boyd
Didge Ngunawal Clan
didgengunawalclan@yahoo.com.au

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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Darug Tribal Aboriginal Corporation
PO Box 441
Blacktown NSW 2148

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
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17 July 2020

Steven Johnson and Krystle Carroll
Ginninderra Aboriginal Corporation
Ginninderra.corp@gmail.com

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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Caine Carroll
Goodradigbee Cultural & Heritage Aboriginal Corporation
goodradigbee1@outlook.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
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17 July 2020

Basil Smith
Goobah Developments
66 Grantham Road
Batehaven NSW 2536

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Z. Thomas

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17 July 2020

Wendy Smith
Gulaga
gulagachts@gmail.com

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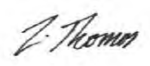

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Kylie Ann Bell
Gunyuu
gunyuuchts@gmail.com

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17 July 2020

Patricia Hampton
HSB Consultants
62 Ropes Crossing Boulevard
Ropes Crossing NSW 2760

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17 July 2020

Joanne Anne Stewart
Jerringong
jerringong@gmail.com

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17 July 2020

Phil Khan
Kamilaroi Yankuntjatjara Working Group
philipkhan.acn@live.com.au

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Darleen Johnson
Murra Bidgee Mullangari Aboriginal Corporation
murrabidgeemullangari@yahoo.com.au

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Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 9232 5373
Email: zac.thomas@knconsult.com.au

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Yours sincerely,



Zac Thomas

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17 July 2020

Jesse Johnson
Muragadi Heritage Indigenous Corporation
muragadi@yahoo.com.au

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Phillip Carroll
Mura Indigenous Corporation
11 Nargal Street
Flinders NSW 2529

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17 July 2020

Aaron Broad
Minnamunnung
1 Waratah Avenue
Albion Park Rail NSW 2527

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Z. Thomas

Zac Thomas

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17 July 2020

Kaya Dawn Bell
Munyunga
munyungachts@gmail.com

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17 July 2020

Roxanne Smith
Murramarang
murramarangchts@gmail.com

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Mark Henry
Murrumbul
murrumbul@gmail.com

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Kaarina Slater
Ngambaa Cultural Connections
ngambaaculturalconnections@hotmail.com

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Newton Carriage
Nundagurri
nundagurri@gmail.com

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Paul Gale
Cenobite100@gmail.com

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Pemulwuy Johnson
Pemulwuy CHTS
pemulwuyd@gmail.com

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17 July 2020

Tony Williams
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ajw1901@bigpond.com

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17 July 2020

Shane Carriage
Thauaira
thauairachts@gmail.com

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John Carriage
Thoorga Nura
thoorganura@gmail.com

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Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Scott Franks
Tocomwall
PO Box 76
Caringbah NSW 1495

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

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Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 9232 5373
Email: zac.thomas@knconsult.com.au

The closing date for registration of interest is 31 July 2020.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names and contact details of each Aboriginal person who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Yours sincerely,



Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Rodney Gunther
Waawaar Awaa
Waawaar.awaa@gmail.com

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NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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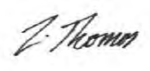

Zac Thomas

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Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Philip Boney
Wailwan Aboriginal Group
waarlan12@outlook.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Hika Te Kowhai
Walbunja
walbunja@gmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Ronald Stewart
Walgalu
walgaluchts@gmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Yours sincerely,

Z. Thomas

Zac Thomas

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ABN 26 120 187 671 ACN 120 187 671

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25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

17 July 2020

Aaron Slater
Warragil Cultural Services
Warragil_c.s@hotmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Steven Hickey and Donna Hickey
Widescope Indigenous Group
73 Russell Street
Emu Plains NSW 2750

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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17 July 2020

Hayley Bell
Wingikara
wingikarachts@gmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Sydney NSW 2000
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17 July 2020

Lee-Roy James Boota
Wullung
54 Blackwood Street
Gerringong NSW 2534

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

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Yours sincerely,

Z. Thomas

Zac Thomas

Kelleher
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Sydney NSW 2000
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17 July 2020

Kerrie Slater and Vicky Slater
Wurrumay Pty Ltd
wurrumay@hotmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
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17 July 2020

Arika Jalomaki
Yulay Cultural Services
yulayculturalservices@gmail.com

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17 July 2020

Robert Parson
Yerramurra
yerramurra@gmail.com

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
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Yours sincerely,



Zac Thomas

Zac Thomas

From: Stephen Fields <dhinawan.ch@gmail.com>
Sent: Monday, 20 July 2020 11:03 AM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - DCH

Hi Zac,

Hope you are well.

Dhinawan Culture and Heritage wish to register our interest in the consultation process for heritage assessment of proposed warehouse and distribution facilities in the area known as ósStage 3ôof Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please forward relevant information relating to our involvement in the project to this email.

Regards,

Stephen Fields
Director
Dhinawan Culture and Heritage Pty Ltd
0411232285

On Fri, 17 Jul 2020 at 14:44, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as ósStage 3ôof Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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Report this message as spam

Zac Thomas

From: Clive Freeman <clive.freeman@y7mail.com>
Sent: Monday, 20 July 2020 11:04 AM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - Clive Freeman

Hi we would like to register an interest in this project.

Kind regards

Clive Freeman
managing Director
Freeman&marx Pty Ltd

Sent from my iPhone

On 17 Jul 2020, at 2:42 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
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> Please do not hesitate to call our office if you have any further queries.
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> Kind regards,
>
> **Zac Thomas**
> Heritage Administration Assistant
> **Kelleher Nightingale Consulting Pty Ltd**
> Level 10, 25 Bligh St
> Sydney NSW 2000
> p 02 9232 5373
>
> <413_Clive Freeman_170720.pdf>

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Zac Thomas

From: Rodney Gunther <waawaar.awaa@gmail.com>
Sent: Monday, 20 July 2020 5:33 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - Waawaar Awaa
Attachments: Registration letter Proposed at Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney.docx

Hi Zac,

Registration letter for **'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney** attached.

Rodney

On Fri, Jul 17, 2020 at 2:52 PM Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
>
> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,
>
> **Zac Thomas**
>
> Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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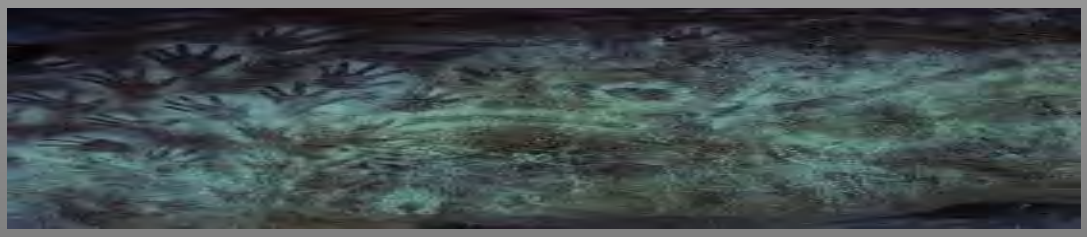
Waawaar Awaaa Aboriginal Corporation



20/07/2020

Dear Zac,

Waawaar Awaaa Aboriginal Corporation comprises of Aboriginal people that have an interest, cultural connection and cultural knowledge relevant to determining the significance of Aboriginal objects and Places within the project area.

Waawaar Awaaa members, being all Aboriginal have a deep interest and responsibility regarding any potential impacts to Aboriginal objects or places within the traditional cultural areas of **Dharawal, Gundungurra** and **Darug** and also within the Local Aboriginal Land Council (LALC) boundary areas of **Tharawal, Deerubbin, Gandangara, La Perouse and Metropolitan LALCs.**

Waawaar Awaaa Aboriginal Corporation is a non- profit organisation that aims to actively participate in the assessment processes and management of Aboriginal objects and Aboriginal places due to possible development impacts.

Waawaar Awaaa Aboriginal Corporation seeks to assist in the management of the natural environmental impacts and to provide employment opportunities for Aboriginal people and endeavours to promote Aboriginal culture to educate the broader community about Australia's Aboriginal rich diverse cultural history.

Employment in cultural heritage assessments is a source of income that organisations such as ours can use to contribute to fund beneficial activities and support to the community therefore Waawaar Awaaa requests participation in any survey, test excavations and salvage that may assist in informing the cultural values of the area and also contribute to the aims and objectives of the Waawaar Awaaa Aboriginal Corporation.

Waawaar Awaaa Aboriginal Corporation members have a deep diverse understanding of historical and traditional Aboriginal culture, NPWS Legislation and Archaeological field and assessments processes and procedures.

We would like to register our interest for full consultation for the proposed development at 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW and would also request to be advised and involved in any survey and fieldwork opportunities.

regards

Rodney Gunther
Director
Waawaar Awaaa Aboriginal Corporation
Waawaar.awaa@gmail.com

Zac Thomas

From: philip khan <philipkhan.acn@live.com.au>
Sent: Tuesday, 21 July 2020 9:40 AM
To: Zac Thomas
Subject: RE: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG
Attachments: Public Liability Kamilaroi 2020 to 2021 20million cover.pdf; Workers Comp Insurance for Kamilaroi Yankuntjatjara Working Group Pty Ltd.pdf

Hi Zac,

Thank you for informing us that **Kelleher & Nightingale Consulting** will be involved in an Aboriginal Cultural Heritage Assessment for **1947 Sydney Business Park Stage 3, Marsden Park** &, that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

As a senior Aboriginal person for the past 40yrs, I actively participate in the protection of the Aboriginal Cultural Heritage throughout the Sydney Basin, & particularly throughout Western Sydney, on behalf of Kamilaroi Yankuntjatjara Working Group I wish to provide to you my organisation's registration of interest.

I wish to be involved & participate in all levels of consultation/project involvement. I wish to attend all meetings, participate in available field work & receive a copy of the report.

I have attached a copy of Kamilaroi Yankuntjatjara Working group's Public Liability Insurance & Workers Compensation certificate.

Should you wish me to provide further information, please do not hesitate to contact me on 0434545982 or Stefeanie on 0451068480.

Kind Regards
Phil Khan



Sent from Mail for Windows 10

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, July 17, 2020 2:48:29 PM
To: philip khan <philipkhan.acn@live.com.au>
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

From: Zac Thomas
Sent: Friday, 17 July 2020 2:48 PM
To: philip khan
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - KYWG

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Lee Field <barrabyculturalservices@gmail.com>
Sent: Tuesday, 21 July 2020 11:40 AM
To: Zac Thomas
Subject: Registration Of Interest Aboriginal Community Consultation - 1947 Sydney Business Park Stage 3, Marsden Park

Hi Zac,

Barraby Cultural Services would like to register our interest in the following project:
1947 Sydney Business Park Stage 3, Marsden Park NSW

Kind Regards,
Lee Field
--
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Click here to report this message as spam:
https://console.mailguard.com.au/ras/1YA67zmQ8G/3b0Wt7suDG3aZM4KUYQkir/0.4

Zac Thomas

From: Bo Field <yurrandaali_cs@hotmail.com>
Sent: Tuesday, 21 July 2020 11:41 AM
To: Zac Thomas
Subject: Registration of Interest ACHA - 1947 Sydney Business Park Stage 3, Marsden Park NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac,

Yurrandaali Pty Ltd would like to register our interest in the following project:
1947 Sydney Business Park Stage 3, Marsden Park NSW

Kind Regards,
Bo Field

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Zac Thomas

From: WIDESCOPE . <widescope.group@live.com>
Sent: Sunday, 26 July 2020 10:48 AM
To: Zac Thomas
Subject: Registration, Stage 3 Facilities Sydney Business Park Marsden Park, NSW

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac,

Please register my interest in the Aboriginal Cultural heritage assessment for the above project
I am a recognised indigenous cultural knowledge holder. I hold cultural knowledge relevant in determining the significance of Aboriginal objects and places in the vicinity of the study area. I hold a cultural connection to the area of the project and surrounding areas

My preferred Method of contact is Via Email:widescope.group@live.com
Or Steven Hickey (RAP) Mob 0425230693
Donna Hickey Administration 0425232056

My level of involvement:
I would like to attend Community Consultation meetings; I do not require hard copies of reports.

I would like to be considered for any future field survey works. I am fit and skilled in all aspects of cultural surveying works.
Thank you for your consideration, I look forward to assisting the team with the Aboriginal Cultural Heritage section of the project.

Privacy: Please do not release my personal details including my Email address to other RAP
I give consent to Heritage NSW and Local Aboriginal Land Council thank you.

Regards
Steven Hickey

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Zac Thomas

From: justinecoplin@optusnet.com.au
Sent: Monday, 27 July 2020 12:24 PM
To: Zac Thomas
Subject: reg of interest STAGE 3 FACILITIES SYDNEY BUSINESS PARK - MARSDEN PARK, NSW
Attachments: reg of interest STAGE 3 FACILITIES SYDNEY BUSINESS PARK - MARSDEN PARK, NSW.pdf

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DARUG CUSTODIAN
ABORIGINAL CORPORATION

DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0414962766 Justine Coplin
EMAIL: justinecoplin@optusnet.com.au

Attention KNC **Date:** 27072020

Subject: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW

Dear

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

The Marsden Park area is an area that our group has a vast knowledge of, we have worked and lived in for many years, this area is significant to the Darug people due to the connection of sites and the continued occupation. Our group has been involved in all previous assessments and works in this area as a traditional owner Darug group for the past 40 plus years.

Therefore we would like to register our interest for full consultation and involvement in the above project area.

Please contact us with all further enquiries on the above contacts.

Regards



Justine Coplin

We acknowledge and pay respect to the Darug people,the traditional Aboriginal custodians of this land.

Zac Thomas

From: Carolyn .H <cazadirect@live.com>
Sent: Tuesday, 28 July 2020 8:53 AM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - A1

INDIGENOUS SERVICES PTY LTD

Contact: Carolyn Hickey
M: 0411650057
E: Cazadirect@live.com
A: 10 Marie Pitt Place, Glenmore Park, NSW 2745
ACN: 639 868 876

Hi,
I would like to register for consultation Meetings and field work, I hold cultural knowledge relevant to determining the cultural significance of any Aboriginal objects and values that exist within the project area.
Kind Regards,
Carolyn Hickey

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 17 July 2020 2:34 PM
To: Caza X <cazadirect@live.com>
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - A1

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Lilly Carroll <didgengunawalclan@yahoo.com.au>
Sent: Friday, 17 July 2020 2:52 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - DNC

Hi Zac

DNC would like to RE:
registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park -

Kind regards DNC
Paul Boyd & Lilly Carroll
0426823944

Sent from myMail for iOS

Friday, 17 July 2020, 2:46 pm +1000 from Zac Thomas <zac.thomas@knconsult.com.au>:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as ‘Stage 3’ of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
>
> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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Zac Thomas

From: Aaron Slater <warragil_c.s@hotmail.com>
Sent: Tuesday, 28 July 2020 11:54 AM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - WCS

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zac

Warragil cultural services would like to register interest in the above project if you need anything further please do not hesitate to contact me cheers.

Kind regards
Aaron slater
0413655765

Sent from Outlook

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 17 July 2020 2:23 PM
To: Aaron Slater <warragil_c.s@hotmail.com>
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - WCS

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St

Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Butucarbin Heritage <butuheritage@gmail.com>
Sent: Tuesday, 28 July 2020 9:53 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - BAC

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Zac,
On behalf of Butucarbin, I would like to register interest in the consultation in relation to the project at Marsden Park.

Kind regards,

On Fri, Jul 17, 2020 at 2:39 PM Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as ǵStage 3ô of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
>
> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,
>
> **Zac Thomas**

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

--
Lowanna Gibson
Project Manager for Butucarbin Cultural Heritage Assessments
B.A Archaeology/Anthropology USYD
Juris Doctor Candidate UTS

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Zac Thomas

From: Scott Franks <scott@tocomwall.com.au>
Sent: Friday, 31 July 2020 10:13 AM
To: Zac Thomas; Danny Franks
Subject: Stage 3 sydney business park

Dear Zac,

Can you please register tocomwall interest for the stage 3 sydney business park- marsdan park .

Regards
Scott Franks
Registered native title claimant PCWP
Tocomwall PTY Limited
Scott@tocomwall.com.au
Ph: 0404171544
Breach of Confidentiality
This email and any files transmitted with it are confidential and intended solely for the use of the individual to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. *Although the company has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.*

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Zac Thomas

From: Amanda DeZwart <amandahickey@live.com.au>
Sent: Monday, 3 August 2020 2:38 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - AHCS

Follow Up Flag: Follow up
Flag Status: Flagged



Contact: Amanda DeZwart
Mobile: 0434 480 558
Address: 57 Gough St, Emu Plains, NSW 2750
ABN: 498 242 132 40

Hi,
I would like to register for consultation Meetings and future field work, I hold cultural knowledge to determine cultural significance of Aboriginal Objects and areas that exist in the project area.

Kind regards,
Amanda DeZwart

From: Zac Thomas <zac.thomas@knconsult.com.au>
Sent: Friday, 17 July 2020 2:38 PM
To: amandahickey@live.com.au <amandahickey@live.com.au>
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - AHCS

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas
Heritage Administration Assistant
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
Sydney NSW 2000
p 02 9232 5373

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Zac Thomas

From: Ryan Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Friday, 17 July 2020 2:55 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - MBMAC

Hi Zac
Please register our organisation for the above Project.
Kind regards
Ryan johnson
0475565517

On 17 Jul 2020, at 2:48 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
>
> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,
>
> **Zac Thomas**
> Heritage Administration Assistant
> **Kelleher Nightingale Consulting Pty Ltd**
> Level 10, 25 Bligh St
> Sydney NSW 2000
> p 02 9232 5373
>
> <413_MBMAC_170720.pdf>

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Zac Thomas

From: Vicky slater <wurrumay@hotmail.com>
Sent: Friday, 17 July 2020 3:03 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - Wurrumay

Good Evening Zac.

Wurrumay Pty Ltd would like to register an interest for the above project.

We hold Knowledge & Connection to Country with Ancestral ties with Black Kitty- Native Institute at Black town c 1800 within the project Area's.

Experienced Indigenous Site Officer's & Current Insurances

Kind Regards

Vicky Slater
Manager

Wurrumay Pty Ltd
89 Pyramid Street
Emu Plains NSW.2750

M:0421077521

On 17 Jul. 2020 2:54 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear potential stakeholder,

You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as ôStage 3ô of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.

Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.

Please do not hesitate to call our office if you have any further queries.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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http://www.mailguard.com.au/mg

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Zac Thomas

From: jesse johnson <muragadi@yahoo.com.au>
Sent: Friday, 17 July 2020 4:04 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - MHIC

Hi Zac
Please register our corporation for the above project
Kind regards
Jesse Johnson

On 17 Jul 2020, at 2:49 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
>
> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,
>
> **Zac Thomas**
> Heritage Administration Assistant
> **Kelleher Nightingale Consulting Pty Ltd**
> Level 10, 25 Bligh St
> Sydney NSW 2000
> p 02 9232 5373
>
> <413_MHIC_170720.pdf>

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Zac Thomas

From: Shaun Carroll <Merrigarn@hotmail.com>
Sent: Friday, 17 July 2020 4:17 PM
To: Zac Thomas
Subject: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park -

Follow Up Flag: Follow up
Flag Status: Completed

Hi Zac
Please register Merrigarn for the above project.
Kind regards
Shaun Carroll
0499187238

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Report this message as spam

Kelleher
Nightingale Consulting Pty Ltd

ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

RECORD OF DISCUSSION

Date:	17/7/20	**Ref:** Sydney Business Park Stage 3
Time:	4:45pm	**Project No.:** 1947
Contact:	Phil Boney	**KNC Personnel:** Zac
Organisation:	Wailwan Aboriginal Group	
Number:	0492213073	
Re:	Registration of Interest	

Discussion:
Phil called to register for 1947 Sydney Business Park Stage 3.

Zac Thomas

From: Arika Jalomaki <yulayculturalservices@gmail.com>
Sent: Friday, 17 July 2020 5:03 PM
To: Zac Thomas
Subject: Re: Notification of project proposal and registration of interest - 1947 Sydney Business Park Stage 3, Marsden Park - YCS

Dear Zac,

Yulay Cultural serviceôs would like to express our interest in the above project.

Kind regards
Arika Jalomaki
0411 048 794

On Fri, 17 Jul 2020 at 2:55 pm, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear potential stakeholder,
>
> You or your organisation have been identified as a possible Aboriginal stakeholder for an upcoming heritage assessment of proposed warehouse and distribution facilities in the area known as ó Stage 3ô of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> Please find attached a letter and invitation to register your interest in the Aboriginal community consultation process. If you wish to register, please do so using the contact details for Kelleher Nightingale Consulting on the attached letter by 31 July 2020. You may also register via reply email to me.
>
> Please be advised that in accordance with Heritage NSW requirements, we are required to record the names of each Aboriginal person/organisation who has registered an interest in this project and provide a copy of that record to the relevant Heritage NSW office and Local Aboriginal Land Council. If you are registering your interest, please let us know if you do not want your details forwarded to these organisations.
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> Please do not hesitate to call our office if you have any further queries.
>
> Kind regards,
>
> **Zac Thomas**
>
> Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

--
Arika Jalomaki

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Report this message as spam

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

4 August 2020

CEO
Deerubbin Local Aboriginal Land Council
PO Box 40
PENRITH BC NSW 2751
Via email: staff@deerubbin.org.au; srandall@deerubbin.org.au

Dear Sir/Madam,

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
ABORIGINAL STAKEHOLDER CONSULTATION: RECORD OF REGISTRATION OF INTEREST

Thank you for your involvement with this project to date. We look forward to continuing to consult with you on the project.

Further to prior communications, this letter is to advise that the notification and advertisement process for the above project has now been completed.

The closing date for registration of interest was 31 July 2020.

In accordance with item 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW April 2010) a record of the names of each Aboriginal person who registered an interest in the project has been made, unless the registered Aboriginal party specified they do not want their details released in accordance with item 4.1.5. Two stakeholders have chosen to withhold their details.

Please find attached a copy of that record, as well as copies of the notifications from item 4.1.3.

As required, copies of the record and notifications have also been provided to Heritage NSW (as part of the Department of Premier and Cabinet).

If you have any questions or require further information, please don't hesitate to contact the office on 9232 5373.

Yours sincerely,

Z. Thomas

Zac Thomas
Heritage Administration Assistant

Attachments: (1) Record of Registration List
(2) Advertisement
(3) Notification Letter

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

4 August 2020

Senior Team Leader, Aboriginal Cultural Heritage Regulation
Heritage NSW
Department of Premier and Cabinet
Locked Bag 5020
Parramatta NSW 2124
Via email: heritagemailbox@environment.nsw.gov.au

Dear Sir/Madam,

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
ABORIGINAL STAKEHOLDER CONSULTATION: RECORD OF REGISTRATION OF INTEREST

Thank you for your letter regarding identifying Aboriginal stakeholders that may have an interest in the proposed warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. It is greatly appreciated.

Further to prior communication, this letter is to advise that the notification and advertisement process for the above project has now been completed.

The closing date for registration of interest was 31 July 2020.

In accordance with item 4.1.6 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW April 2010) a record of the names of each Aboriginal person who registered an interest in the project has been made, unless the registered Aboriginal party specified they do not want their details released in accordance with item 4.1.5. No stakeholders have chosen to withhold their details.

Please find attached a copy of that record, as well as copies of the notifications from item 4.1.3.

As required, copies of the record and notifications have also been provided to Deerubbin Local Aboriginal Land Council.

If you have any questions or require further information, please don't hesitate to contact the office on 9232 5373.

Yours sincerely,

Z. Thomas

Zac Thomas
Heritage Administration Assistant

Attachments: (1) Record of Registration List
(2) Advertisement
(3) Notification Letter

1947: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
ABORIGINAL CULTURAL HERITAGE CONSULTATION
Record of Registration of Interest

Step 4.1.6, *Aboriginal cultural heritage consultation requirements for proponents 2010*

There are 23 Registered Aboriginal Stakeholders listed for the project, as shown in the table below.

Registered Aboriginal Stakeholder	Name of Aboriginal Person and/or Contact person
Deerubbin Local Aboriginal Land Council	CEO
A1 Indigenous Services	Carolyn Hickey
Amanda DeZwart	Amanda DeZwart
Barraby Cultural Services	Lee Field
Butucarbin Aboriginal Corporation	Lowanna Gibson
Darug Custodian Aboriginal Corporation	Justine Coplin
Dhinawan Culture and Heritage Pty Ltd	Stephen Fields
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll
Freeman & Marx Pty Ltd	Clive Freeman
Kamilaroi Yankuntjatjara Working Group	Phil Khan
Merrigarn	Shaun Carroll
Muragadi Heritage Indigenous Corporation	Jesse Johnson
Murra Bidgee Mullangari Aboriginal Corporation	Ryan Johnson
Registered Aboriginal Stakeholder	Details withheld
Registered Aboriginal Stakeholder	Details withheld
Tocomwall	Scott Franks
Waawaar Awaaa Aboriginal Corporation	Rodney Gunther
Wailwan Aboriginal Group	Phil Boney
Warragil Cultural Services	Aaron Slater
Widescope Indigenous Group	Steven Hickey
Wurrumay Pty Ltd	Vicky Slater
Yulay Cultural Services	Arika Jalomaki
Yurrandaali Pty Ltd	Bo Field

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

Carolyn Hickey
A1 Indigenous Services
cazadirect@live.com

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. We are looking forward to consulting with you on the project. This letter is to provide registered stakeholders with information about:

a) The proposed activity that may be the subject of applications and approvals through a State Significant Development (SSD) under the *Environmental Planning and Assessment Act 1979*.

b) The proposed cultural heritage assessment report (CHAR) process.

Project Information

Marsden Park Developments Pty Ltd is proposing to develop warehouse and distribution facilities in the area known as 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. The project is located in the Blacktown City Council local government area. The proponent is Marsden Park Developments Pty Ltd (Michael Gray, Infrastructure Director: 15 Hollinsworth Road, Marsden Park NSW 2765).

Consultation Process

Aboriginal community consultation is an important part of the project and will be undertaken in accordance with the Department of Planning, Industry and Environment (DPIE) *Aboriginal cultural heritage consultation requirements for proponents 2010*.

According to DPIE, the consultation process includes getting the views of, and information from, Aboriginal people and reporting on these. DPIE specifically notes that consultation should not be confused with employment or with other field assessment processes involved in preparing a project proposal and an AHIP application.

Consultation as per the *Aboriginal cultural heritage consultation requirements for proponents 2010* will continue throughout the assessment process. A consultation process with registered Aboriginal stakeholders and the preparation of a CHAR will assist Marsden Park Developments Pty Ltd in considering Aboriginal heritage in relation to the proposed activity.

In following the DPIE requirements, the consultation process includes:

- Notification of project proposal and advertisement (completed).
- Registration of interest of Aboriginal stakeholders and provision of project information (completed).
- Consultation on proposed CHAR methodology (28 day review period, in process).
- Opportunity to review and provide feedback regarding the archaeological and cultural assessment methodologies (28 day review period, in process).
- Comprehensive archaeological and cultural assessment of the Aboriginal heritage values of the study area, assessment of the potential impact of the proposed activities on Aboriginal objects or Aboriginal places and recommendations. Archaeological assessment may include test excavation.
- Consultation on the draft CHAR (28 day review period).
- Invitation for Aboriginal cultural knowledge holders and stakeholders to provide information on the cultural value of the area (28 day response period, in process).
- Consideration of all Aboriginal stakeholder comments.

Proposed Cultural Heritage Assessment Report Methodology

For the project, the assessment methodology will be structured in accordance with the DPIE *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.

In following the DPIE requirements, the proposed assessment methodology will include the following steps:

1. Review of background information. This includes compiling data relating to the environmental, historic and archaeological context of the study area and completion of archaeological survey or test excavation where required. Any archaeological survey or test excavation activities will be undertaken in accordance with DPIE requirements.
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4. Assessing harm. This step involves analysing the nature and extent of the proposed activity and assessing whether it has the potential to harm any of the identified Aboriginal objects or places present in the study area and what effect the proposed activity might have on their heritage value.
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Contact Regarding CHAR Methodology

We will keep you updated on any developments as the project progresses.

Please send any comments on the proposed cultural heritage assessment methodology outlined above, and any cultural information you may wish to share, to the following:

Zac Thomas
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh St
SYDNEY NSW 2000
Phone: 02 9232 5373
Fax: 02 9223 0680
zac.thomas@knconsult.com.au

Please ensure your response is received by 28 August 2020.

If you have any questions on the information provided above or would like to discuss the project further, please feel free to contact us. We look forward to consulting with you throughout the project.

Yours sincerely,



Zac Thomas
Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

3 August 2020

Amanda DeZwart
amandahickey@live.com.au

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

Thank you for registering your interest to be involved in the Aboriginal cultural heritage consultation process for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW. We are looking forward to consulting with you on the project. This letter is to provide registered stakeholders with information about:

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Level 10, 25 Bligh St
SYDNEY NSW 2000
Phone: 02 9232 5373
Fax: 02 9223 0680
zac.thomas@knconsult.com.au

Please ensure your response is received by 28 August 2020.

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Yours sincerely,



Zac Thomas
Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

Lowanna Gibson
Butucarbin Aboriginal Corporation
butuheritage@gmail.com

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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Yours sincerely,



Zac Thomas
Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

Lee Field
Barraby Cultural Services
barrabyculturalservices@gmail.com

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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SYDNEY NSW 2000
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Fax: 02 9223 0680
zac.thomas@knconsult.com.au

Please ensure your response is received by 28 August 2020.

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Yours sincerely,



Zac Thomas
Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

Justine Coplin
Darug Custodian Aboriginal Corporation
justinecoplin@optusnet.com.au

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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Please ensure your response is received by 28 August 2020.

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Yours sincerely,



Zac Thomas
Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10
25 Bligh Street
Sydney NSW 2000
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31 July 2020

Stephen Fields
Dhinawan Culture & Heritage Pty Ltd
dhinawan.ch@gmail.com

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Zac Thomas
Heritage Administration Assistant

Kelleher
Nightingale Consulting Pty Ltd

Level 10
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Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

CEO
Deerubbin Local Aboriginal Land Council
srandall@deerubbin.org.au; staff@deerubbin.org.au

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RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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31 July 2020

Paul Boyd & Lilly Carroll
Didge Ngunawal Clan
didgengunawalclan@yahoo.com.au

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31 July 2020

Clive Freeman
Freeman & Marx
clive.freeman@y7mail.com

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31 July 2020

Phil Khan
Kamilaroi Yankuntjatjara Working Group
philipkhan.acn@live.com.au

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31 July 2020

Ryan Johnson
Murra Bidgee Mullangari Aboriginal Corporation
murrabidgeemullangari@yahoo.com.au

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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Zac Thomas
Heritage Administration Assistant

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31 July 2020

Shaun Carroll
Merrigarn
Merrigarn@hotmail.com

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Kelleher
Nightingale Consulting Pty Ltd

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31 July 2020

Jesse Johnson
Muragadi Heritage Indigenous Corporation
muragadi@yahoo.com.au

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Scott Franks
Tocomwall
PO Box 76
Caringbah NSW 1495

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Rodney Gunther
Waawaar Awaaa Aboriginal Corporation
waawaar.awaa@gmail.com

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Phil Boney
Wailwan Aboriginal Group
waarlan12@outlook.com

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25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 July 2020

Aaron Slater
Warragil Cultural Services
warragil_c.s@hotmail.com

Dear Sir/Madam,

RE. **STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW**
PROJECT INFORMATION AND PROPOSED ASSESSMENT METHODOLOGY

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Please ensure your response is received by 28 August 2020.

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Yours sincerely,



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Heritage Administration Assistant

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31 July 2020

Steven Hickey
Widescope Indigenous Group
widescope.group@live.com

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Vicky Slater
Wurrumay Pty Ltd
wurrumay@hotmail.com

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Arika Jalomaki
Yulay Cultural Services
yulayculturalservices@gmail.com

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Bo Field
Yurrandaali Pty Ltd
yurrandaali_cs@hotmail.com

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31 August 2020

Carolyn Hickey
A1 Indigenous Services
cazadirect@live.com

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RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
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Attach: (1) Draft CHAR

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Amanda DeZwart
amandahickey@live.com.au

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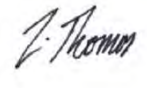

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Butucarbin Aboriginal Corporation
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ABN 26 120 187 671 ACN 120 187 671

Level 10
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f 02 9223 0680

31 August 2020

Lee Field
Barraby Cultural Services
barrabyculturalservices@gmail.com

Dear Sir/Madam,

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31 August 2020

Justine Coplin
Darug Custodian Aboriginal Corporation
justinecoplin@optusnet.com.au

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31 August 2020

Stephen Fields
Dhinawan Culture & Heritage Pty Ltd
dhinawan.ch@gmail.com

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31 August 2020

CEO
Deerubbin Local Aboriginal Land Council
srandall@deerubbin.org.au; staff@deerubbin.org.au

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31 August 2020

Paul Boyd & Lilly Carroll
Didge Ngunawal Clan
didgengunawalclan@yahoo.com.au

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Clive Freeman
Freeman & Marx
clive.freeman@y7mail.com

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Phil Khan
Kamilaroi Yankuntjatjara Working Group
philipkhan.acn@live.com.au

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Ryan Johnson
Murra Bidgee Mullangari Aboriginal Corporation
murrabidgeemullangari@yahoo.com.au

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Shaun Carroll
Merrigarn
Merrigarn@hotmail.com

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Jesse Johnson
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muragadi@yahoo.com.au

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Scott Franks
Tocomwall
PO Box 76
Caringbah NSW 1495

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Rodney Gunther
Waawaar Awaaa Aboriginal Corporation
waawaar.awaa@gmail.com

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Phil Boney
Wailwan Aboriginal Group
waarlan12@outlook.com

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Aaron Slater
Warragil Cultural Services
warragil_c.s@hotmail.com

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Steven Hickey
Widescope Indigenous Group
widescope.group@live.com

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Vicky Slater
Wurrumay Pty Ltd
wurrumay@hotmail.com

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Arika Jalomaki
Yulay Cultural Services
yulayculturalservices@gmail.com

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Phone: 02 9232 5373
Email: zac.thomas@knconsult.com.au

If you have any questions or require further information, please don't hesitate to contact the office on 02 9232 5373.

We appreciate your involvement in the project to date and look forward to working with you again on this and future projects.

Yours sincerely,

Zac Thomas

Attach: (1) Draft CHAR

Kelleher
Nightingale Consulting Pty Ltd
ABN 26 120 187 671 ACN 120 187 671

Level 10
25 Bligh Street
Sydney NSW 2000
p 02 9232 5373
f 02 9223 0680

31 August 2020

Bo Field
Yurrandaali Pty Ltd
yurrandaali_cs@hotmail.com

Dear Sir/Madam,

RE: STAGE 3 FACILITIES SYDNEY BUSINESS PARK – MARSDEN PARK, NSW
Draft Aboriginal Cultural Heritage Assessment Report

Thank you for your contributions and involvement in this project to date. Please find attached a draft cultural heritage assessment report (CHAR) for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW, for your review.

As a registered Aboriginal stakeholder you are invited to review and provide comment on the cultural heritage assessment report. If you have information on the cultural heritage values and significance of the study area and would like this information included in the assessment, we would welcome your contribution.

The project is State Significant Development (SSD-10477) and subject to approval under Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Department of Planning, Industry and Environment approval would be required prior to any harm to Aboriginal objects.

Please forward any information you would like to include in the cultural heritage assessment report or any comments by **28 September 2020** to:

Zac Thomas
Kelleher Nightingale Consulting Pty Ltd
Level 10, 25 Bligh Street, Sydney NSW 2000
Phone: 02 9232 5373
Email: zac.thomas@knconsult.com.au

If you have any questions or require further information, please don't hesitate to contact the office on 02 9232 5373.

We appreciate your involvement in the project to date and look forward to working with you again on this and future projects.

Yours sincerely,

Zac Thomas

Attach: (1) Draft CHAR

APPENDIX B

Zac Thomas

From: justinecoplin@optusnet.com.au
Sent: Monday, 18 January 2021 2:59 PM
To: Zac Thomas
Subject: Marsden Park Industrial Precinct in Western Sydney, NSW
Attachments: Marsden Park Industrial Precinct in Western Sydney, NSW.pdf

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DARUG CUSTODIAN
ABORIGINAL CORPORATION

DARUG CUSTODIAN
ABORIGINAL
CORPORATION

PO BOX 81 WINDSOR 2756
PHONE: 0245775181 FAX: 0245775098
MOBILE: 0415770163 Leanne Watson
0414962766 Justine Coplin
EMAIL: mulgokiwi@bigpond.com / justinecoplin@optusnet.com.au

Attention: **Date:**

Subject

Dear

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a Darug community group with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

Our group promotes Darug Culture and works on numerous projects that are culturally based as a proud and diverse group. It has been discussed by our group and with many consultants and researches that our history is generic and is usually from an early colonists perspective or solely based on archaeology and sites. These histories are adequate but they lack the people's stories and parts of important events and connections of the Darug people and also other Aboriginal people that now call this area home and have done so for numerous generations.

This area is significant to the Darug people due to the evidence of continued occupation, within close proximity to this project site there is a complex of significant sites.

Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people. Aboriginal people (Darug) had a complex lifestyle that was

based on respect and belonging to the land, all aspects of life and survival did not impact on the land but helped to care for and conserve land and the sustenance that the land provided. As Darug people moved through the land there were no impacts left, although there was evidence of movement and lifestyle, the people moved through areas with knowledge of their areas

and followed signs that were left in the landscape. Darug people knew which areas were not to be entered and respected the areas that were sacred.

Knowledge of culture, lifestyle and lore have been part of Darug people's lives for thousands of years, this was passed down to the next generations and this started with birth and continued for a lifetime. Darug people spent a lifetime learning and as people grew older they passed through stages of knowledge, elders became elders with the learning of stages of knowledge not by their age, being an elder is part of the kinship system this was a very complicated system based on respect.

Darug sites are all connected, our country has a complex of sites that hold our heritage and past history, evidence of the Darug lifestyle and occupation are all across our country, due to the rapid development of Sydney many of our sites have been destroyed, our sites are thousands of years old and within the short period of time that Australia has been developed pre contact our sites have disappeared.

The *Aboriginal cultural heritage consultation requirements for proponents* Section 4.1.8 refers to "Aboriginal organisations representing Aboriginal people who hold cultural knowledge". Recent consultation meetings have revealed that many of these Aboriginal organisations and individuals do not hold cultural knowledge of the Western Sydney area. The increasing involvement of such parties in cultural heritage management means that genuine local Aboriginal organisations are unable to properly care for our cultural heritage.

Many Aboriginal organisations listed in the OEH response letter do not contribute to the Aboriginal community of Western Sydney. Individuals listed in the OEH response letter do not represent the community and while they may be consulted with, should not be employed for their own personal financial benefit.

Our organisation is committed to providing benefits back to our local Aboriginal community through such measures as funding the local Aboriginal juniors' touch football team, painting classes for the local children and donating money to various charities. Employment in cultural heritage activities is source of income that organisations such as ours can use to contribute to beneficial activities and support within the community.

Darug custodian Aboriginal Corporation's site officers have knowledge of Darug land, Darug Culture,Oral histories, landforms, sites, Darug history, wildlife, flora and legislative

requirements. We have worked with consultants and developers for many years in Western Sydney (Darug Land) for conservation, site works, developments and interpretation/education strategie

Darug Custodian Aboriginal Corporation have received and reviewed the report for Marsden Park Industrial Precinct in Western Sydney, NSW

Darug Custodians do not support the survey recommendation as there was no traditional owners invited to the survey.

It is disappointing that after all the years we have been working with KNC that KNC chooses to go along the lines of only having Land Council out on surveys and exclude the traditional owners to go out on country and have their say.

Please contact us with all further enquiries on the above contacts.

Regards



Justine Coplin

Zac Thomas

From: Stephen Fields <dhinawan.ch@gmail.com>
Sent: Wednesday, 6 January 2021 9:29 AM
To: Zac Thomas
Subject: Re: Aboriginal Cultural Heritage Management Plan - 1947 Sydney Business Park Stage 3, Marsden Park - DCH

Hi Zac,

Hope you and your family had safe and happy holidays.

We have just finished reviewing the ACHP for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

We support the measures outlined in the ACHP for the overall management of Aboriginal cultural heritage in and around the proposed development area.

Regards,

Stephen Fields
Dhinawan Culture and Heritage Pty Ltd
0411232285

On Wed, 23 Dec 2020 at 11:16, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

> Dear registered Aboriginal stakeholder,
>
> Please find attached a cover letter and a copy of the draft Aboriginal cultural heritage management plan (ACHMP) for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> As a registered Aboriginal stakeholder for this project you are invited to review and provide comment on the attached ACHMP. The ACHMP is designed to provide guidance on the management of Aboriginal cultural heritage during development of Stage 3 Sydney Business Park.
>
> Please forward any comments to myself or the office by **19 January 2021**. Thank you and we look forward to receiving your comments.
>
> Kind regards,
>
> **Zac Thomas**

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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Zac Thomas

From: Darleen Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Thursday, 14 January 2021 11:27 AM
To: Zac Thomas
Subject: Re: Aboriginal Cultural Heritage Management Plan - 1947 Sydney Business Park Stage 3, Marsden Park - MBMAC

Hi Zac,
I have read the project information and ACHMP for the above project, I endorse the recommendations made.
Kind regards
Ryan Johnson
0475565517

On Wednesday, 23 December 2020, 11:20:15 am AEDT, Zac Thomas <zac.thomas@knconsult.com.au> wrote:

Dear registered Aboriginal stakeholder,

Please find attached a cover letter and a copy of the draft Aboriginal cultural heritage management plan (ACHMP) for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.

As a registered Aboriginal stakeholder for this project you are invited to review and provide comment on the attached ACHMP. The ACHMP is designed to provide guidance on the management of Aboriginal cultural heritage during development of Stage 3 Sydney Business Park.

Please forward any comments to myself or the office by **19 January 2021**. Thank you and we look forward to receiving your comments.

Kind regards,

Zac Thomas

Heritage Administration Assistant

Kelleher Nightingale Consulting Pty Ltd

Level 10, 25 Bligh St

Sydney NSW 2000

p 02 9232 5373

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Zac Thomas

From: jesse johnson <muragadi@yahoo.com.au>
Sent: Thursday, 7 January 2021 10:36 AM
To: Zac Thomas
Subject: Re: Aboriginal Cultural Heritage Management Plan - 1947 Sydney Business Park Stage 3, Marsden Park - MHIC

Hi Zac
I have read the project information for the above project, I agree with the recommendations made.
Kind regards
Jesse Johnson

> On 23 Dec 2020, at 10:21 am, Zac Thomas <zac.thomas@knconsult.com.au> wrote:
>
> Dear registered Aboriginal stakeholder,
>
> Please find attached a cover letter and a copy of the draft Aboriginal cultural heritage management plan (ACHMP) for the proposed 'Stage 3' of Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney, NSW.
>
> As a registered Aboriginal stakeholder for this project you are invited to review and provide comment on the attached ACHMP. The ACHMP is designed to provide guidance on the management of Aboriginal cultural heritage during development of Stage 3 Sydney Business Park.
>
> Please forward any comments to myself or the office by **19 January 2021**. Thank you and we look forward to receiving your comments.
>
> Kind regards,
>
> **Zac Thomas**
> Heritage Administration Assistant
> **Kelleher Nightingale Consulting Pty Ltd**
> Level 10, 25 Bligh St
> Sydney NSW 2000
> p 02 9232 5373
>
> <ACHMP_Dec20_Draft 1.pdf>
> <ACHMP_MHIC_231220.pdf>

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Zac Thomas

From: Scott Franks <scott@tocomwall.com.au>
Sent: Monday, 18 January 2021 4:37 PM
To: Zac Thomas; Danny Franks
Subject: stage 3 Facilities Business park- Masrdan park

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Zac,

Tocomwall is registering our interest in stage 3 Facilities Business park- Marsdan park NSW.

Regards
Scott Franks

Native Title & Environmental Services Consultant

Tocomwall Pty Ltd
PO Box 76
CARINGBAH NSW 1495
m: 0404 171544
e: scott@tocomwall.com.au
www.tocomwall.com.au

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APPENDIX J

Bushfire Assessment

Level 3
101 Sussex Street
Sydney NSW 1230
t: (02) 4201 2264

15 February 2021

Our ref: 21HNG_18358

Edward Gregory
FDC Construction
22 - 24 Junction Street
Forest Lodge NSW 2037

Dear Edward,

RE: Bushfire Advice – Approved Industrial Development – Sydney Business Park, Warehouse 1

Eco Logical Australia Pty Ltd (ELA) was commissioned by FDC Construction to provide bushfire advice in relation to the required bushfire construction standard for Warehouse 1 (the 'subject') within the Sydney Business Park, Marsden Park.

Consent was granted by Minister for Planning and Public Spaces (SSD-10477) dated 28 January 2021 for construction and operation of Sydney Business Park, Stage 3 include Warehouse 1 which is the subject of this advice.

This letter relates to Consent Condition B29 of SSD-10477 and is based on review of the following documents:

- The Minister for Planning and Public Spaces (SSD-10477) conditions of consent for SSD-10477 dated 28 January 2021; and
- Bushfire Protection Assessment prepared by Eco Logical (ELA) dated 8 December 2020 v5 (ELA 20SYD_16423).

Consent Condition B29 states:

> **B29 Design and Construction**
>
> The Applicant must ensure each warehouse building and the identified elevations and building elements in the development complies with the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate or the specified bushfire attack levels (BAL) under Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' for:
>
> *Warehouse 2*
>
> must be non-combustible and comply with Sections 3 and 5 (BAL 12.5) *Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014* as appropriate, and Section 7.5 of *Planning for Bush Fire Protection 2019*; and

Warehouse 4

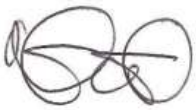
must comply with the Bushfire Attack Level (BAL) Plan (as shown in Figure 4 of the Bush Fire Report prepared by Eco Logical Australia, project no. 20SYD-16423, ver. 5, dated 8 December 2020) and the corresponding sections of the Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant BAL requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015)*. New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*. BAL 12.5 is also applicable to the northern half of the building;

ELA bushfire protection assessment (20SYD_16423) identified Warehouse 1 to be located greater than 100 m from any bushfire hazard, therefore exposed to Bushfire Attack Level (BAL) of BAL-LOW (i.e. insufficient risk to warrant any bushfire construction level), in addition Consent Condition B29 has not conditioned any bushfire construction standards for Warehouse 1.

Based on review of the bushfire protection assessment (20SYD_16423) prepared for the development and Consent Condition B29 of SSD-10477, ELA confirm Warehouse 1 is exposed to BAL-LOW therefore no bushfire construction requirements apply.

If you require further information, please contact me on the above number.

Regards,



Natalie South
Bushfire Consultant



Bruce Horkings
Senior Bushfire Consultant
FPAA BPAD Accredited Practitioner No. BPAD29962-L3



Bushfire Protection Assessment – Sydney Business Park Stage 3

Marsden Park Developments

ecological AUSTRALIA
A TETRA TECH COMPANY

1300 646 131
www.ecoaus.com.au

DOCUMENT TRACKING

Project Name	Bushfire Protection Assessment – Sydney Business Park Stage 3
Project Number	20SYD - 16423
Project Manager	Rebecca Ben-Haim
Prepared by	Natalie South
Reviewed by	Bruce Horkings FPAA BPAD Accredited Practitioner No. BPAD29962-L3
Approved by	David Bonjer
Status	**Final**
Version Number	**3**
Last saved on	**29 July 2020**

This report should be cited as 'Eco Logical Australia July 2020. Bushfire Protection Assessment – Sydney Business Park Stage 3. Prepared for Marsden Park Developments.'

ACKNOWLEDGEMENTS

This document has been prepared by Eco Logical Australia Pty Ltd with support from Marsden Park Developments.

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Template 2.8.1

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Abbreviations

Abbreviation	Description
AS 3959	Australian Standard AS 3959-2018 *Construction of buildings in bushfire prone areas*
APZ	Asset protection zone
BAL	Bushfire attack level
BFPL	Bush fire prone land
CDC	Complying development certification
DA	Development application
DtS	Deemed-to-satisfy
EP&A Act	*Environmental Planning and Assessment Act 1979*
FDI	Fire danger index
IPA	Inner protection area
NCC	National Construction Code
OPA	Outer protection area
PBP	Planning for Bush fire Protection 2019
RFS	NSW Rural Fire Service

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1. Property and proposal

The table below (**Table 1**) identifies the subject property and outlines the type of development proposed.

Table 1: Subject site and development proposal summary

Street address:	Astoria and Hollinsworth Street, Marsden Park
Postcode:	2765
Lot/DP no:	Lot 4 DP 1210172, Lot 36 DP 262886 and part Lot 5 DP 1210172
Local Government Area:	Blacktown City Council
Fire Danger Index (FDI)	100
Current land zoning:	SP2 Infrastructure, IN1 General Industrial, IN2 Light Industrial
Type of development proposed:	Industrial development (subdivision and construction of 4 warehouses)

1.1 Description of proposal

The proposal is for subdivision and construction of 4 industrial warehouses and associated carparking (see **Figure 1**). The proposed subdivision forms Stage 3 of the Marsden Park Industrial Precinct.

The subdivision is located on land classified as bush fire prone on the Blacktown City Council bush fire prone land (BFPL) map[1].

1.2 Assessment process

The proposal was assessed in accordance with Section 4.14 of the *Environmental Planning and Assessment Act 1979* and *Planning for Bush Fire Protection* (RFS 2019), herein referred to as PBP.

The proposal is for an industrial subdivision and construction of 4 warehouses (no manager's residence) therefore, has been assessed in accordance with the aim and objectives of PBP. Chapter 7 of PBP has been utilised as a guide in developing relevant bushfire protection measures (BMP) commensurate with the bushfire risk to the site.

This assessment is based on the following information sources:

- Background documentation provided by Marsden Park Developments;
- Information contained within the site plan from Reid Campbell (Project 1200045 Issue G); and
- GIS analysis including online spatial resources (i.e. Google Earth, SIX Maps, Nearmap and the NSW Government Planning Portal).

Table 2 identifies the bushfire protection measures proposed and assessed.

[1] https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address

Table 2: Summary of bushfire protection measures proposed and assessed

Bushfire Protection Measure	Report Section
Asset Protection Zones	3.3
Landscaping	3.4
Construction standard	3.5
Access	3.6
Water supply	3.7
Electrical services	3.8
Gas services	3.9

1.3 Significant environmental features

The subject land is situated within the Sydney Growth Centres biodiversity certified areas. In August 2017, the *Biodiversity Conservation Act 2016* (BC Act) was gazetted and repealed the *Threatened Species Conservation Act 1995* (TSC Act), however under section 43 of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, the repeal of the TSC Act does not affect the operation of part 7 or 8 of Schedule 7 to that Act. The effect is that the Biodiversity Certification of the Growth Centres continues to have effect under the new legislation. Biodiversity certification removes the need to conduct impact assessment on certified land for threatened species population and communities listed under the BC Act.

The impact footprint of the bushfire protection measures (e.g. Asset Protection Zone (APZ) is clearly identified within this report and therefore capable of being assessed by suitably qualified persons as required. NSW Department of Planning, Industry and Environment (DPIE) is the determining authority for this development; they will assess more thoroughly any potential environmental issues.

1.4 Aboriginal cultural heritage

An assessment of any Aboriginal cultural heritage objects (within the meaning of the *National Parks and Wildlife Act 1974*) that may potentially be affected by the proposed bushfire protection measures has not been undertaken in this report as it is covered by other parts of the Development Application (DA) process.

The impact footprint of the bushfire protection measures (e.g. APZ) is clearly identified within this report and therefore capable of being assessed by suitably qualified persons as required. DPIE is the determining authority for this development; they will assess more thoroughly any potential Aboriginal cultural heritage issues.



Figure 1: Subdivision layout and built form

2. Bushfire hazard assessment

2.1 Process

The site assessment methodology set out in Appendix 1 of PBP has been utilised in this assessment to determine the required APZ and Construction requirements.

Figure 2 and show the effective slope and predominant vegetation representing the highest bushfire threat potentially posed to the subdivision from various directions.

2.2 Vegetation assessment

In accordance with PBP, the predominant vegetation formation has been assessed for a distance of at least 140 m from the subject land in all directions.

The predominant vegetation has been determined from the Department of Planning, Industry and Environment mapping (DPIE 2013).

2.3 Slope assessment

In accordance with PBP, the slope that would most significantly influence fire behaviour was determined over a distance of 100 m from the outside edge of the APZ under the classified vegetation.

The effective slope has been determined from 2 m contour data.

2.4 Summary of assessment

As shown in **Figure 2** there are two (2) bushfire hazards within 140 m of the proposed development.

To the east and south-west, the vegetation is identified as *Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion* (DPIE 2013) which falls within the Coastal Valley Grassy Woodlands vegetation class (Keith 2004) and classified as 'woodland' under PBP. The effective slope under the hazard in the east falls within the PBP slope category of 'All upslopes and flat land' whilst to the south-west, '>0-5 degrees downslope'.

The secondary hazard is located to the west and south and identified as *Broad-leaved Ironbark - Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion* (DPIE 2013) which falls within the Cumberland Dry Sclerophyll Forests vegetation class (Keith 2004) and is classified as 'forest' under PBP. Some of this vegetation exists within the boundaries of the subject land as shown in **Figure 2**. This vegetation is non-certified and will be retained. The effective slope under this hazard falls within the PBP slope category of '>0-5 degrees downslope'.

There is a temporary grassland hazard to the south of Warehouse 1 (**Figure 2**), this area will be subject to future development which will remove this hazard.

In all other directions the land is managed consisting of land cleared for future industrial development and existing residential development and road reserves.

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Table 3: Bushfire hazard assessment, APZ requirements and BALs

Transect # (Figure 2)	Slope	Vegetation Formation	Available APZ	Comments
Warehouse 1				
4 (West)	>0° to 5° downslope	Forest	≥71 m	APZ provided wholly within boundaries of subject land.
5 (South)	>0° to 5° downslope	Grassland	≥10 m	As above
All other directions	Managed land			
Warehouse 2				
1 (East)	All upslope and flat land	Woodland	≥29 m	APZ provided wholly within boundaries of subject land.
5 (South)	>0° to 5° downslope	Grassland	≥70 m	As above
All other directions	Managed land			
Warehouse 3				
All directions	Managed land			
Warehouse 4				
2 (South)	>0° to 5° downslope	Forest	≥8-20 m	APZ provided wholly within boundaries of subject land. Approximately 0.06% of the building has less than 10 m APZ.
3 (South-west)	>0° to 5° downslope	Woodland	≥27 m	As above
All other directions	Managed land			

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Figure 2: Bushfire hazard assessment

3. Bushfire protection measures

3.1 Specific aim and objectives for Industrial/commercial development

Below is the Aim of PBP and the Specific Objectives for industrial/commercial development and a comment on how they are achieved. As directed in section 8.3.10 of PBP, the bushfire protection measures identified in Chapter 7 (of PBP) have been used as the baseline (where applicable), and either the acceptable solution or performance criteria has been achieved:

- **Aim** - The aim of PBP is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.
    - The proposed development complies with the aim of PBP by achieving the specific objectives for industrial / commercial development and for Class 5-8 buildings identified below.
- **Specific Objective 1 -** afford buildings and their occupants protection from exposure to a bush fire;
    - Each building provides defensible space by adequate APZ and perimeter access as shown in **Figure 1** and **Figure 2**. All roads link to a public road network and comply with Section 7 of PBP providing safe evacuation routes for occupants.
- **Specific Objective 2 -** provide for a defendable space to be located around buildings;
    - Defensible space is provided to all proposed warehouses by way of perimeter access/road and APZ as shown in **Figure 1** and **2**.
- **Specific Objective 3 -** provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;
    - All buildings have suitable defensible space between hazard and buildings as well as perimeter access around all buildings to allow emergency service personal an adequate operational area for prevention of fire spread.
- **Specific Objective 4 -** ensure that appropriate operational access and egress for emergency service personnel and occupants is available;
    - The development has direct access to the public road system affording safe operational access/egress to emergency services as shown in **Figure 1**, **Figure 2** and demonstrated further in Section 3.6 meeting the specific objectives under Section 3.2.
- **Specific Objective 5 -** provide for ongoing management and maintenance of BPMs; and
    - The entire development will be managed as an IPA as per the specifications outlined in Appendix A.
- **Specific Objective 6 -** ensure that utility services are adequate to meet the needs of firefighters.
    - The development is capable of complying with the acceptable solutions for utilities under Section 7 of PBP (Section 3.7 – 3.9) and specific objective 3 in Section 3.2.

3.2 Specific objectives for Class 5-8 buildings

Below are the Specific Objectives for Class 5-8 buildings and a comment on how they are achieved.

- **Specific Objective 1** - provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation.
  - As shown in **Figure 1** and **Figure 2** and demonstrated further in Section 3.6 of this report, the proposed development has direct access to the public road system providing safe access/egress for both firefighters and occupants.
- **Specific Objective 2** - provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development.
  - An emergency plan meeting requirements of the Work Health safety Regulation 2017 and relevant legislation is to be prepared for each building (refer Section 3.11).
- **Specific Objective 3** - provide adequate services of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.
  - The proposed development will be serviced by reticulated water and each building has additional dedicated sprinkler water supply. Electricity to the development is underground and complies with PBP. Supply of gas (if any) will be installed and maintained in accordance with Section 3.9 of this report.
- **Specific Objective 4** - provide for the storage of hazardous materials away from the hazard wherever possible.
  - The buildings within the proposed development will be required to store any hazardous materials (if any) in accordance with the relevant safety guidelines and safety data sheets.

3.3 Asset Protection Zones

Table 3 and **Figure 2** shows the separation distance between the proposed development and the bushfire hazard (APZ) and where relevant, information on how the APZ is to be provided is included.

The compliance of the proposed APZ with Section 7.4 of PBP, is detailed in **Table 4**.

The National Construction Standard (NCC) does not capture bushfire for this type of development, instead the specific objectives in PBP apply (Section 3.1 and 3.2).

Table 4: APZ requirements and compliance (adapted from Table 7.4a of PBP)

Performance Criteria	Acceptable Solutions	Compliance Notes
The intent may be achieved where:		
APZs are provided commensurate with the construction of the building; and A defensible space is provided;	An APZ is provided in accordance with Table A1.12.2 or A1.12.3 in Appendix 1.	**Complies** with performance criteria and achieves PBP specific objectives (refer Section 3.2) Defensible space is provided to all proposed warehouses by way of perimeter access/road as shown in **Figure 1** and **2**.
APZs are managed and maintained to prevent the spread of a fire towards the building.	APZs are managed in accordance with the requirements of Appendix 4 of PBP.	**To Comply** Proposed APZ to be managed in accordance with PBP. Fuel

Performance Criteria	Acceptable Solutions	Compliance Notes
		management specifications provided in **Appendix A**.
The APZ is provided in perpetuity.	APZs are wholly within the boundaries of the development site.	**Complies** Proposed APZ wholly within boundaries of development site.
APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	APZs are located on lands with a slope less than 18 degrees.	**Complies** APZ is not located on slopes greater than 18°.

3.4 Landscaping

The compliance of the proposed landscaping with Section 7.4 of PBP is detailed in **Table 5**.

Table 5: Landscaping requirements and compliance (adopted from Table 7.4a of PBP)

Performance Criteria	Acceptable Solutions	Compliance Notes
The intent may be achieved where:		
Landscaping is managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	Compliance with the NSW RFS 'Asset protection zone standards' (Appendix 4 PBP); A clear area of low-cut lawn or pavement is maintained adjacent to the house;	**To comply** APZ / Landscaping is to be managed in accordance with PBP. Landscaping specifications provided in **Appendix A**.
	Fencing is constructed in accordance with Section 7.6 of PBP.	**To comply** Fencing to be constructed in accordance with Section 7.6 of PBP (see section 3.5.1)
	Trees and shrubs are located so that: - the branches will not overhang the roof; - the tree canopy is not continuous; and - any proposed wind break is located on the elevation from which fires are likely to approach.	**To comply** APZ / Landscaping is to be managed in accordance with PBP. Landscaping specifications provided in **Appendix A**.

3.5 Construction standards

The NCC does not require this type of building class to comply with AS 3959:2018, so this should be used as a guide as often the nature of this construction type (i.e. industrial building using concrete tilt slab with metal roofing) meets the requirements of AS 3959:2018.

The general fire safety construction provisions for this building type are considered suitable (acceptable solutions) and modified to incorporate the following ember protection upgrades from AS 3959-2018:

- The roof/wall junctions are to be sealed/screened with aluminium, steel or bronze mesh with a minimum aperture size of 2 mm;
- All openable portions of windows to be screened with aluminium, steel or bronze mesh with a minimum aperture size of 2 mm;

- The base of side-hung external doors shall be fitted with draught excluders/draught seals/weather strips;
- Gutters should be fitted with non-combustible gutter guard to prevent the build-up of combustible material;
- The rollers doors shall be protected with suitable weather strips/draught excluders/draught seals or brushes (Figure 3). If fitted with guide tracks no edge gap protection required; and
- Roller shutter doors with ventilation slots shall be protected with non-combustible mesh with 2 mm aperture.

These measures apply to all buildings aside from Warehouse 3 which is greater than 100 m from any bushfire hazard.

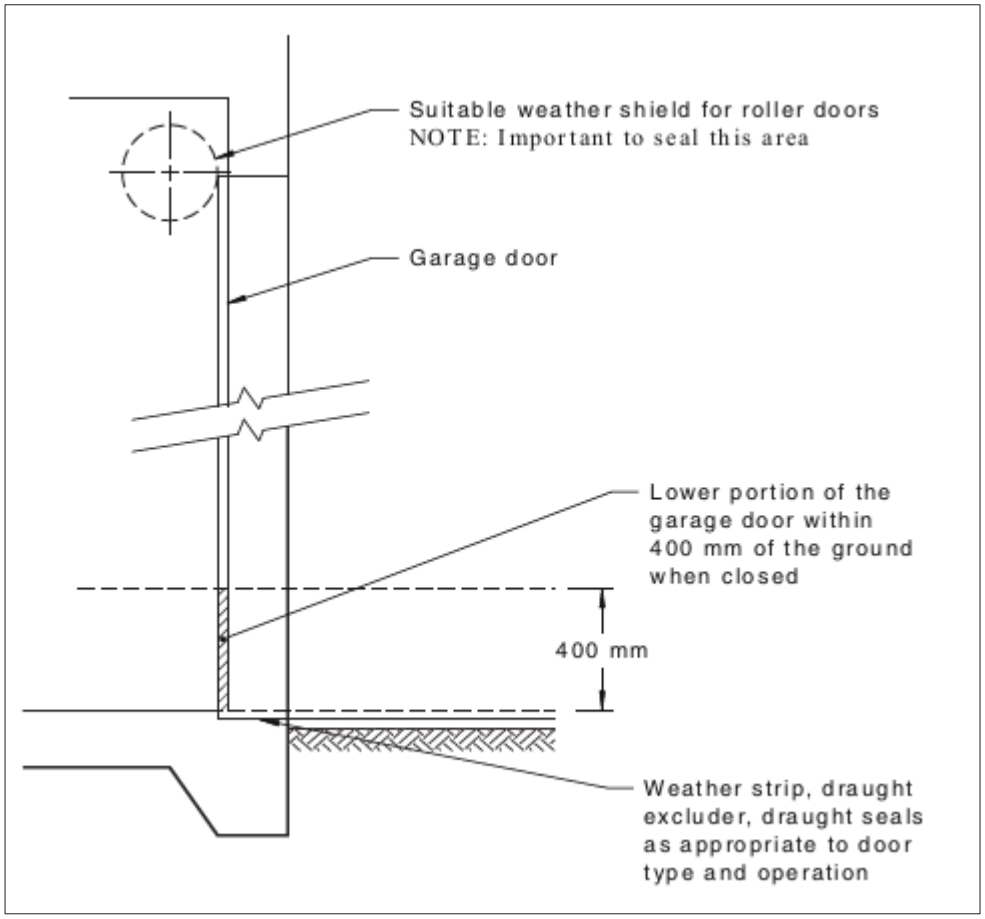


Figure 3: Roller shutter door installation (SA 2018)

3.5.1 Fences and gates

To comply with Section 7.6 of PBP, all fencing and gates within bushfire prone areas are to be constructed of hardwood or non-combustible material. Where fencing is within 6 m of a building, they should be made of non-combustible material only.

3.6 Access

Public access to and within the proposed development meets the specific objectives of PBP (Section 3.1 and 3.2) based on the following:

- All access roads within the development are two-wheel drive, all-weather roads;

- The capacity of road surfaces (including bridges/causeways if any) will have minimum carry load of 23 tonnes and bridges/causeways to clearly indicate load rating;
- Hydrants will be provided in accordance with AS 2419:1:2005 (SA 2005);
- There is suitable access for Category 1 fire tanker to access all structures;
- Perimeter access is provided along the hazard interface and around each building for emergency services, at a minimum 6 m wide which complies with 'non-perimeter road' requirements under PBP;
- Internal roads are minimum 6 m wide;
- Public roads are greater than 8 m kerb to kerb, linked to an internal road system at intervals no greater than 500 m;
- All roads within the development meet the acceptable solutions/performance criteria for public roads under Section 7 of PBP.

3.7 Water supplies

The compliance of the proposed water supply with Section 7.4 of PBP is detailed in **Table 6**.

Table 6: Water supply requirements (adapted from Table 7.4a of PBP)

Performance Criteria	Acceptable Solution	Compliance Notes
Adequate water supplies is provided for firefighting purposes.	Reticulated water is to be provided to the development where available; A static water supply is provided where no reticulated water is available.	**Complies** Proposal serviced by a reticulated water supply. Additional sprinkler water tanks are located at each building.
Water supplies are located at regular intervals; and The water supply is accessible and reliable for firefighting operations.	Fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1 (SA 2005); Hydrants are not located within any road carriageway; and Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.	**Can comply** The advice of a relevant authority or suitably qualified professional should be sought, for certification of design and installation in accordance with relevant legislation, Australian Standards and Table 7.4a of PBP.
Flows and pressure are appropriate.	Fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1 (SA 2005).	
The integrity of the water supply is maintained.	All above-ground water service pipes are metal, including and up to any taps; and Above-ground water storage tanks shall be of concrete or metal.	

3.8 Electricity services

The compliance of the proposed supply of electricity services with Section 7.4 of PBP is detailed in **Table 7**.

Table 7: Requirements for the supply of Electricity services (adapted from Table 7.4a of PBP)

Performance Criteria	Acceptable Solution	Compliance Notes
Location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	Where practicable, electrical transmission lines are underground; Where overhead, electrical transmission lines are proposed as follows: Lines are installed with short pole spacing (30 m), unless crossing gullies, gorges or riparian areas; and No part of a tree is closer to a power line than the distance set out in ISSC3 Guide for the Management of Vegetation in the Vicinity of Electricity Assets (ISSC3 2016).	**Complies** Electricity services to the subject site are located underground. **Not applicable.**

3.9 Gas services

The compliance of the proposed supply of gas services (reticulated or bottle gas) with Section 7.4 of PBP is detailed in **Table 8**.

Table 8: Requirements for the supply of gas services (adapted from Table 5.3c of PBP)

Performance Criteria	Acceptable Solution	Compliance Notes
Location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 – The Storage and handling of LP gas, the requirements of relevant authorities, and metal piping is used; All fixed gas cylinders are kept clear of all flammable materials to a distance of 10 m and shielded on the hazard side; Connections to and from gas cylinders are metal; Polymer-sheathed flexible gas supply lines are not used; and Above-ground gas service pipes are metal, including and up to any outlets.	**To comply** The advice of a relevant authority or suitably qualified professional should be sought, for certification of design and installation in accordance with relevant legislation, Australian Standards and table 5.3c of PBP.

3.10 Staged development

The proposed development will be constructed in a staged manner and it is the responsibility of the proponent to implement the identified bushfire protection measures to each stage as identified in this assessment. Implementation of these measures may be temporary in nature (i.e. APZ, fire trails, turning areas) until future stages are developed.

3.11 Emergency and Evacuation Planning

Due to the nature and use of the proposed development and due to the surrounding bushfire hazard being removed/reduced over time an emergency plan meeting requirements of the Work Health safety Regulation 2017, relevant legislation and building requirement of the NCC is considered suitable and commensurate to risk for this development.

4. Conclusion

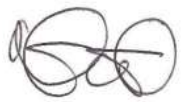
The proposed development meets the specific objectives of '*Planning for Bush Fire Protection 2019*', as outlined in **Table 9** below.

Table 9: Development Bushfire Protection Solutions and Recommendations

Bushfire Protection Measures	Recommendations	Report Section
Asset Protection Zones	This assessment indicates the proposed development will comply with the PBP APZ performance criteria (**Figure 4**). Identified APZ to be maintained in perpetuity to the specifications detailed in **Appendix A**.	3.3
Landscaping	Any future landscaping meets the requirements of PBP listed in **Appendix A**.	3.4
Construction standard	Buildings within the development are to be constructed in accordance with the NCC fire safety provisions with additional ember protection as identified in Section 3.5 of this report.	3.5
Access	Access to meet specific objectives as per Section 3.2 and 3.5 of this report.	3.6
Water supply	Reticulated water supply to meet PBP acceptable solution specifications for a subdivision.	3.7
Electricity service	Electricity supply located underground.	3.8
Gas service	Gas services are to be installed and maintained in accordance with AS/NZS 1596:2014.	3.9
Emergency and Evacuation Planning	Emergency plan meeting requirements of the Work Health safety Regulation 2017 and relevant legislation is to be prepared for each building.	3.11

5. Recommendations

It is recommended that the proposed development be approved with consent conditions based on the findings in **Table 9**.



Natalie South
Bushfire Consultant



Bruce Horkings
Senior Bushfire Consultant
FPAA BPAD Accredited Practitioner No. BPAD29962-L3

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Appendix A - Asset protection zone and landscaping standards

The following APZ management specifications in **Table 10** apply to the APZs specified in **Table 3** and shown in **Figure 2**. These APZ management specifications should be considered for any landscaping and ongoing management within the subject land.

The APZs identified in **Table 3** are to be maintained in perpetuity and management undertaken on an annual basis (as a minimum) and prior to the commencement of the fire season.

Further details on APZ implementation and management can be found on the NSW RFS website (https://www.rfs.nsw.gov.au/resources/publications).

Table 10: APZ management specifications

Vegetation Strata	Inner Protection Area (IPA)
Trees	Tree canopy cover should be less than 15% at maturity; Trees (at maturity) should not touch or overhang the building; Lower limbs should be removed up to a height of 2 m above ground; Canopies should be separated by 2 to 5 m; and Preference should be given to smooth barked and evergreen trees.
Shrubs	Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided; Shrubs should not be located under trees; Shrubs should not form more than 10% ground cover; and Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
Grass	Should be kept mown (as a guide grass should be kept to no more than 100 mm in height); and Leaves and vegetation debris should be removed.



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APPENDIX K

Emergency Management Plan

Emergency Management Plan

Project Details	
Project Name:	TJX Distribution Centre
Project Number:	250101
Project Location:	Astoria Rd, Marsden Park
Client:	Owen Walsh
Name of principal contractor:	FDC Construction (NSW) Pty Ltd
Company address:	22-24 Junction Street Forest Lodge 2037
ABN:	72 608 609 427

Prepared Signature .....

Ben Woods

Chief Warden

Approved Signature  .....

Troy Thomas

Project Manager

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1.1 PURPOSE OF THE EMERGENCY MANAGEMENT PLAN

The Emergency Management Plan (EMP) shall be implemented in accordance with the Project Management Plan. The purpose of this plan is to identify potential project specific emergency situations and describe the actions, roles and responsibilities should those situations occur.

This plan addresses project site specific emergencies identified in Appendix B, and provides support to task specific emergency situations identified within the Site Risk Assessment. Task specific emergencies shall be coordinated managed through Appendix C controlled through task specific safety documentation including SMWS, safety procedures, permits or a combination of these. The plan provides:

- Emergency equipment and first aid requirement assessments;
- Emergency procedures for potential emergency situations;
- The frequency of testing of the emergency procedures (i.e.; Emergency Drills);
- Information, training and instruction to relevant workers in relation to implementing the emergency procedures.

The plan, including the emergency procedures, has been developed based on:

- The nature of the work being carried out at the workplace;
- Emergency and first aid requirement assessments;
- The nature of known hazards at the workplace;
- The size and location of the workplace; and
- The number of the workers and other persons at the workplace.

1.2 EMP REVIEW AND APPROVAL

The EMP shall be prepared by the Chief Warden for approval by the Project Manager prior to issue and subsequent revision. At least one EMP hard copy shall be available and accessible on site in addition to the electronic copy retained in the Project drive.

The ongoing suitability of the EMP shall be reviewed during the monthly site audit and after notifiable incidents. Changes as a result of reviews, meetings, site-specific outcomes and recommendations through inspections, reports, audits etc. shall be reviewed in consultation with Divisional HSEQ representatives and approved as above prior to re-issue.

The revision table in Appendix D shall record revisions and changes shall be communicated to holders of copies and other stakeholders as required and recorded through project correspondence.

1.3 DEFINITIONS

Incident	An unplanned event resulting in, or has the potential for, personal injury, loss of productivity, environmental damage or property damage. Work related incidents may involve a work injury and/or non-injury occurrence
Notifiable Incident	▪ the death of a person; or ▪ a serious injury or illness of a person; or ▪ a dangerous incident.
Serious Injury or Illness	this part, serious injury or illness of a person means an injury or illness requiring the person to have: ▪ immediate treatment as an in-patient in a hospital; or ▪ immediate treatment for:— - the amputation of any part of his or her body; or - a serious head injury; or - a serious eye injury; or - a serious burn; or - the separation of his or her skin from an underlying tissue (for example, degloving or scalping); or - a spinal injury; or - the loss of a bodily function; or - serious lacerations; or - medical treatment within 48 hours of exposure to a substance.
Dangerous Incident	An incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to: ▪ an uncontrolled escape, spillage or leakage of a substance; or ▪ an uncontrolled implosion, explosion or fire; or ▪ an uncontrolled escape of gas or steam; or ▪ an uncontrolled escape of a pressurised substance; or ▪ electric shock; or ▪ the fall or release from a height of any plant, substance or thing; or ▪ the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use under a regulation; or ▪ the collapse or partial collapse of a structure; or ▪ the collapse or failure of an excavation or of any shoring supporting an excavation; or ▪ the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or ▪ the interruption of the main system of ventilation in an underground excavation or tunnel.
Near Miss (or Dangerous Occurrence)	Any unplanned event in the workplace that, although not resulting in injury or significant equipment, property and/or environmental damage, had the potential to do so.
Emergency Services	Police, ambulance, fire brigades, state emergency services, hospital or other specialist groups.

Incident Class	
Class 1 (Critical)	**People:** Causes or has the potential to cause damage which permanently alters the future of the individual (fatality, quadriplegia, amputee, disabled or psychological disturbance). **Environment:** Causes or has the potential to cause permanent environmental damage and results in remediation costs of > $50,000. **Plant / Equipment / Property:** Causes or has the potential to cause damage to plant / equipment and / or property > $50,000. Section 2.1 of this plan only applies to Critical (Class 1) Incidents
Class 2 (Non Critical)	**People**: Causes or has the potential to cause an injury or disease resulting in temporary disability or time lost from work of one or more complete days or shifts. **Environment**: Causes or has the potential to cause damage to the environment which can be rectified and results in remediation costs of > $10,000 and < $50,000. **Plant / Equipment / Property**: Causes or has the potential to cause damage to plant / equipment and / or property > $10,000 and < $50,000.
Class 3 (Non Critical)	**People:** Causes or has the potential to cause an injury which inconveniences the individual such as minor cuts or sprains, but allows the person to continue to carry out normal duties. **Environment:** Causes or has the potential to cause damage to the environment which can be easily rectified and results in remediation costs of < $10,000. **Plant / Equipment / Property:** Causes or has the potential to cause damage to plant / equipment and / or property < $10,000.

1.4 ROLES AND RESPONSIBILITIES

The Chief Warden shall be responsible for inducting designated emergency personnel into the requirements of the project specific EMP. Designated emergency personnel shall initial the below table acknowledging their role requirements. Minimum qualifications through accredited registered training organisations for the below roles shall be managed in accordance with the Training and Experience Register.

Designated Emergency Roles		
Position	Name	Initials
Chief Warden	Ben Woods	BW
Warden (Deputy Warden)	Harley Munro	HM
Warden	[insert name]	
Warden	[insert name]	
Warden	[insert name]	
First Aider	Ben Woods	BW
First Aider	Harley Munro	HM
First Aider	[insert name]	
First Aider	[insert name]	

Note: Where work is conducted in an occupied facility, with an existing emergency management system/personnel, an employee with Fire Control qualifications shall assume the role of the Chief Warden.

1.4.1 Chief Warden

Minimum requirements

- Chief Warden qualifications;
- Fire Control qualifications; and
- Provide First Aid qualifications.

Key Responsibilities

- Complete the First Aid, Emergency and Health Surveillance Risk Assessment (F009);
- Ensure project roles are allocated and recorded in Section 1.4.
- Conduct emergency drills at the frequencies noted in Section 1.7;
- Ensure first aid and emergency equipment is installed, maintained and tested;
- Coordinating responses to identified emergencies; and
- Perform roles defined in Appendix B “Site Emergency Procedures”.

Note: If the Chief Warden cannot be contacted, then the Deputy Warden shall act as the Chief.

1.4.2 Warden

Minimum training requirements

- Warden qualifications;
- Fire Control qualifications;
- Provide First Aid qualifications; and
- Inducted into this EMP.

Key Responsibilities

- Assist the Chief Warden as directed;
- Perform roles defined in Appendix B “Site Emergency Procedures”; and
- Assist in FDC emergency drills.

1.4.3 Occupational First Aider (OFA)

Minimum training requirements

- Occupational First Aid qualifications; and
- Inducted into this EMP.

Key Responsibilities

- Complete the First Aid, Emergency and Health Surveillance Risk Assessment (F009);
- Ensure first aid equipment is installed and maintained;
- Assist in FDC emergency drills; and
- Provide first aid in emergencies.

Note: where projects do not require an Occupational First Aider, a First Aider shall be appointed to perform first aid duties in accordance with the First Aider section below.

1.4.4 First Aider (FA)

Minimum training requirements

- Provide First Aid qualifications;
- Inducted into this EMP;

Key Responsibilities

- Complete the First Aid, Emergency and Health Surveillance Risk Assessment (F009);
- Ensure first aid equipment is installed and maintained;
- Assist in FDC emergency drills; and
- Provide first aid in emergencies.

1.5 EMERGENCY EQUIPMENT NEEDS ASSESSMENT

An emergency equipment needs assessment using the First Aid, Emergency and Health Surveillance Risk Assessment (F009) shall be completed prior to commencement. The assessment shall be completed by the Chief Warden to ensure the suitability and location of emergency equipment.

The assessment shall be reviewed:

- at maximum 6 monthly intervals;
- after an emergency situation (including evacuation, fire or task specific emergency); or
- where there are significant changes to the workplace and/or size of the work force.

Changes to emergency requirements shall be communicated through toolbox/prestart or other project meetings.

1.6 COMMUNICATION OF EMERGENCY AND FIRST AID REQUIREMENTS

Workers and Visitors shall be advised of emergency and first aid procedures during the site induction and when visitors are signed in by a site inducted person. The emergency evacuation plan, site layout plan and emergency contact details are displayed throughout the site sheds to communicate emergency numbers and evacuation points are easily referenced.

1.7 EMERGENCY DRILLS

Testing of the Emergency Management Plan, including potential Task Specific Emergencies, and emergency equipment shall be conducted within 1 month of commencement of works, then at maximum 3 monthly intervals per the below schedule. The initial drill shall be an evacuation. In addition to Weekly Site Inspections, emergency drills ensure emergency preparedness and response procedures and equipment remain suitable.

Drill date	Scenario (select from Site Emergency Procedures Appendix B and Task Specific Emergency Procedure Appendix C B)
[insert date]	Evacuation drill
[insert date]	Scenario drill – e.g. working at heights, confined space
[insert date]	Scenario
[insert date]	Scenario

- Drills coordinated by an external party where FDC works are in an occupied facility can be included in the emergency drill schedule.
- The Chief Warden shall be responsible for recording training/drills and lessons learned on the Emergency Drill (F040);
- Where drills identify improvements to project emergency procedures, these shall be made in consultation with the Chief Warden and Divisional HSEQ personnel;
- Lessons learnt, including changes to project requirements, shall be communicated to workers on site via a Toolbox Talk Record (F050);
- Where drills identify improvements to the DON these shall be communicated to the National HSEQ Systems Manager through the Systems Change Request (F056); and
- Emergency drills are not required for projects with durations less than 3 weeks unless specified in the contract.

2.1 CRITICAL INCIDENT MANAGEMENT

2.1.1 Legal Advice

The Project Managers shall be responsible for advising the National HSEQ Systems Manager, HSEQ Manager and General Manager, Director National Operations, Chief Operating Officer and Managing Director in the event of a potential or actual Critical (Class 1) Incident. The National HSEQ Systems Manager shall be responsible for organising legal privilege and further legal advice where required.

2.1.2 Media

All statements to the media concerning emergencies at a FDC workplace shall be made by the General Manager after consultation with the client and the Managing Director. Media attending site without notice shall be treated courteously but should not be allowed free access to the site. All media enquiries and/or releases shall be referred to the Managing Director.

In case of a fatality, the name of those involved shall not broadcast until next of kin have been notified by the police.

2.1.3 Trauma Counselling

Employee Assistance Programme - Counselling shall be made available by the General Manager through the FDC Employee Assistance Programme that provide appropriately qualified Counsellors.

Support of Family of Injured or Deceased Employee - The family of the injured worker must be advised of the accident. Where an employee is deceased, the Police will inform the next of kin. The task of advising a family member of an injured employee should preferably be performed by two people, one of whom is a senior company representative. They will be assisted by the Police and/or a Counsellor if necessary. The advice will be factual and appropriate counselling assistance be made available.

Support of Co-workers and Witnesses - Co-workers and witnesses shall be supported and trauma counselling made available. People affected will be debriefed and be provided with relevant FDC Employee Assistance Programme contact details.

The workforce will be advised of the accident and trauma counselling made available through the FDC Employee Assistance Programme. Consistent and factual information will be given quickly to prevent the grapevine generating rumour and innuendo.

2.1.4 Critical Incident Review

Incident Reports for Critical Incidents shall be reviewed by senior management including representatives form divisional management, the National HSEQ Systems Manager and project management representatives. The review shall be used to determine the effectiveness of the critical incident procedures and areas of improvement. Improvements shall be documented via the Incident Report with any system improvements documented through the improvements register.

APPENDIX A – SITE EMERGENCY DETAILS

SITE EMERGENCY DETAILS IN APPENDIX A SHALL BE MADE SITE SPECIFIC AND DISPLAYED ON SITE

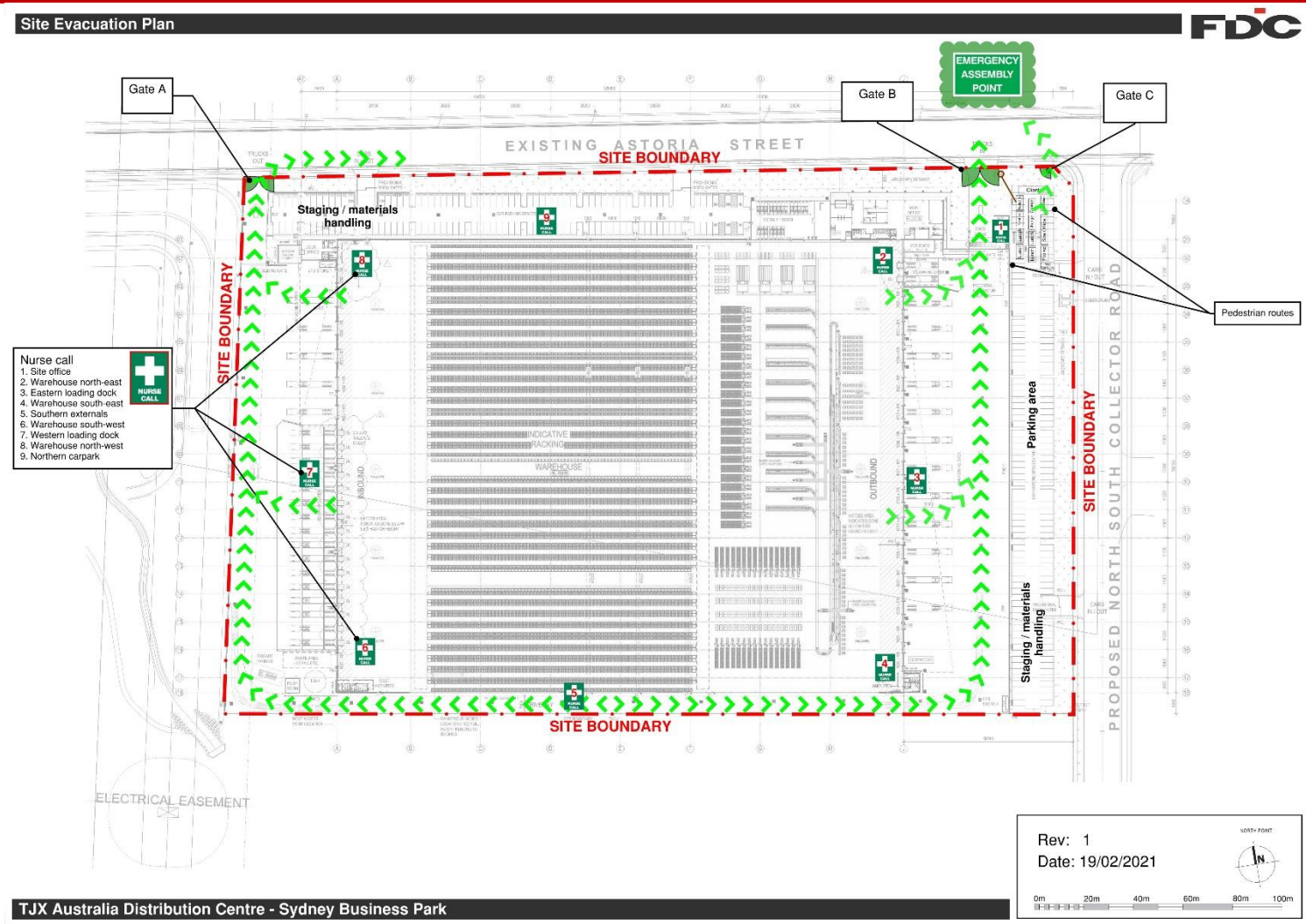
EMERGENCY CONTACT DETAILS

General Manager	***Sean Gibbeson***	**Head Office: 8117 5035**
Divisional HSEQ	***Joe Abraham***	**Mobile: 0478 333 210**
Project Manager	***Troy Thomas***	**Mobile: 0403 605 411**
Chief Warden	***Ben Woods***	**Mobile: 0466 745 390**
Deputy Warden	***Insert Name***	**Mobile:**
First Aid Officer	***Ben Woods***	**Mobile: 0466 745 390**
National HSEQ Systems Manager	***Andrew Smith***	**Head Office: 8117 5058**

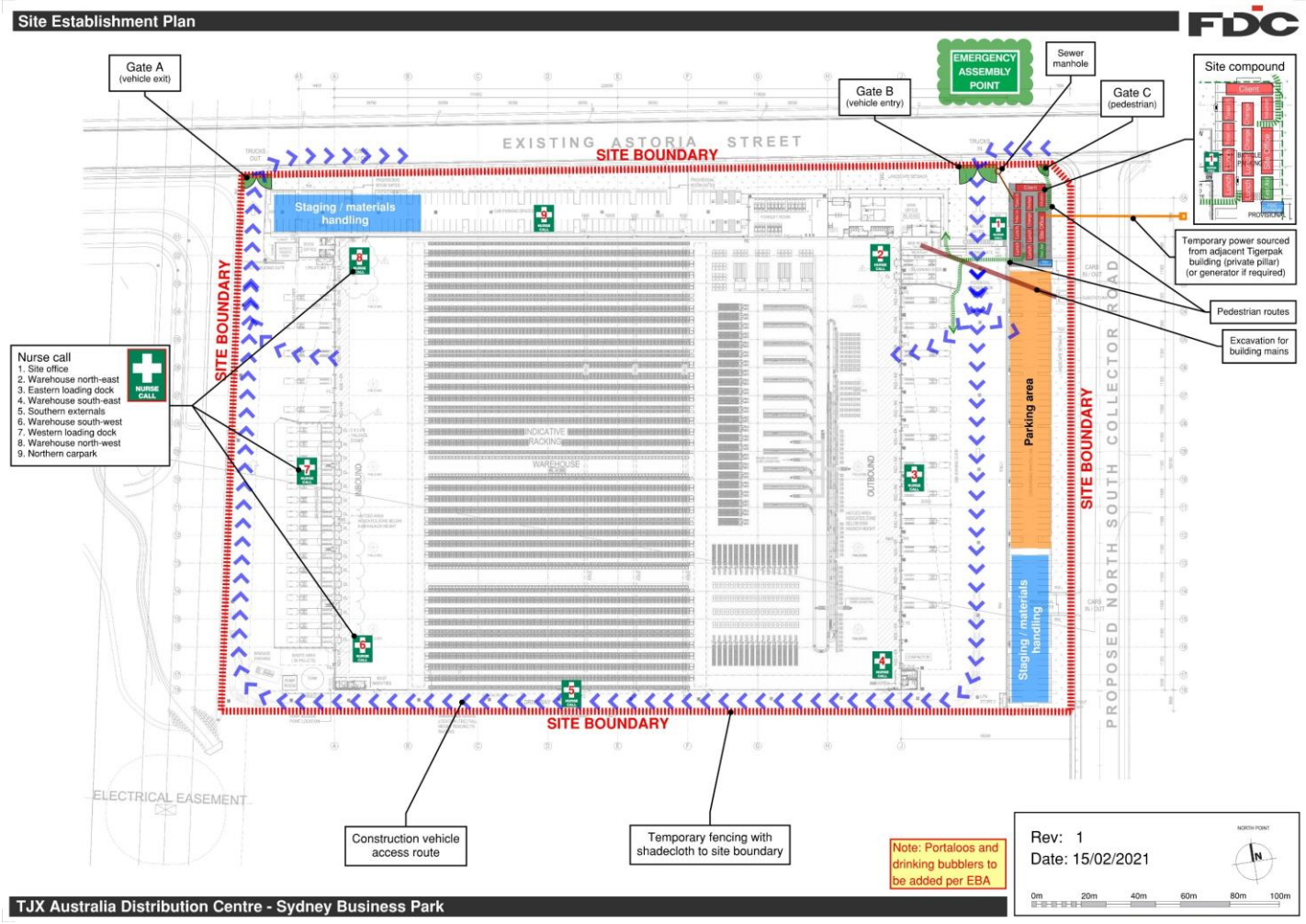
Regulatory authority	***Insert***	***Insert***

Poisons Information Centre		**13 11 26**
Ambulance, Fire Station, Police	**Emergency Services**	**000 or 112 from mobiles**
HAZMAT		**13 15 55**
Medical Centre	***Our Medical Home*** ***1/9 Hollinsworth rd Marsden Park***	***02 8042 0485***
Hospital	***Mount Druitt Hospital*** ***75 Railway Street*** ***MOUNT DRUITT NSW 2770***	***02 9881 1555***
OEH/EPA– POLLUTION LINE		**13 15 55**
State Emergency Service		**13 25 00**
Telstra – Underground Services		**1100**
Telstra – Damaged Cables		**13 22 03**

EVACUATION DIAGRAM



SITE LAYOUT PLAN

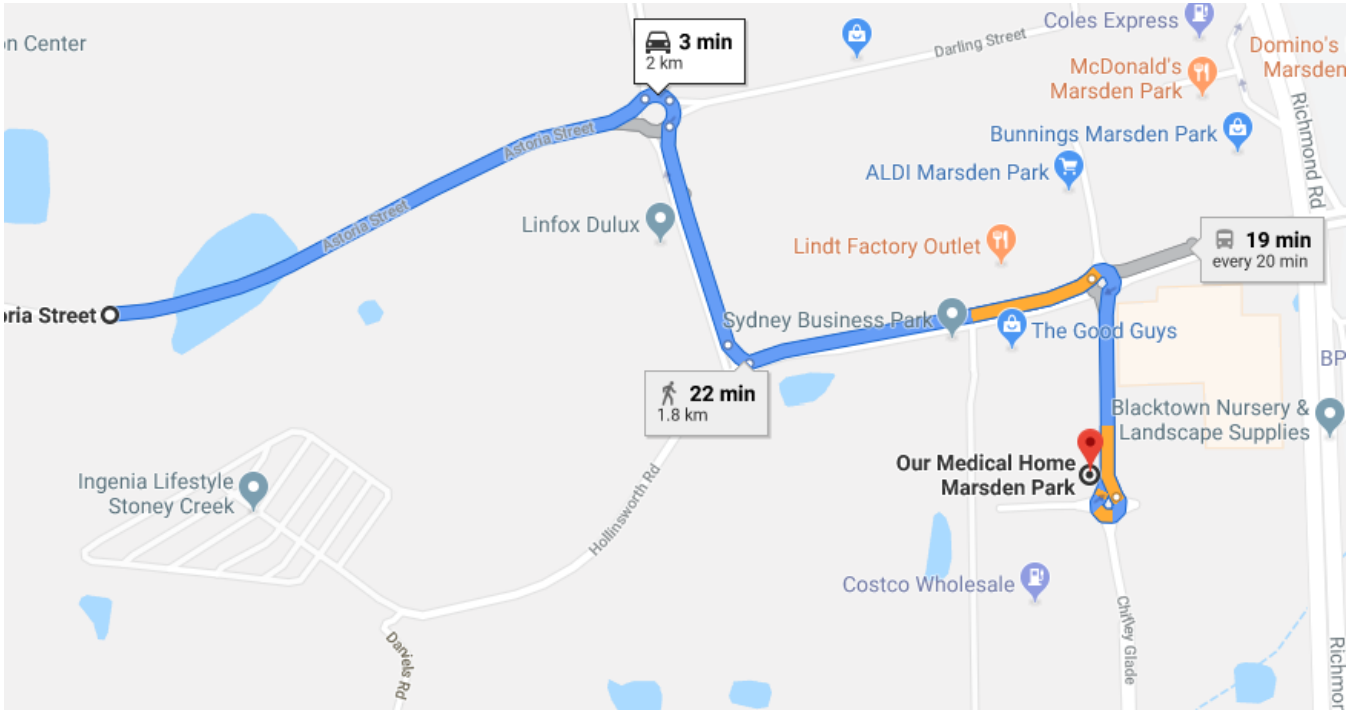


LOCATION OF MEDICAL CENTRE

Our Medical Home Marsden Park

Address: 1/9 Hollinsworth Road, Marsden Park NSW 2765

Phone: 02 8042 0485

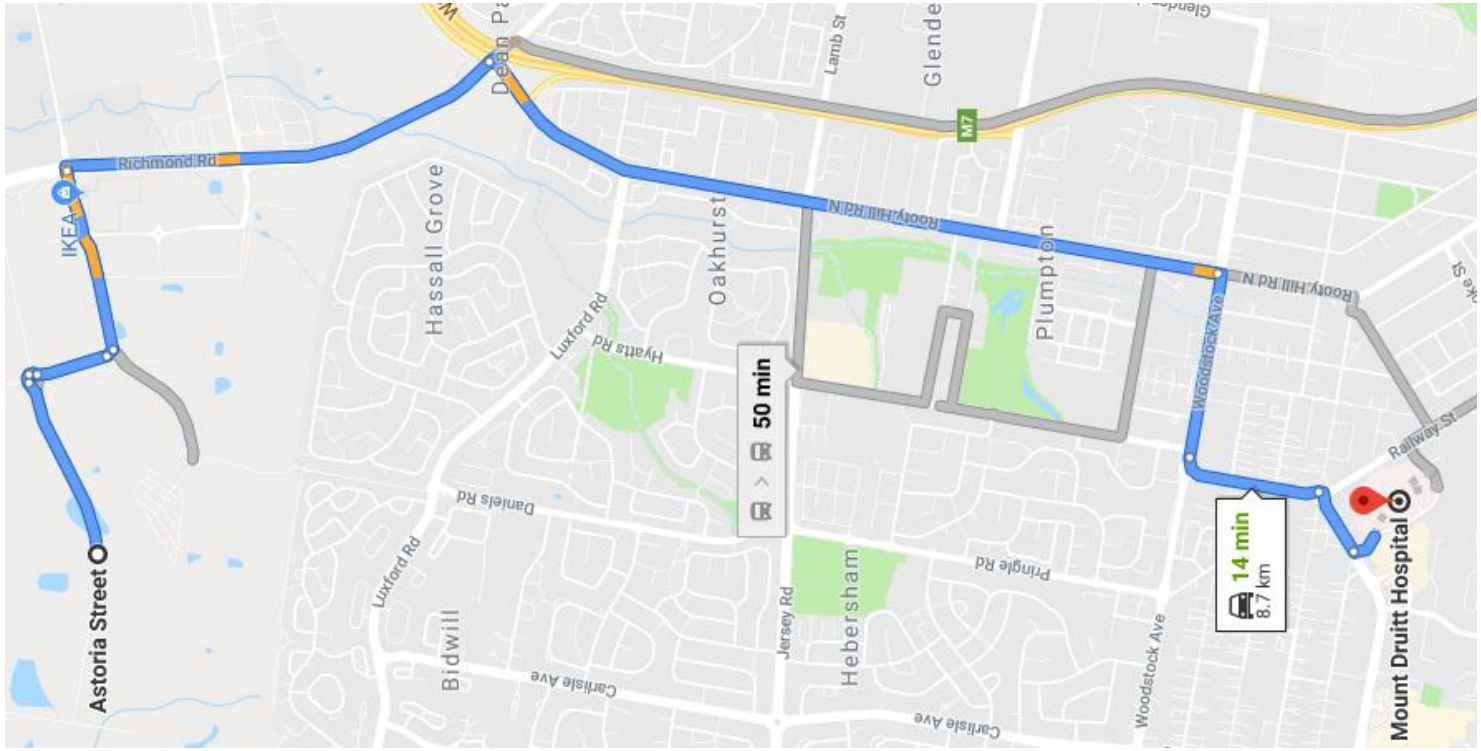


LOCATION OF HOSPITAL

Mount Druitt Hospital

Address: 75 Railway Street, Mt Druitt New South Wales 2770

Phone: 02 9881 1555



APPENDIX B – SITE EMERGENCY PROCEDURES

The following ☒ potential emergency procedures have been assessed and may be applicable to this project.

☒ Evacuation	☒ Injury / Illness	☒ Fire / Explosion
☒ Breach of Utility / Service	☒ Vehicle / Plant Incident	☒ Structure Collapse
☒ Bomb Threat	☒ Electrocution	☒ Environmental
☒ Task Specific	☐ Unexpected Find of Asbestos or known Health Hazard	

EVACUATION PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Activate the site emergency response alarm;
- Call Emergency Services on 000 and advise site location and nature of the incident;
- Coordinate all activity prior to arrival of Emergency Services;
- All equipment, machinery must be switched off immediately and "Live" electrical equipment must be disconnected where possible;
- Cranes with suspended loads must, with the consideration of the safety of all persons (including themselves), bring the load to rest in a safe manner without exceeding the normal operating capacity of the crane;
- Stop work and direct personnel to the evacuation assembly point;
- Mark workers off the site access sheet;
- Inform Chief Fire Warden and emergency services of missing persons;
- Instruct personnel to remain at the evacuation assembly point; and
- Await instruction of emergency services before moving from the emergency assembly point.

Warden

- Assist the Chief Warden;
- Stop work in the area and direct personnel away from the location.

INJURY OR ILLNESS PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an injury or illness emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assist the first aider by coordinating emergency services;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct personnel away from the location.

Fire Warden

- The First Aider assesses and stabilises the injury / condition;
- Contact or confirm ambulance and give the injury details and site location;
- Follow directions of the Emergency Services;
- If the patient is unconscious:
    - **D**anger – do not enter an area that could be unsafe for you
    - **R**esponse – establish the patient's level of consciousness
    - **S**end for help
    - **A**irway
    - **B**reathing
    - **C**irculation

- If the patient is conscious:
    - Check for bleeding and control with direct pressure
    - Do not move patient except where the location is not safe and secure
    - Monitor vital signs
    - Provide First Aid to the level of your training

FIRE / EXPLOSION PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Sound the site emergency response alarm;
- Call Emergency Services on 000 and advise site location and nature of the incident;
- Coordinate all activity prior to arrival of Fire Brigade;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct personnel away from the location

BREACH OF UTILITY / SERVICE PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Call Emergency Services on 000 and advise site location and nature of the incident;
- Notify the utility / service provider and coordinate termination of the source;
- If caused by plant, instruct operator to remain in plant and not to touch metal surfaces;
- Where safe to do so, isolate the area and prevent access;
- Shut down possible sources of ignition within the controlled area (e.g. mobile plant, vehicles, electrical devices, switchboards, pilot lights or gas appliances);
- Consider evacuation of nearby buildings, if buildings are within 30 metres controlled area, notify building security of buildings to be evacuated and use exits that do not open to controlled area;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

VEHICLE / PLANT INCIDENT PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Ensure vehicle is stable before assisting personnel;
- Stop work around the incident areas;
- If traffic is a hazard implement traffic management;
- Look out for leaking/spilling fuel or other flammable substances and avoid anything that could cause ignition of fuel or fumes (e.g. cigarette's);
- Coordinate appropriate fire extinguisher in case of fire;
- If necessary contact emergency services where danger exists to the public or employees;
- If required, activate **FIRE / EXPLOSION PROCEDURE**;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

- Once the scene has been vacated do not disturb the vehicle/plant if the incident is identified as notifiable.
- Secure the site until after the investigation

STRUCTURE COLLAPSE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Call Emergency Services on 000 and advise site location and nature of the incident;
- If safe to do so, coordinate rescue of trapped workers;
- If safe to do so, provide support to unstable structure;
- Assist Subcontractors with the implementation of task specific emergency procedures related to affected workers (eg confined spaces; demolition; working at heights);
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

UNEXPECTED FINDS PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Stop work in the area and direct unnecessary personnel away from the location;
- Establish an exclusion and containment zone around area;
- Communicate the unexpected find and immediate control measures to potentially affected workers and the regulator (for Asbestos Only) and engage Occupational Hygienist;
- Implement further directions from Occupational Hygienist;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

BOMB THREAT PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.
-

Chief Warden

- Call Emergency Services on 000 and advise site location and nature of the incident;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

BOMB THREAT CHECKLIST

QUESTIONS TO ASK

- WHEN IS THE BOMB GOING TO EXPLODE?
- WHERE DID YOU PUT THE BOMB?
- WHEN DID YOU PUT IT THERE?
- WHAT DOES THE BOMB LOOK LIKE?
- WHAT KIND OF BOMB IS IT?
- WHAT WILL MAKE THE BOMB EXPLODE?
- DID YOU PLACE THE BOMB?
- WHAT IS YOUR NAME?
- WHERE ARE YOU?
- WHAT IS YOUR ADDRESS?

REMEMBER TO KEEP CALM – DON'T HANG UP AND NOTE THE EXACT WORDS OF THE CALLER

CALLERS VOICE	
Accent (specify):	
Voice (loud, soft etc.):	
Diction (clear, muffled etc.):	
Any impediment (specify):	
Speech (fast, slow etc.):	
Manner (calm, emotional etc.):	
Was the caller familiar with the area?	
Did you recognise the voice?	
If so, who do you think it was?	

THEIR LANGUAGE

Well spoken: .....

Incoherent: .....

Irrational: .....

Taped: .....

Message read by callers: .....

Abusive:

BACKGROUND NOISES

☐ Street noises
☐ House noises
☐ Aircraft
☐ Voices
☐ Music
☐ Machinery
☐ Local Call
☐ Long Distance
☐ Other.....

OTHER

Duration of call: _____

Number called:

RECIPIENT

Name (print): _____

Telephone Number: _____

Signature:

ACTION

Report call immediately to:	
Phone Number:	

ELECTROCUTION PROCEDURE

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Call Emergency Services on 000 and advise site location and incident severity;
- Coordinate the termination of the electricity source;
- Do not touch the person until the electrical service has been isolated/turned off;
- If power cannot be terminated, separate the victim from the power source, if safe to do so, by using a dry object made of non-conducting material (eg dry wood or plastic object) to separate the power source from the person;
- Activate first aid treatment through the **EMERGENCY INJURY / ILLNESS PROCEDURE**;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

ENVIRONMENTAL INCIDENT

Task specific emergencies identified through the Environmental Risk Assessment shall be managed by supervisors responsible for the task and supported by FDC site team. Task specific documentation including SMWS, Safety Data Sheets, safety procedures, permits or a combination of these shall be implemented by personnel with instruction and training in those procedures. The below actions shall be implemented in the event of a task specific emergencies including:

- Spills;
- Release of waste / odours;
- Failure of erosion and sediment controls;
- Contaminated material identified on-site; and
- Discovery of an item of aboriginal or heritage significance.

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- If safe to do so stop the task causing the incident;
- Call Emergency Services on 000 and advise site location and nature of the incident if not contained on site;
- If emergency not contained on site notify the Environmental Protection Authority;
- If safe to do so, implement containment measures (eg spill kit; suppression agents);
- Minimise disturbance to heritage or culturally sensitive areas;
- Implement controls specific on Safety Data Sheets for hazardous chemicals / dangerous goods;
- Dispose of clean-up material according to SDS and regulatory requirements.
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE;**
- If required, activate the **INJURY / ILLNESS PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location.

APPENDIX C – TASK SPECIFIC EMERGENCIES

TASK SPECIFIC EMERGENCY PROCEDURE

Task specific emergencies identified through the Site Risk Assessment shall be managed by supervisors responsible for the task and supported by FDC site team. Task specific documentation including SMWS, safety procedures, permits or a combination of these shall be implemented by personnel with instruction and training in those procedures.

The below actions shall be implemented in the event of a task specific emergencies including:

- Asbestos;
- Confined spaces;
- Demolition;
- Excavation / trench collapse;
- Harness use; and
- Tilt-up/Precast.

Immediate Response – ALL WORKERS AND VISITORS

- In the event of an emergency contact FDC management by emergency response alarm, phone or attending the site office;
- Notify emergency services via 000 if you believe it necessary.

Chief Warden

- Assess the situation and identify the nature and severity of the incident;
- Call Emergency Services on 000 and advise site location and nature of the incident;
- Assist Task Supervisor / Subcontractor implement task specific emergency procedure identified through the Site Risk Assessment;
- Notify First Aid;
- If required, commence evacuation of site by activating **EVACUATION PROCEDURE.**

Warden

- Assist the Chief Warden;
- Stop work in the area and direct unnecessary personnel away from the location

APPENDIX D – REVISION TABLE

Rev.:	Rev. Date	REVISION DESCRIPTION	PM's INITIALS (approval of changes)
A	4/02/2021	Site Start-Up	TT

APPENDIX L

Unexpected Finds Protocol - Contamination

Douglas Partners Pty Ltd
ABN 75 053 980 117
www.douglaspartners.com.au
18 Waler Crescent
Smeaton Grange NSW 2567
Phone (02) 4647 0075

FDC Constructions Pty Limited
22 - 24 Junction Street
Forest Lodge 2037

Project 94569.10
16 February 2021
R.001.Rev0
ALB

Attention: Edward Gregory

Email: edwardg@fdcbuilding.com.au

Unexpected Finds Protocol
Proposed Industrial Development
Warehouse 1, Stage 3, Marsden Park

1. Introduction

Douglas Partners Pty Ltd (DP) was commissioned by FDC Constructions Pty Ltd to prepare this Unexpected Finds Protocol (UFP) for Warehouse 1, Stage 3 of the Sydney Business Park, Marsden Park, NSW (the site), as shown by the attached FDC Drawing 20229_GA-100_P11_OVERALL SITE PLAN. The purpose of the UFP is to provide a formal contingency checklist to be followed in the event of an unexpected find with respect to potential site contamination issues encountered during bulk earthworks.

DP understands that the site is to be developed for commercial/industrial land use.

2. Unexpected Finds Protocol

If unexpected conditions with respect to contamination are encountered by the Contractor during the earthworks (such as fragments of suspected ACM, buried structures or unexpected contaminated soil or contaminants), the following general approach should be adopted:

- Upon discovery of an unexpected find (UF), works should cease in that area, the Contractor's Site Manager should be notified and the affected area closed off by the use of barrier tape;
- `The location of the UF should be surveyed using dGPS with sub-metre accuracy;
- The Site Manager is to contact the Principal's Representative (PR), and the PR is to notify the Environmental Consultant;
- The Environmental Consultant will inspect the area and make an assessment of the significance of the find in terms of the potential impact to human health and the environment with reference to NSW EPA endorsed guidelines including NEPC (2013);
- Provision of advice from the Environmental Consultant to the PR regarding the recommended course of action;
- The Environmental Consultant will prepare a report detailing their assessment, including the extent and methods of remediation, as required;

- The assessment results together with a suitable management plan may be provided to Council (as required) prior to the removal or treatment of such contamination;
- The agreed management/remedial strategy shall be implemented; and
- Details of the incident are to be recorded in the site record system.

In the event that the UF relates to the identification of asbestos, the following protocol will also apply:

- Upon discovery of suspected asbestos, the Site Manager should be notified and the affected area closed off by the use of barrier tape and warning signs. Warning signs shall be specific to Asbestos Hazards and shall comply with the Australian Standard 1319-1994 *Safety Signs for the Occupational Environment*;
- The location of the UF should be surveyed using dGPS with sub-metre accuracy;
- The Site Manager is to contact the Principal's Representative (PR), and the PR is to notify an appropriately qualified Environmental Consultant or Occupational Hygienist;
- The Environmental Consultant or Occupational Hygienist is to confirm the presence of asbestos and assess the extent of remediation works to be undertaken. An assessment report detailing this information will be compiled by the Environmental Consultant or Occupational Hygienist and provided to the PR;
- The Environmental Consultant or Occupational Hygienist should prepare a report detailing their assessment including the extent and methods of management / remediation, as required;
- The assessment results, together with a suitable management plan, may be provided to Council (as required) prior to the removal or treatment of the asbestos;
- The agreed management/remedial strategy shall be implemented;
- In dry and windy conditions, any stockpiles or other areas of the site found to contain asbestos should be lightly wetted and covered with plastic sheeting whilst awaiting remediation / disposal;
- All work associated with asbestos in soil will be undertaken by an appropriately licenced contractor.
- Monitoring for airborne asbestos fibres is to be carried out during the soil excavation and remediation (if undertaken);
- Documentary evidence (weighbridge dockets) of correct disposal is to be provided to the contractors construction manager;
- At the completion of the excavation, a clearance inspection is to be carried out and written confirmation is to be provided by the Environmental Consultant or Occupational Hygienist that the area is safe to be accessed and worked. Validation should include appropriate soil sampling and testing; and
- Details of the UF and the remedy employed should be recorded in the site record system.

A form to be completed by the Contractor's Site Manager is attached and should be completed and sent to the PR and Environmental Consultant, or Occupational Hygienist, in the event of encountering a UF. Please contact the undersigned if you have any questions on this matter.

Yours faithfully
Douglas Partners Pty Ltd



Alex Bayer
Environmental Scientist

Reviewed by



Rod Gray
Senior Associate

Attachments: Unexpected Finds Form
FDC Drawing 20229_GA-100_P11_OVERALL SITE PLAN

Limitations

Douglas Partners Pty Ltd (DP) has prepared this report for Warehouse 1, Stage 3 of the Sydney Business Park, Marsden Park, NSW. The report is provided for the exclusive use of FDC Constructions Pty Ltd for this project only and for the purpose(s) described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

This report must be read in conjunction with all of the attached notes and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as a part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Unexpected Find Form

Unexpected Find No. _____

Date _____

Location _____

Actions

Item	Action Taken	Action Taken By
Unexpected find encountered	Affected area closed off by barrier tape	Contractor
	Notify the Principal's Representative	Site Manager
	Notify Environmental Consultant / Occupational Hygienist	Principal's Representative

Information for the Environmental Consultant to be completed by the Contractor's Site Manager

Description of the Unexpected Find		
Does the Unexpected Find potentially involve asbestos	Yes	No

APPENDIX M

Landscape Management Plan

SITE IMAGE

Landscape Architects

Sydney Business Park
Stage 3 Warehouse 1

LANDSCAPE MANAGEMENT PLAN

Prepared by	Site Image NSW Pty Ltd
Prepared for	Sydney Business Park
Project number	SS20-4467
Date	16.02.2021

Document Issue	Description	Date
A	For Comment	19.02.2021

1.0 Introduction

This Document has been prepared in response to DA consent condition B46.

It has been prepared by Nick Metcalf, Blarch Dip Hort Registered Landscape Architect no.1695.

2.0 LANDSCAPE DESIGN

2.1 Planting Species

Botanic Name	Common Name	Mature Size	Pot Size	Density
TREES				
Pyrus calleryana 'Chanticleer'	Chanticleer Ornamental Pear	11 x 6	100L	As Shown
Magnolia grandiflora 'Little Gem'	Dwarf Magnolia	5 x 3	100L	As Shown
Corymbia maculata	Spotted Gum	30 x 8	100L	As Shown
Fraxinus 'Raywoodii'	Claret Ash	14 x 7	100L	As Shown
Lagerstroemia indica	Crepe Myrtle	6 x 3	100L	As Shown
SHRUBS & ACCENTS				
Acmena smithii 'Hedge Master'	Lilly Pilly	2 x 1	300mm	As Shown
Callistemon viminalis 'Better John'	Better John	1.2 x 0.9	300mm	As Shown
Juniperus conferta	Shore Juniper	0.3 x 2.5	300mm	As Shown
Lavandula dentata	French Lavender	1.5 x 1.5	300mm	As Shown
Loropetalum chinense rubrum 'China Pink'	China Pink' Loropetalum	1.5 x 1.5	300mm	As Shown
Metrosideros 'Tahiti'	Tahiti New Zealand Chrstmas Bush	1 x 1	300mm	As Shown
Phormium tenax 'Baby Bronze'	Baby Bronze NZ Purple Flax	0.75 x 0.8	300mm	As Shown
Raphiolepis 'Oriental Pearl'	Oriental Pearl	1.5 x 1	300mm	As Shown
Viburnum odoratissum	Sweet Viburnum	3 x 2.5	300mm	As Shown
Westringia fruticosa	Costal Rosemary	2 x 2	300mm	As Shown
GRASSES & GROUND COVERS				
Carpobrotus glaucescens	Pigface	0.2 x 1	150mm	5/m2
Dianella caerula 'Breeze'	Breeze	0.6 x 0.6	150mm	5/m2
Dichondra argentea 'Silver Falls'	Silver Falls	0.1 x Spreading	150mm	5/m2
Dietes grandiflora	Wild Iris	1.2 x 1.2	150mm	5/m2
Gazania tomentosa	Silver Gazania	0.15 x 0.6	150mm	5/m2
Hardenbergia 'Meema'	Meema	0.5 x 2	150mm	5/m2
Liriope muscari 'Evergreen Giant'	Giant Turf Lily	0.6 x 0.5	150mm	5/m2
Lomandra longifolia	Mat Rush	0.75 x 1	150mm	5/m2
Lomandra longifolia 'Tanika'	Tanika Matrush	0.65 x 0.65	150mm	5/m2
Pennisetum alopecuroides 'Nafray'	Swamp Foxtail 'Nafray'	0.8 x 0.5	150mm	5/m2
Poa labillardieri 'Eskdale'	Eskdale Tussock Grass	0.9 x 0.6	150mm	5/m2
Senecio 'Chalksticks'	Blue Chalk Sticks	0.3 x 0.75	150mm	5/m2
Trachelospermum jasminoides	Star Jasmine	0.3 x 1.5	150mm	5/m2
FRONTAGE MATRIX PLANTING				
Callistemon 'Great Balls of Fire'	Bottlebrush	2 x 2	300mm	

Callistemon viminalis 'Macarthur'	Macarthur Bottlebrush	1.8 x 1.5	300mm
Loropetalum chinense rubrum 'China Pink'	China Pink' Loropetalum	1.5 x 1.5	300mm
Melaleuca linariifolia 'Claret Tops'	Honey Myrtle	1 x 0.8	300mm
Metrosideros 'Tahiti'	Tahiti New Zealand Chrstmas Bush	1 x 1	300mm
Raphiolepis 'Oriental Pearl'	Oriental Pearl	1.5 x 1	300mm
Rhagodia spinescens 'Aussie Flat Bush'	Aussie Flat Bush	0.4 x 1	300mm
Westringia fruticosa	Costal Rosemary	2 x 2	300mm
Carpobrotus glaucescens	Pigface	0.2 x 1	150mm
Lomandra longifolia	Mat Rush	0.75 x 1	150mm
Myoporum parvifolium	Creeping Boobialla	0.2 x 1.5	150mm

2.2 Carpark Landscaping

The carpark landscape provides shade amenity, greater than the 1 tree per 9 carparks as required in the BCC Growth Centre Development control plan, in addition low grass and groundcover planting is proposed to the understory to ensure sightlines and CPTED principles are maintained.

An automatic drip irrigation system is proposed as detailed in the Landscape Specification document.

2.3 Communal Open Space

A communal open space has been provided on level 2. The communal open space is shaded by a partial awning from the building as well as an trees and umbrellas for year round shade and shelter. Furniture shall be provided by the building tenant for staff amenity.

3.0 PLANT ESTABLISHMENT AND MAINTENANCE

3.1 Generally

The Landscape Contractor shall rectify defects during installation and that become apparent in the works under normal use for the duration of the contract Defects Liability Period (DLP).

After the DLP, the implemented landscape treatments must be managed for the life of the development.

The landscape maintenance/ management works shall include, but not be limited to, the following:

- Replacing failed plants;
- Pruning;
- Insect and pest control;
- Fertilising;
- Maintaining mulch;
- Mowing;
- Watering;
- Weeding;
- Rubbish removal; and
- Cleaning of the surrounding areas.

3.2 Logbook

Keep a Maintenance Logbook recording when and what maintenance work has been done and what materials, including chemical materials, have been used.

The records shall show when and where identified chemicals were used and why.

Submit the initial logbook for inspection prior to Practical Completion.
Record all major events and activities in the logbook.

Make the logbook available for inspection on request.

3.3 Plants

Trees, shrubs and groundcovers shall at all times display healthy vigorous growth. Spent flower heads or stalks shall be removed immediately following flowering.

Replace failed plants: A "failed" plant may not mean complete death of soft tissue but failure due to poor growth, appearance, or unacceptable time for plant to re-establish new growth following damage or vandalism.

Replacement plants shall be in a similar size and quality and identical species or variety to the plant that has failed.

Replacement of plants shall be at the cost of the Landscape Contractor unless advised otherwise. If the cause of the failure is due to a controllable situation then correct the situation prior to replacing plants.

Failure of a plant shall be at the sole discretion of the Landscape Architect.

3.4 Pruning

The pruning shall be carried out to preserve the health, structural integrity, beauty and life of trees and shrubs.

The Contractor or an appointed independent Arborist shall review the condition of trees within all Contract Areas within the Properties on a quarterly routine basis to assess suitable growth patterns, soil structure, fertilising regime, watering regime, occurrence of any diseases, and public safety.

All trees must be pruned to create a suitable clear trunk zone and canopy shape as required and directed by the Principal's Representative. Excessive foliage impacting onto roads, paths, and lighting must be pruned as required. Tree pruning shall encourage the vertical growth of trees to ensure normal use of the roads, pathways and lighting.

Prune to canopy lift all carpark trees in controlled areas including all pedestrian pathways as required to maintain a minimum of 3.0m above ground branching height and to allow clear pedestrian passage on all footpaths areas.

All pruning works are to be to latest horticultural industry standard and relative to the species. All pruning works shall be in compliance with AS 4373 'Pruning of Amenity Trees' and performed by a qualified Contractor. Advise the Principal's Representative when large trees need to be removed or pruned.

Generally trees should be pruned when they are under the least amount of stress with evergreen trees being able to be pruned all year round and deciduous trees best pruned in the winter months.

Generally trees are to be pruned to achieve the following criteria:

- To promote plant health
- Crown thinning to increase light penetration and air movement.
- Crown reduction by removing larger top branches when required.
- Remove dead, dying, diseased or broken branches.
- Cross lateral branches, sharp angled and vertically growing branches such as water shoots.
- Branches which obstruct utilities, obscure vision or impede pedestrians.
- Branches which detract from the trees appearance and shape.

3.5 Spraying

Avoid spraying:

- if ever possible;
- in wet weather;
- if wet weather is imminent;
- if target plants are still wet after rain;
- in windy weather; and

- if adjacent desirable species are too close to the target plants to be avoided.

Immediately report to the Project Manager any evidence of intensive weed infestation, insect attack or disease amongst plant material. Submit all proposals to apply chemicals and obtain approval before starting this work.

When approved, spray with herbicide, insecticide, fungicide as appropriate in accordance with the manufacturers' recommendations. Record in the logbook all relevant details of spraying activities including:

- Product brand / manufacturer's name,
- Chemical / product name,
- Chemical contents,
- Application quantity and rate,
- Date of application and location,
- Results of application, and
- Use approval authority.

3.6 Fertilising

Fertilise gardens with a proprietary slow release fertiliser applied in accordance with the manufacturer's directions and recommendations. Record in the logbook all relevant details of fertilising including:

- Product brand / manufacturer's name,
- Fertiliser / product name,
- Application quantity and rate, and
- Date of application and location.

3.7 Stakes and Ties

Adjust and replace as required to ensure plants remain correctly staked. Remove those not required at the end of the planting establishment period (Defects Liability Period).

3.8 Mulched Surfaces

Maintain the surface in a clean, tidy and weed free condition and reinstate the mulch as necessary to ensure correct depth as before specified.

3.9 Mowing and Top Dressing

Turf Areas:
Mow the turf to maintain a grass height of between 30-50mm. Do not remove more than one third of the grass height at any one time. Remove grass clippings from the site after each mowing.

Top dress to a maximum of 10mm as necessary to fill depressions and hollows in the surface.

3.10 Irrigation and Watering

Maintain the irrigation system to sure that each individual plant receives the required amount of water to maintain healthy and vigorous growth, adjust and rectify as required.

Provide additional watering, if necessary.

3.11 Erosion Control Measures

Where necessary, maintain the erosion control devices in a tidy and weed free condition and reinstate as necessary to ensure control measures are effective where deemed necessary.

3.12 Weeding and Rubbish Removal

During the plant establishment period remove by hand, rubbish and weed growth that may occur or re-occur throughout all planted, mulched and paved areas.

The contractor shall target weeds that are capable of producing a major infestation of unwanted plants by seed distribution.

Whenever possible, time weed removal to precede flowering and seed set.

Ensure that areas under fence, fence posts gates and trees are raked regularly to ensure no accumulation of leaf litter and rubbish.

3.13 Urgent Works

Notwithstanding anything to the contrary in the Contract, the Project Manager may instruct the Landscape Contractor to perform urgent maintenance works that place the completed contract works at risk.

If the Landscape Contractor fails to carry out the work within seven (7) days of such notice, the Project Manager (or representative) reserves the right without further notice to employ others to carry out such urgent and specified work and charge the cost to the Landscape Contractor.

Such work shall include but not limited to the inspection and clearing of drains in the pavement and gardens.

3.14 Completion

A final inspection shall be made by the Project Manager, Landscape Contractor and Landscape Architect before the completion of the Plant Establishment Maintenance Period (Defects Liability Period).

Any items requiring rectification shall be repaired before completion of the relevant works and finally approved prior to certification.

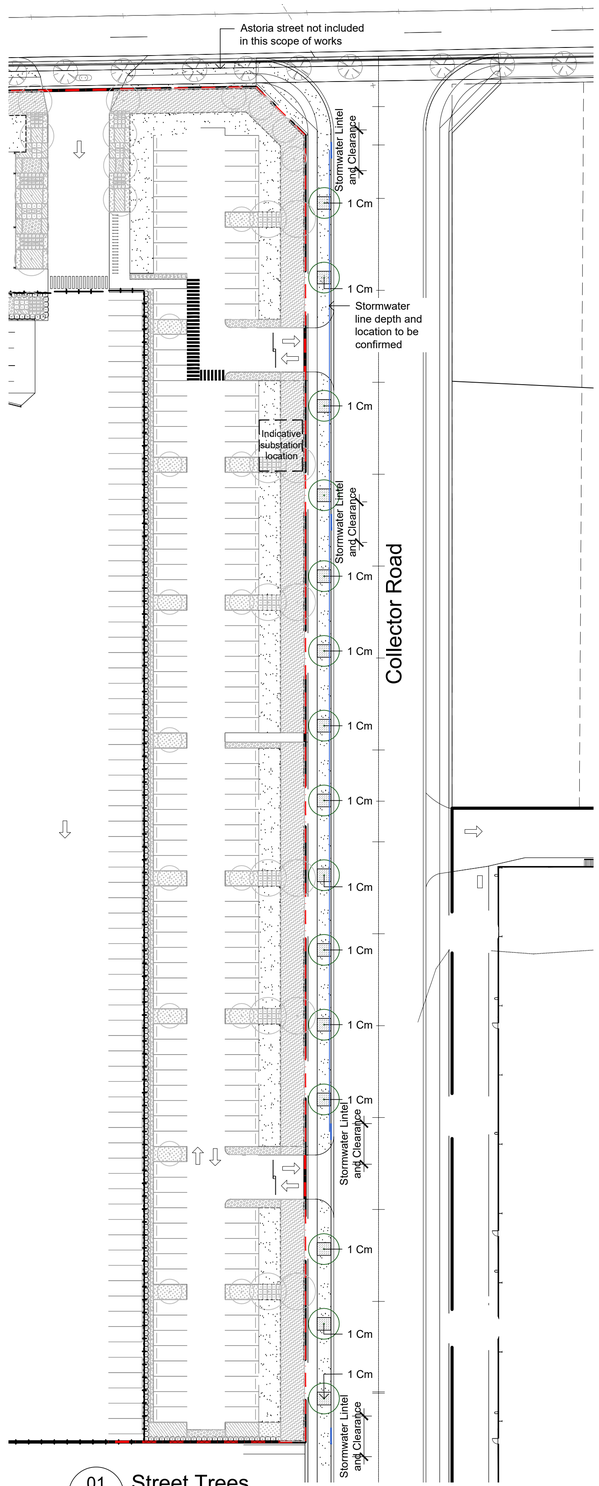
3.15 Maintenance Schedule

Table	ACTIVITY	FREQUENCY						ACTION
		D	**W**	**2W**	**3W**	**M**	**3or6M**	**D**aily, **W**eekly, **M**onthly
1	Logbook	+		+		+		Complete a logbook entry every day at site and at least every two weeks. All actions listed below require a logbook entry. Upon request, make the logbook available for inspection. Submit copies of new entries in the logbook to the Contract Administrator on a monthly basis. Please note that more frequent, short, occasional inspection should result in less maintenance work when problems are observed earlier than they might otherwise have been seen. Maintenance requirements should extend for a minimum of two years after the completion of works or until such time as a minimum 80% survival rate for all plantings and a maximum five percent (5%) weed cover for the treated riparian corridor (controlled activity) is achieved. Maps or diagrams which identify the proposed riparian area, existing vegetation, vegetation to be retained, vegetation to be cleared, footprint of construction activities, areas of proposed revegetation etc should be prepared
2	Plant replacement			+		+		Inspect and replace failed plants within 2 weeks of observation of failure. Match species, size (original) and location of new with old.
3	Mulch			+		+		Inspect and replace mulch deficiencies within 2 weeks of observation. Prior to placing new mulch aerate the soil by fork turning to a depth of at least 100mm, roughly level the soil and then place mulch. Do not disturb major plant roots while aerating soil. It can be expected that mulch will have significantly broken-down after an estimated 12-month period following initial application. It is therefore recommended that all mulch beds are topped-up with a 50mm layer of woodchip/leaf mulch (Compliant with AS 4454) at this stage. This should be accompanied by a topdressing application of a 9-month, slow release, low phosphorous fertiliser to ensure that semi-established plantings do not suffer as a result of potential nitrogen draw-down that may be associated with the application of the 50mm mulch layer at the 12-month period.

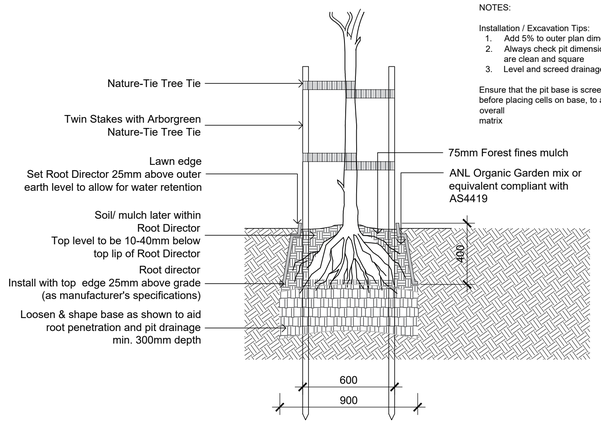
4	Erosion control			+				Inspect every two weeks and repair ground, soil and mulch immediately. Maintain erosion control device as necessary. Silt fencing installed for sediment control purposes to the east of the tributary. Silt fencing should be regularly inspected and repaired or reinstalled as necessary.
5	Stakes and ties			+				Inspect every two weeks, adjust and/or replace as necessary but remove as plants mature and are able to support themselves.
6	Weed and rubbish removal			+				Inspect and remove immediately upon observation. Leave no waste on site. Dispose of waste material at a designated waste disposal site. All herbaceous weeds should be managed to be at very-low percentage cover levels, (as a minimum), or better. Pasture grasses should be prevented from spreading into any bushland zones by applying a spot glyphosate herbicide spray application on the 1-metre wide buffer zone, on a monthly basis or as required. Maintenance weeding for a period of 24 months after the completion of primary works with an increase in maintenance hours occurring throughout the warmer growing months.
8	Pruning			+				Inspect every 2 weeks and prune as necessary to remove dead wood, improve plant shape and promote healthy vigorous new growth.
9	Spraying			+				Inspect every 2 weeks and action as necessary. Do not spray if other non-chemical methods will satisfy the need to remove insects. Spray for disease control only when absolutely necessary.
10	Urgent works		+					Complete within 1 week (7 days) of notification. Inspect and clear drains.
11	Planting and fertilising			+			3m+	Inspect every 2 weeks and remove spent flowers and dead stalks as they become apparent. Fertilise gardens every 3 months or other frequency in accordance with fertiliser manufacturer's directions.
12	Watering	+		+				Water when and where necessary every day at site and at least every 2 weeks generally. Do not allow soil and plants to dehydrate. Allow for prolonged rain, windy and dry periods. Water in the early morning or late afternoon to avoid excessive evaporation during the heat of the day.
13	Mowing, top-dressing and edging			+		+	6m+	Summer fortnightly. Winter monthly. Top-dress 6 monthly.

APPENDIX N

Landscape Street Tree Plan



01 Street Trees
1:500

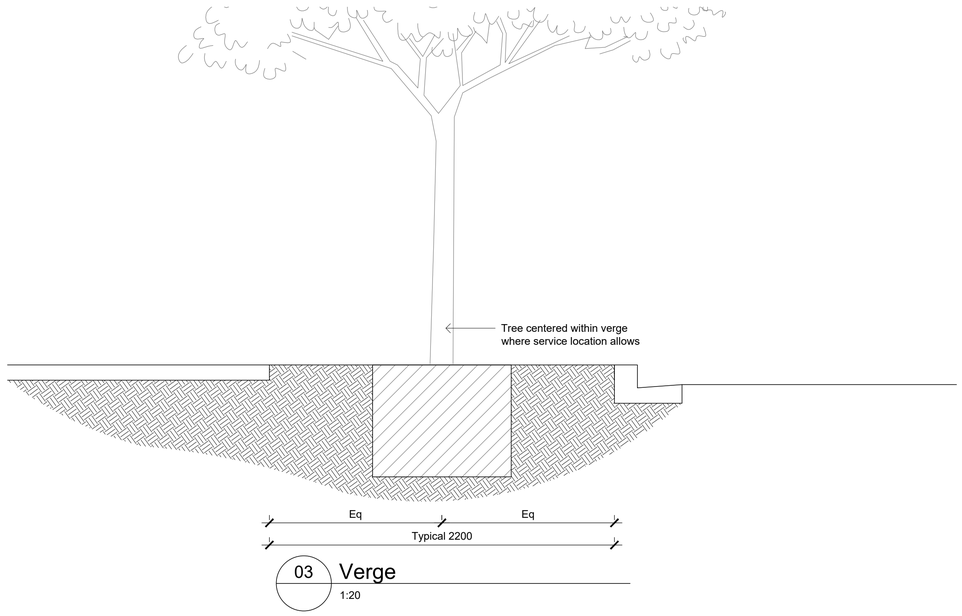


NOTES:

Installation / Excavation Tips:
1. Add 5% to outer plan dimensions when excavating pit
2. Always check pit dimensions at base of pit, ensuring sides are clean and square
3. Level and screed drainage layer prior to placement of cells

Ensure that the pit base is screeded and compacted adequately before placing cells on base, to allow for ease of installation of overall matrix

02 Detail - Street Tree Planting
1:20



03 Verge
1:20

NOT FOR CONSTRUCTION

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

LEGEND

- Site Boundary
- Proposed Street Tree **Cm** *Corymbia maculata* 100L
- Mulch
- Stormwater Indicative location based on Civil drawing DA202_E

Issue	Revision Description	Drawn	Check	Date
A	For Comment	JW	NM	19.02.2021

Key Plan:

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Sydney Business Park

Project:
Warehouse 1
Sydney Business Park
Marsden Park, NSW

Drawing Name:
Landscape Street Tree Plan

TENDER

Scale: 1:500 @ A1
0 2 5 10 15 25m
Job Number: SS20-4467
Drawing Number: 901
Issue: A

A1

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