

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, 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

Sydney

2022

File: EF21/4748

SCHEDULE 1

Application Number:	SSD- 17161650
Applicant:	Bieson Pty Ltd
Consent Authority:	Minister for Planning
Site:	Lots 1 – 4 DP 1239035 130 – 156 Cowpasture Road, Wetherill Park
Development:	construction and operation of two warehouse and distribution centres (Buildings 2 and 3) including ancillary offices, car parking, loading areas and landscaping.

Application Number	Determination Date	Decider	Modification Description
SSD-17161650-Mod-1	18 March 2024	Team Leader	Minor design changes to Warehouse 2 including a new roller door, associated hardstand, car parking and vehicular circulation alterations, a new LPG tank, new emergency generator, and internal fit out works

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DEFINITIONS

Applicant	Bieson Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 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	Fairfield 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
Department	NSW Department of Planning and Environment (DPE)
Development	The development described in Schedule 1, the Environmental Impact Statement and Response to Submissions, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EIS	The Environmental Impact Statement titled <i>Horsley Drive Business Park Stage 2 – Buildings 2 and 3 State Significant Development Application SSD 17161650</i> , prepared by Ethos Urban dated 12 November 2021, submitted with the application for consent for the development.
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance 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: <ul style="list-style-type: none"> 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 (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification Assessments	<p>The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act:</p> <ol style="list-style-type: none"> 1. SSD-17161650-Mod-1, Horsley Drive Business Park Stage 2 Warehouse 2 of Stage 2 130-156 Cowpasture Rd, Wetherill Park Section 4.55(1A) Modification Application in respect of SSD-17161650, prepared by Ethos Urban, dated 10 October 2023, and amended site plan issue F dated 28.09.2023
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 Buildings 2 and 3 as a warehouse and distribution centre as described in the Environmental Impact Statement and Response to Submissions
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to submissions (RTS)	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 <i>Horsley Drive Business Park Stage 2 – Buildings 2 & 3 (SSD-17161650) Response to Submissions Report</i> , prepared by Ethos Urban and dated 12 May 2022 and supplementary information prepared by Ethos Urban dated 3 June 2022
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 Environmental Impact Statement and Response to Submissions;
 - (d) in accordance with the Modification Assessments;
 - (e) in accordance with the Development Layout in Appendix 1; and
 - (f) in accordance with the management and mitigation measures in Appendix 2.
- 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(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(f), 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 Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation; and
 - (c) cessation of operations.
- A7. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), 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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

A12. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

A13. Prior to the commencement of construction of the development, 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 the applicable authority.

A14. 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.

A15. Prior to 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*.

A16. Prior to the issue of a Construction 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.

A17. Prior to the issue of an 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.

STRUCTURAL ADEQUACY

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

EXTERNAL WALLS AND CLADDING

A19. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A20. Prior to the issue 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.

- A21. The Applicant must provide a copy of the documentation given to the Certifier under condition A20 to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- 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.

WORK AS EXECUTED PLANS

- A24. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A25. 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.
- A26. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

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

PART B 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 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 access driveways to the estate road to the satisfaction of the relevant roads authority. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.
- B4. Prior to the commencement of operation of the development, The Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a 26.0 metre B-Double Heavy Vehicle.

Parking

- B5. 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

- B6. 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), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009);
 - (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) vehicles departing Building 3 are only permitted to conduct left hand turn movements onto the estate road;
 - (e) heavy vehicles, bins or shipping containers associated with the development are not parked on local roads or footpaths in the vicinity of the site;
 - (f) all vehicles are wholly contained on site before being required to stop;
 - (g) all loading and unloading of materials is carried out on-site;

- (h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
 - (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.
- B7. Prior to the commencement of operation of any part of the development, the Applicant must prepare, in consultation with Council, a Loading Dock Management Plan. The Plan must detail measures to ensure that trucks are parked within the site and do no impact on traffic flow into, within or out of the site. The Loading Dock Management Plan is to include:
- (a) site details including site access and operations;
 - (b) key roles and responsibilities; and
 - (c) an Internal Traffic Management Plan detailing docks access, dock access restrictions (such as the night-time period), loading and unloading procedures, signage, line-marking, parking and pedestrian management.
- B8. The Applicant must implement the most recent version of the Loading Dock Management Plan required by condition B7 for the operating life of the development.

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 for the building/s 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 not commence operation until the Work Place Travel Plan is approved by the Planning Secretary.
- B11. The Applicant must implement the most recent version of the Work Place Travel Plan approved by the Planning Secretary for the duration of the development.

NOISE

Hours of Work

- B12. 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
Testing of Backup Generator	Monday – Friday	8 am to 6 pm

- B13. Works outside of the hours identified in condition B12 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

- B14. 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 2.

Construction Noise and Vibration Management Plan

- B15. The Applicant must prepare a Construction Noise and Vibration 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) 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);
- (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
- (d) include details of a vibration monitoring program prepared in consultation with WaterNSW to demonstrate the limits outlined in condition B21 are being met. As a minimum, monitoring must occur at a location between the property boundary between proposed Lot 2 and the Upper Canal interface. Monitoring is to remain in place for the duration of construction activities within proposed Lot 2 and proposed Lot 3 or for a period agreed to by WaterNSW;
- (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 B15(e) and
- (g) include a complaints management system that would be implemented for the duration of the development.

B16. The Applicant must:

- (a) not commence construction of any relevant stage of the development until the Construction Noise and Vibration Management Plan required by condition B15 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Noise Walls

B17. The Applicant must construct the noise walls shown in Drawing DA-03 Revision J (dated 14/04/2022), prior to the commencement of operation of any part of the development.

B18. 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 B19 at all times.

Operational Noise Limits

B19. 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} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
RO1 – RO2	52	48	43	57
RO3 – R06	50	43	38	53

Note Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to Figure 1 plan in the SSDA Noise Impact Assessment, Version 2.1, dated 10 May 2022 for the location of residential sensitive receivers.

Post-Commissioning Noise Verification Report

B20. Within three months of the commencement of operation of the development, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:

- (a) be prepared to the satisfaction of the Planning Secretary by a suitably qualified acoustic consultant;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
- (c) include:
 - (i) an analysis of compliance with noise limits specified in condition B19, including consideration of any modifying factors as defined in Fact Sheet C of the Noise Policy for Industry (EPA, 2017);
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B19 and a timetable for the implementation of any required actions; and

- (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

- B21. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) a vibration criterion of 8-10mm/s at the Upper Canal corridor in accordance with the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999).
 - (b) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
 - (c) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- B22. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B21.
- B23. The limits in conditions B21 and B22 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B24. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B25. 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.

Discharge Limits

- B26. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B27. The Applicant must finalise the detailed design of the development's stormwater management system, prior to the commencement of construction of that system. The stormwater management system must:
- (a) be designed by a suitably qualified and experienced person(s), in accordance with the conceptual design in the Response to Submissions and in consultation with Council;
 - (b) be in accordance with applicable Australian Standards;
 - (c) be designed so as to not impede upstream flows from the Upper Canal corridor or stormwater structures, nor result in increase flows onto WaterNSW land from the site;
 - (d) be prepared in accordance with the design requirements and water quality objectives of Council's Stormwater Management Policy 2017; and
 - (e) ensure 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.
- B28. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B27) and ensure the system is operational.

Flood Management

- B29. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.

AIR QUALITY

Dust Minimisation

- B30. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B31. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

- B32. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2010.

Odour Management

- B33. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B34. 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) Heritage NSW must be contacted immediately.
- B35. 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*.

HISTORIC HERITAGE

Unexpected Finds Protocol

- B36. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

HAZARDS AND RISK

Dangerous Goods

- B37. The Applicant must ensure that the quantities of dangerous goods stored within each of Building 2 and Building 3 and transported to and from each of Buildings 2 and 3 are below the threshold quantities listed in the Department's *Applying SEPP 33* at all times.
- B38. The Applicant must store and handle all chemicals, fuels and oils on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from (a) and (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.

WASTE MANAGEMENT

Waste Management

- 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.
- B40. 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).
- B41. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B42. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

Pests, Vermin and Priority Weed Management

B43. 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.

VISUAL AMENITY

Landscaping

B44. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan which is consistent with the landscape plans referenced in Appendix 1, to manage the landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must:

- (a) detail the species to be planted on-site, incorporating locally native species; and
- (b) include a tree maintenance schedule to ensure all replacement trees are maintained for a minimum period of two years following planting. Any trees that do not survive are to be replenished with a replacement tree from the species list within the approved landscape plan. Any replacement trees must be of the same or greater pot size as the tree being replaced.

B45. The Applicant must:

- (a) not commence operation until the Landscape Management Plan required by condition B44 is approved by the Planning Secretary;
- (b) 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 B44 for the life of the development.

Lighting

B46. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); 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

B47. All signage and fencing must be erected in accordance with the EIS and development plans included in the RTS.

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

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development 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;
 - (c) Construction Noise and Vibration Management Plan (see condition B15); and
 - (d) 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 an incident report under condition C7;
 - (b) the approval of any modification of the conditions of this consent; or
 - (c) 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.
- 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 required under condition C5, or such other timing as agreed by the Planning Secretary.

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 3.

Non-Compliance Notification

- C8. The Planning Secretary must be notified in writing via 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.

Monitoring and Environmental Audits

- C11. 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

- C12. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), 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) a summary of the current stage and progress of the development;
 - (v) contact details to enquire about the development or to make a complaint;
 - (vi) a complaints register, updated quarterly;
 - (vii) 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

ARCHITECTURAL DRAWINGS PREPARED BY WATCH THIS SPACE DESIGN PTY LTD				
DRAWING NO.	REV.	DATED.	TITLE.	
DA-00	H	06/04/2022	COVER SHEET	
DA-01	D	06/04/2022	SURVEY PLAN	
DA-01A	C	06/04/2022	SURVEY PLAN WITH EXISTING BOUNDARIES	
DA-04	E	17/03/2022	OFFICE PLANS	
DA-06	E	17/03/2022	ROOF PLAN	
DA-07	E	06/04/2022	WAREHOUSE 2 ELEVATIONS - 01	
DA-08	E	06/04/2022	WAREHOUSE 2 ELEVATIONS - 02	
DA-09	E	06/04/2022	WAREHOUSE 3 ELEVATIONS - 01	
DA-10	F	06/04/2022	WAREHOUSE 3 ELEVATIONS - 02	
DA-11	E	06/04/2022	OFFICE 2 ELEVATIONS	
DA-12	E	06/04/2022	OFFICE 3 ELEVATIONS	
DA-13	C	06/04/2022	WAREHOUSE 2 SECTIONS	
DA-14	D	06/04/2022	WAREHOUSE 3 SECTIONS	
DA-15	E	06/04/2022	SITE CROSS SECTION AND STREET ELEVATION	
DA-19	F	06/04/2022	NOTIFICATION PLAN	
DA-21	C	06/04/2022	DOCK OFFICE AND PUMP HOUSE PLANS AND ELEVATIONS	
DA-22	B	17/03/2022	SHADOW DIAGRAMS	
DA-31	B	16/07/2021	SIGNAGE DETAILS - 01	
DA-32	B	16/07/2021	SIGNAGE DETAILS – 02	
DA-33	B	16/07/2021	SIGNAGE DETAILS – 03	
DA-34	B	16/07/2021	SIGNAGE DETAILS – 04	
DA-35	B	16/07/2021	SIGNAGE DETAILS - 05	
DA-41	A	23/07/2021	OFFICE EXTERNAL FINISHES SCHEDULE	
DA-42	B	17/03/2022	WAREHOUSE EXTERNAL FINISHES SCHEDULE	
ARCHITECTURAL PLANS – ENDORSED WITH DEPARTMENT STAMP				
DRAWING NO.	REV.	DATED	TITLE	PREPARED BY

A102	G	12.03.2024	SITE- PROPOSED	DZINE I3DS BUILDING DESIGN
A201	E	04.09.2023	WAREHOUSE 2 FLOOR PLAN DETAILS (ROLLER SHUTTER)	DZINE I3DS BUILDING DESIGN
A202	E	26.10.2023	WAREHOUSE 2 DOCK OFFICE DETAILS	DZINE I3DS BUILDING DESIGN
A203	E	09.11.2023	WAREHOUSE 2 DOCK OFFICE DETAILS	DZINE I3DS BUILDING DESIGN
A204	D	19.10.2023	WAREHOUSE 2 ELEVATION DETAILS (ROLLER SHUTTER)	DZINE I3DS BUILDING DESIGN
A205	C	31.10.2023	WAREHOUSE 2 DOCK OFFICE DETAILS	DZINE I3DS BUILDING DESIGN
CIVIL ENGINEERING DRAWINGS PREPARED BY COSTIN ROE CONSULTING PTY LTD				
DRAWING NO.	REV.	DATED.	TITLE.	
CO11492.19-DA10	A	09/08/2021	DRAWING LIST AND GENERAL NOTES	
CO11492.19-DA10	C	16/03/2021	EROSION AND SEDIMENT CONTROL PLAN	
CO11492.19-DA10	A	09/08/2021	EROSION AND SEDIMENT CONTROL DETAILS	
CO11492.19-DA10	D	16/03/2022	DRAWING KEY PLAN	
CO11492.19-DA10	D	11/03/2022	CONCEPT STORMWATER PLAN – SHEET 1	
CO11492.19-DA10	D	16/03/2022	CONCEPT STORMWATER PLAN – SHEET 2	
CO11492.19-DA10	A	09/08/2021	CONCEPT STORMWATER DETAILS – SHEET 1	
CO11492.19-DA10	C	11/03/2022	FINISHED LEVELS PLAN – SHEET 1	
CO11492.19-DA10	D	16/03/2022	FINISHED LEVELS PLAN – SHEET 2	
CO11492.19-DA10	C	16/03/2022	TYPICAL SECTIONS	
LANDSCAPE PLANS PREPARED BY GEOSCAPES LANDSCAPE ARCHITECTS				
DRAWING NO.	REV.	DATED.	TITLE.	
SSD-03	G	12/04/2022	LANDSCAPE DETAIL PLAN - SHEET 2	
SSD-04	G	12/04/2022	LANDSCAPE DETAIL PLAN - SHEET 3	
SSD-06	G	12/04/2022	LANDSCAPE SECTIONS – SHEET 1	
SSD-07	G	12/04/2022	LANDSCAPE SECTIONS – SHEET 2	
LANDSCAPE PLANS – ENDORSED WITH DEPARTMENT STAMP				
DRAWING NO.	REV.	DATED	TITLE	PREPARED BY
MOD1-00	A	24/05/2023	LANDSCAPE COVER SHEET	GEOSCAPES
MOD1-01	A	24/05/2023	LANDSCAPE MASTER PLAN	GEOSCAPES

MOD1-02	A	24/05/2023	LANDSCAPE DETAIL PLAN – SHEET 1	GEOSCAPES
MOD1-03	A	24/05/2023	LANDSCAPE DETAIL PLAN – SHEET 2	GEOSCAPES
MOD1-04	A	24/05/2023	LANDSCAPE SECTION	GEOSCAPES
MOD1-05	A	24/05/2023	TYPICAL SPECIFICATIONS AND DETAILS	GEOSCAPES
MOD1-06	A	24/05/2023	PLANT SCHEDULES AND IMAGERY	GEOSCAPES

Mitigation measures

Traffic and Transport

- The Transport Assessment recommends the Preliminary CTMP, provided for information purposes, would be further detailed in consultation with the relevant authorities at CC stage in response to the expected condition of consent.

Noise and Vibration

The Acoustic Report recommends the drafting of a noise management plan outlining all reasonable and feasible methods for the reduction of noise impact including:

- Briefing the work team and contractors to create awareness of the proximity of noise-sensitive residential receivers and the importance of minimising noise emissions.
- Using 'quiet' work practices to minimise noise, where possible.
- Use of less noise-intensive equipment, where feasible and reasonable.
- Adjusting reversing alarm volume on heavy equipment to make them 'smarter', by limiting the acoustic range to immediate danger area, where acceptable under the relevant safety procedures.
- Enclosure of outdoor fixed plant (such as mechanical plant) where practicable
- For equipment with enclosures, ensure door and seals are well maintained and kept closed when not in use.
- Construction of a 3 m boundary noise barrier at a setback distance of 2 m from the eastern and northern site boundary.
- Restricting the use of certain loading docks during the night-time at Warehouse 2 and Warehouse 3.
- Use of broadband and/or ambient noise sensing reversing alarms to minimise potentially annoyance.
- Roller doors to be kept closed when un/loading is not occurring.

Soil and Water

The following recommendations were made in the Civil Engineering Report as part of the Soil and Water Management Plan:

- Clearly visible barrier fencing shall be installed as shown on the plan and elsewhere at the discretion of the site superintendent to ensure traffic control and prohibit unnecessary site disturbance. Vehicular access to the site shall be limited to only those essential for construction work and they shall enter the site only through the stabilised access points.
- Soil materials will be replaced in the same order they are removed from the ground. It is particularly important that all subsoils are buried, and topsoils remain on the surface at the completion of works.
- Where practicable, schedule the construction program so that the time from starting land disturbance to stabilisation has a duration of less than six months.

Mitigation measures

- Notwithstanding this, schedule works so that the duration from the conclusion of land shaping to completion of final stabilisation is less than 20 working days.
- Land recently established with grass species will be watered regularly until an effective cover has properly established and plants are growing vigorously. Further application of seed might be necessary later in areas of inadequate vegetation establishment.
- Where practical, foot and vehicular traffic will be kept away from all recently established areas
- Earth batters shall be constructed in accordance with the Geotechnical Engineers Report or with as low a gradient as practical but not steeper than:
 - 2H:1V where slope length is less than 7 metres
 - 2.5H:1V where slope length is between 7 and 10 metres
 - 3H:1V where slope length is between 10 and 12 metres
 - 4H:1V where slope length is between 12 and 18 metres
 - 5H:1V where slope length is between 18 and 27 metres
 - 6H:1V where slope length is greater than 27 metres
- All earthworks, including waterways/drains/spillways and their outlets, will be constructed to be stable in at least the design storm event.
- During windy weather, large, unprotected areas will be kept moist (not wet) by sprinkling with water to keep dust under control. In the event water is not available in sufficient quantities, soil binders and/or dust retardants will be used, or the surface will be left in a cloddy state that resists removal by wind.

Stormwater

The design of the proposed development aims to ensure that adverse impact on stormwater quality or quantity does not eventuate. Given this, the main mitigation measures associated with stormwater relate to the regular maintenance and monitoring of the systems in place, including the water quality treatment train. An indicative maintenance schedule has been included in the Civil Engineering Report (Section 3.5) for reference.

Hazards and risks

- The SEPP 33 assessment prepared by Riskcon concluded that the quantities for dangerous goods to be stored and transported at the site are not exceeded and therefore, SEPP 33 is not applicable to the proposed development. Nonetheless, the report has made the following general recommendations for storing dangerous goods:
- Flammable liquids shall not be stored within 3 m of the inside wall for Warehouse 1.
- Flammable liquids shall not be stored within 1 m of the inside wall for Warehouse 2.
- The DGs shall be stored in a manner which complies with the applicable storage standards (i.e. AS/NZS 3833:2007 or class specific standards such as AS1940:2017).
- The documentation required by the Work Health and Safety (WHS) Regulation 2017 (Ref. [1]) shall be prepared to demonstrate the risks have been assessed and minimised So Far As Is Reasonably Practicable (SFARP) as required by the WHS Regulations.
- Where flammable gases or liquids are stored, a hazardous area classification in accordance with AS/NZS 60079.10.1:2009 (Ref. [2]) shall be prepared to ensure that an ignition source does not enter a hazardous atmosphere as required by the WHS Regulations.

Greenhouse Gas and Energy Efficiency

- Transition plan and power purchase agreements, resulting in an elimination of Greenhouse Gas Emissions from the facility 10 years head of the Government's goal of net zero emissions by 2050.
- Space efficient building layout.
- Water Sensitive urban design principles.

Mitigation measures

- High Efficiency Electrical Systems.
- Large scale on-site renewable energy generation.
- Increased use of daylighting to reduce power usage.
- Installation of a rainwater capture and reuse system for all buildings on-site.
- Energy Efficient heating, ventilation and air conditioning including natural ventilation to open spaces including insulation within warehouse spaces and improved building fabric and glazing performance.
- Waste Minimisation strategies.

Ecologically Sustainable Development

- Changing Surface Temperatures will be addressed through the:
 - Use of high reflectivity roofing to minimise heat gain and heat island effects
 - Integration of solar panels to provide shading to areas of the roof and provide increased power to the site when peak energy use for cooling is required.
 - Incorporation of heating, ventilation, air conditioning (HVAC) systems designed to modulate in the event of changing outside air temperatures. Equipment will be rated to continue operating during higher temperatures.
 - Use of waterless heat rejection system to reduce increased demand for water as a result of increased average temperatures.
- An increase in rainfall intensity will be managed through the:
 - Inclusion of rainwater and stormwater storage systems to modulate flows exiting the site
 - Ability to provide increased finished floor level (FFL) designed to be 0.30 m above freeboard requirement to account for increased flooding potential at the site.
 - Inclusion of awnings to the entry access points to promote allow continued operation during adverse conditions.
- An increase to wind speed intensity will be addressed through:
 - The metal deck roof design incorporating roof bracing to fasten the roof onto the building structure to account for south-easterly winds on site and prevent damage to the roof due to prevailing winds.
 - Improved structural integrity to ensure that the building is not significantly impacted in the event of high intensity wind loads. This includes wind loading on the façade of the office spaces.
- Decrease in humidity and increased drought conditions will be addressed through:
 - Increased capacity within the fire safety systems to assist in the management of bushfire risk associated with dryer conditions
 - Additional non potable water supply for irrigation needs and, the integration of native and drought tolerant vegetation.

Air Quality

- Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.
- Make the complaints log available to the local authority when asked.
- Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the log book.

Mitigation measures

- Perform weekly on-site and off-site inspections where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked. This should include regular dust soiling checks of surfaces such as street furniture, cars and window sills within 100 m of site boundary.
- Carry out regular site inspections to monitor compliance with the DMP, record inspection results, and make an inspection log available to the local authority, when asked.
- Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.
- Ensure all on-road vehicles comply with relevant vehicle emission standards, where applicable.
- Ensure all vehicles switch off engines when stationary - no idling vehicles.
- Avoid the use of diesel or petrol powered generators and use mains electricity or battery powered equipment where practicable.
- Ensure an adequate water supply on the site for effective dust/particulate matter suppression/ mitigation, using non-potable water where possible and appropriate.
- Use enclosed chutes and conveyors and covered skips.
- Minimise drop heights from loading shovels and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.

Waste

Waste management strategies which will be implemented during the construction and operational phases of development include:

- During construction: the stockpiling of construction materials waste (likely in a skip) to be transported off Site for recycling or disposal
- During operation: the storage of waste in designated areas, pallets/crates or compactor and collected on a regular basis by a specific contractor.

Biodiversity

A Biodiversity Assessment Waiver Determination letter was issued by the Department of Planning and Environment on 23 December 2021.

APPENDIX 3 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.

INCIDENT REPORT REQUIREMENTS

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