

# Construction Environmental Management Plan

Edge Estate Warehouse and Logistics Hub –  
Phase 1

141-251 Aldington Road, Kemps Creek

SSD-17552047



Oct 2025

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## Revisions

| Revision | Date       | Description                                  | Prepared by | Approved by  |
|----------|------------|--|-------------|--------------|
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## Glossary

| Acronym/<br>Term       | Meaning  |
|------------------------|--|
| CAQMP                  | Construction Air Quality Management Plan   |
| CEMP                   | Construction Environmental Management Plan   |
| CFFMP                  | Construction Flora and Fauna Management Plan   |
| CNVMP                  | Construction Noise and Vibration Management Plan   |
| CTMP                   | Construction Traffic Management Plan   |
| CoC                    | Condition(s) of Consent  |
| CPESC                  | Certified Professional in Erosion and Sediment Control   |
| CSPS                   | Community and Stakeholder Participation Strategy   |
| DCP                    | Development Control Plan   |
| DDP                    | Dam Decommissioning Plan   |
| DPHI                   | Department of Planning, Housing and Infrastructure (formerly DPE)  |
| EIS                    | Environmental Impact Statement   |
| ENM                    | Excavated Natural Material (ENM) is naturally occurring rock and soil (including materials such as sandstone, shale, clay and soil) that has: a) Been excavated from the ground b) Contains at least 98 per cent (by weight) natural material c) Does not meet the definition of Virgin Excavated Natural Material (VENM).   |
| Environmental 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.   |
| ER                     | Environmental Representative   |
| ESCP                   | Erosion and Sediment Control Plan  |
| FIP                    | Fill Importation Plan  |
| Material Harm          | Harm that involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or 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).   |
| MRP                    | Mamre Road Precinct  |
| Non-compliance         | An occurrence, set of circumstances, or development that is a breach of the SSD-17552047 Development Consent.  |
| Project, the           | Construction and operation of eight warehouses with a total gross floor area of 153,343 m <sup>2</sup> and a 14-lot Torrens title subdivision. Site preparation works include demolition of existing structures, site remediation, and bulk earthworks. Supporting infrastructure works include construction and operation of stormwater management facilities comprising a series of basins, a naturalised trunk drainage channel, and on-lot infrastructure, one collector road, one local industrial road, and one estate road. |
| RAP                    | Registered Aboriginal Party  |
| ROL                    | Road Occupancy Licence   |
| SSD                    | State significant development  |
| TGS                    | Traffic guidance scheme  |

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| Acronym/<br>Term | Meaning   |
|------------------|---|
| VENM             | Virgin Excavated Natural Material (VENM) has been excavated or quarried from areas that are not contaminated with manufactured chemicals or process residues, as a result of industrial, commercial, mining or agricultural activities. |
| WAD              | Works Authorisation Deed  |
| WRRMP            | Waste and Resource Recovery Management Plan   |

# 1 Introduction

## 1.1 Background

This Construction Environmental Management Plan (CEMP) has been prepared by Aspect Environmental Pty Ltd (Aspect), on behalf of Frasers Property Industrial (Frasers), for the purposes of Phase 1 of the Edge Estate warehouse and logistics hub development at 155-251 and 141-153 Aldington Road, Kemps Creek (the Project).

This CEMP has been prepared with reference to:

- State Significant Development (SSD) 17552047 Development Consent and the included conditions of consent (CoC) dated 03 June 2025
- Response to Submissions (Ethos Urban, 8 July 2024)
- Amendment Report (Ethos Urban, 9 November 2023)
- Environmental Impact Statement (Willowtree Planning, October 2021)
- Development Control Plan (DCP) Penrith (Penrith City Council, 2014)
- DCP: Mamre Road Precinct – Western Sydney Employment Area (NSW Department of Planning, Industry and Environment, November 2021).

This CEMP defines the environmental management framework for construction of the Project.

## 1.2 Project Description

The Project comprises of the first stage of an industrial estate located at:

- 155-217 Aldington Road, Kemps Creek (Lot 33 DP258949 and Lots 25-28 DP 255560)
- 219-251 Aldington Road, Kemps Creek (Lot 24 DP 255560 and Lot 10 DP 253503)
- 141-153 Aldington Road, Kemps Creek (Lot 34 DP 258949) owned by Dexus, forming part of SSD 37222834.

Construction works between the site and Lot 34 DP 258949 are minor works and limited to transitional earthworks only, between the two development site boundaries.

The Project site is approximately 645,000m<sup>2</sup> (excluding Dexus land) in area and is irregular in shape. The location of the Project site is indicated by the red outline on Figure 1-1.

The site comprises a plant nursery, rural housing, agricultural land, farm sheds and undeveloped land with dams and waterbodies connected to the tributaries of South Creek. The site is bound by agricultural land and rural residential dwellings.

The site is located within the Western Sydney Employment Area and is situated approximately 5km from Badgerys Creek, 20km from Parramatta and 39km from the Sydney CBD.

The site affords road linkages to Mamre Road, Elizabeth Drive, Lenore Drive, Erskine Park Road and the M4 Western Motorway.

As per the SSD-17552047 Development Consent the Project involves construction and operation of eight warehouses and ancillary office space with a total gross floor area of 153,343 m<sup>2</sup> and a 14-lot Torrens title subdivision. Site preparation works include:

- demolition of existing structures
- site remediation
- bulk earthworks.

Supporting infrastructure works include:

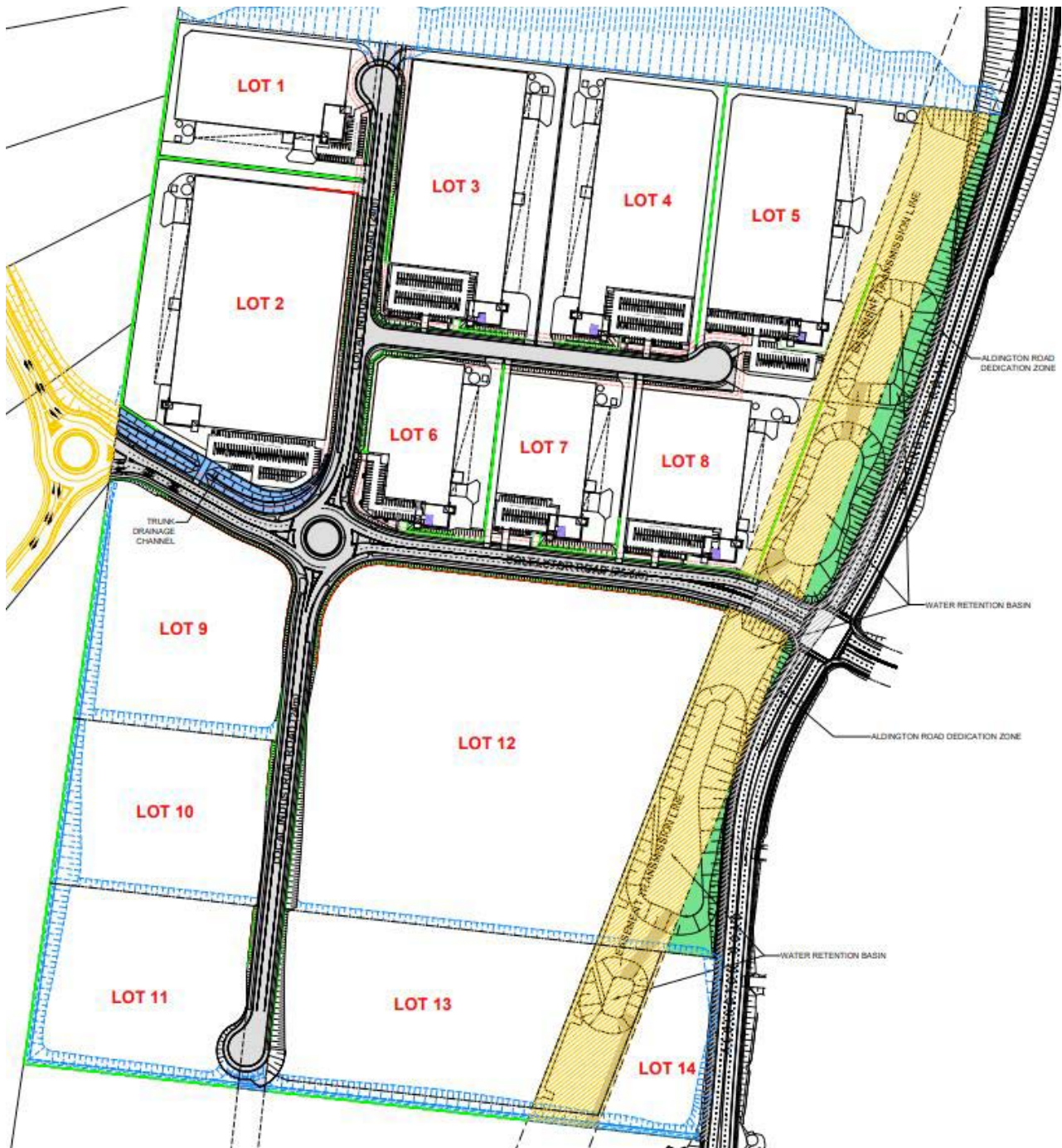
- construction and operation of stormwater management
- facilities comprising a series of basins, a naturalised trunk drainage channel and on-lot infrastructure
- one collector road, one local industrial road and one estate road.

The site layout for Phase 1 is shown in Figure 1-2.

**Figure 1-1** Site context (Amendment Report, Ethos Urban, November 2023)



**Figure 1-2** Stage 1 site layout – proposed Master Plan (Amendment Report, Ethos Urban, November 2023)



### 1.2.2 Construction Phases

The Project will be delivered by Frasers contractors in several sub-phases as outlined in Table 1-1. The forecast dates for and durations of the phases are shown in the table are approximate and are subject to construction planning. Note that construction phases overlap.

**Table 1-1** Project sub-phases

| Project Phase  | Construction Activity   | Commencement Date | Duration  | Completion Date |
|----------------|---|-------------------|-----------|-----------------|
| <b>Phase 1</b> |   |                   |           |                 |
| Stage 1A       | Site establishment  | October 2025      | 2 weeks   | October 2025    |
| Stage 1B       | Preliminaries and demolition of existing structures and infrastructure        | October 2025      | 1 month   | November 2025   |
| Stage 1C       | Establishment of building pads, bulk earthworks roads and services/ utilities | November 2025     | 15 months | February 2027   |
| Stage 1D       | Construction of Basins A-D and sediment basins for residual lots              | November 2025     | Ongoing   | February 2027   |
| <b>Phase 2</b> |   |                   |           |                 |
|                | Warehouse 2 construction  | TBC               | TBC       | TBC             |

This CEMP and the Sub-Plans cover Phase 1 of the Project, being delivered for Frasers by **TBC**. Phase 2 and other future phases of the Project comprising the construction of warehouses will be covered by an updated CEMP or another CEMP.

### 1.2.3 Construction Hours

Earthwork and construction hours are to be in accordance with CoC B40 which are reproduced in Table 1-2.

**Table 1-2** Construction hours of work

| Activity                    | Day              | Time         |
|-----------------------------|------------------|--------------|
| Earthworks and construction | Monday to Friday | 7 am to 6 pm |
|                             | Saturday         | 8 am to 1 pm |

Under CoC B41, works outside of hours identified in condition CoC B40 may be undertaken in the following circumstances:

- a) works that are inaudible at 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 are to be provided to all personnel and contractors as part of the site induction.

For works to be undertaken out-of-hours, refer to the Construction Noise and Vibration Management Plan (CNVMP) attached as Appendix E for specific noise and vibration-related requirements.

## 1.2.4 Key Personnel Contact Details

The contact details for key project personnel are included in Table 1-3.

**Table 1-3** Key project personnel contact details

| Role   | Name                                | Contact Details   |
|--|-------------------------------------|---|
| Frasers Representative   | Monica Ngo                          | Mobile: 0408 930 244<br>Email: <a href="mailto:monica.ngo@fraserproperty.com.au">monica.ngo@fraserproperty.com.au</a> |
| Contractor Project Manager                                     | <b>TBC</b>                          | Mobile: <b>TBC</b><br>Email: <b>TBC</b>   |
| Contractor HSEQ Manager  | <b>TBC</b>                          | Mobile: <b>TBC</b><br>Email: <b>TBC</b>   |
| Communications and Community Liaison Representative            | SLR Consulting<br>Stephanie Skordas | Mobile: 0434 279 633<br>Email: <a href="mailto:sskordas@slrconsulting.com">sskordas@slrconsulting.com</a>             |
| Environmental Representative (ER)                              | HBI International<br>Alex Gale      | Mobile: 02 9659 5433<br>Email: <a href="mailto:alex.gale@hbi.com.au">alex.gale@hbi.com.au</a>                         |
| Alternate ER   | HBI International<br>George Kollias | Mobile: 02 9659 5433<br>Email: <a href="mailto:George.kollias@hbi.com.au">George.kollias@hbi.com.au</a>               |
| Certified Professional in Erosion and Sediment Control (CPESC) | <b>TBC</b>                          | Mobile: <b>TBC</b><br>Email: <b>TBC</b>   |

## 1.3 CEMP Context, Scope and Objectives

### 1.3.1 Context

This CEMP has been prepared to address the specific requirements of SSD-17552047 Development Consent for the Project. As required by CoC C1 and other CoC, the following Sub-Plans have been prepared to support this CEMP:

- Construction Traffic Management Plan (CTMP) (Appendix B)
- Erosion and Sediment Control Plan (ESCP) (Appendix C)
- Dam Decommissioning Plan (DDP) (Appendix D)
- Construction Noise and Vibration Management Plan (CNVMP) (Appendix E)
- Construction Air Quality Management Plan (CAQMP) (Appendix F)
- Asbestos Management Plan (AMP) (Appendix G)
- Unexpected Finds Procedure (UFP) (Appendix H)
- Community Consultation and Complaints Handling Procedure (Appendix I)
- Contingency Plan (Appendix J).

In accordance with CoC A38, this CEMP and relevant Sub-Plans must be reviewed by the ER to ensure they are consistent with requirements in, or under, the Development Consent and if so, make a written statement to that effect. Relevant CEMP and Sub-Plans are then to be submitted for approval by the Planning Secretary in accordance with CoC C4.

Construction is not to commence until the CEMP and relevant Sub-Plans are approved by the Planning Secretary in accordance with CoC C4.

Construction is to be undertaken in accordance with the most recent, approved version of this CEMP and Sub-Plans.

### 1.3.2 Scope

The CEMP has been prepared to satisfy CoC C1 through C4 of the SSD-17552047 Development Consent. These specific requirements, together with where these requirements have been addressed in the CEMP are listed in Table 1-4.

**Table 1-4** Relevant CoCs and where the CEMP addresses them

| SSD-17552047 Development Consent CoC   | CEMP Section               |
|--|----------------------------|
| <b>Management Plan Requirements</b>  |                            |
| C1 Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:  | Section 3.3                |
| (a) a condition compliance table for that plan;  | Appendix A                 |
| (b) detailed baseline data, where relevant;  | Sub-Plans                  |
| (c) details of:  | Section 3.3                |
| (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);  |                            |
| (ii) any relevant limits or performance measures and criteria; and   | Section 4.2 and Sub-Plans  |
| (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;                      | Section 1.4 and Sub-Plans  |
| (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;  | Section 4.2 and Sub-Plans  |
| (e) a program to monitor and report on the:  | Section 5 and Sub-Plans    |
| (i) impacts and environmental performance of the development; and  |                            |
| (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;   |                            |
| (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impact reduce to levels below relevant impact assessment criteria as quickly as possible; | Section 5.4 and Appendix J |
| (g) a program to investigate and implement ways to improve the environmental performance of the development over time;   | Section 5.2 and Sub-Plans  |
| (h) a protocol for managing and reporting any:   | Section 5.5                |
| (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);  | Section 5.6                |
| (ii) complaint;  | Section 2.2 and Appendix I |
| (iii) failure to comply with statutory requirements; and   | Section 5.5                |
| (i) a protocol for periodic review of the plan.  | Section 5.8                |
| Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for management plans  | Noted                      |

| SSD-17552047 Development Consent CoC  | CEMP Section  |
|---|---|
| <b>Construction Environmental Management Plan</b>   |   |
| <b>Earthworks and Infrastructure Works</b>  |   |
| C2 The Applicant must prepare a Construction Environmental Management Plan (CEMP) for undertaking earthworks and infrastructure works as shown in Figure 14: in Appendix 1 in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary. | This CEMP   |
| C3 As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:   | NA  |
| a) Construction Traffic Management Plan (see condition B1)  | Appendix B  |
| b) Erosion and Sediment Control Plan (see condition B24)  | Appendix C  |
| c) Dam Decommissioning Plan (see condition B39)   | Appendix D  |
| d) Construction Noise Management Plan (see condition B43)   | Appendix E  |
| e) Construction Air Quality Management Plan (see condition B51)   | Appendix F  |
| f) Asbestos Management Plan (see condition B68)   | Appendix G  |
| g) Unexpected Finds Procedure (see condition B69)   | Appendix H  |
| h) Community Consultation and Complaints Handling Procedure   | Section 2.2 and Appendix I  |
| C4 The Applicant must:  | NA  |
| a) not commence earthworks until the CEMP is approved by the Planning Secretary; and  | This CEMP and Sub-Plans will be referred to the Secretary for approval. |
| b) carry out earthworks and infrastructure works in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).  | Noted   |

### 1.3.3 Objectives

The objectives of this CEMP are to:

- Identify the roles and responsibilities of key personnel.
- Clearly and concisely document the commitments made in the Environmental Impact Statement (EIS, Willow Tree Planning, October 2021), and Amendment Report (Ethos Urban, November 2023), including relevant management plans, that are required to be implemented during construction.
- Provide guidelines for undertaking the construction works in compliance with the CoC and other applicable regulatory requirements.
- Demonstrate to the Department of Planning, Housing and Infrastructure (DPHI) how Frasers proposes to meet its regulatory obligations including those outlined in the CoC.
- Outline the controls to be implemented by the contractor to meet those obligations.
- Prescribe project-specific performance standards and mitigation measures that aim to protect human and ecological values and manage the potential impacts of the works on the environment.
- Detail environmental management practices for the management, implementation and monitoring of the Project.

All Frasers personnel, contractors and visitors are required to comply with the requirements of this CEMP at all times.

## **1.4 Environmental Performance Indicators**

Environmental performance indicators and targets have been established as a means of assessing environmental performance during construction. The performance indicators have been developed with consideration of the key issues identified through the environmental assessment and risk assessment process.

Refer to the Sub-Plans for aspect specific environmental performance indicators and targets.

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## 2 Community and Stakeholder Engagement

As required by the SSD-17552047 Development Consent, consultation with stakeholders was required during the development of several of the Sub-Plans. The result of this consultation is documented in each Sub-Plan, where relevant.

Consultation with stakeholders during the preparation of this CEMP was not required under CoCs C1 and C2.

### 2.1 Community Communication during Construction

A Community and Stakeholder Participation Strategy (CSPS) (SLR Consulting, September 2023) (Appendix I) has been prepared by Frasers for the Project. This strategy outlines tools and techniques to be used and implemented to enable effective communication with the community and stakeholders throughout the construction works and operations, including:

- community consultation meetings, workshops and forums
- individual meetings
- agency meetings
- newspaper advertisements
- letterbox drops and email notifications
- on-site signage
- Project information and complaints telephone number
- text messages and email alerts
- website.

The CSPS recommends that a Community Consultation Strategy be prepared for the Project to continue the positive approach to engagement undertaken for the Project to date through the Project lifecycle. This strategy would include engagement and complaints/enquiry protocols, the identification of engagement responsibilities and the maintenance of an engagement register.

Frasers will participate in the existing Mamre Road Precinct (MRP) Working Group, with other relevant development consent holders in the MRP. Participation will commence within three months of the commencement of construction and will be ongoing until all components of the Project are constructed and operational. The purpose of the MRP Working Group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts.

The MRP Working Group currently includes the developers of the following industrial estates that have received development consent:

- Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (SSD-9522) - 657-769 Mamre Road, Kemps Creek
- Yiribana Industrial Estate (SSD-10272349) - 754-770, 784-786 Mamre Road, Kemps Creek

- Aspect Industrial Estate (SSD-10448) - 788-882 Mamre Road Kemps Creek
- 200 Aldington Road Estate (SSD-10479) - 106-228 Aldington Road, Kemps Creek
- BAPS Temple (DA17/1247) - 230-242 Aldington Rd, Kemps Creek
- Westlink Industrial Estate – Stage 1 (SSD-91308102) - 290-308 Aldington Road, 59-63 Abbotts Road, Kemps Creek.

## 2.2 Complaints Management

Community complaints will be managed under the CSPS (Appendix I).

The ongoing and consistent management of project related feedback throughout the delivery of the Project is crucial to ensuring appropriate mitigation strategies are developed in response to issues identified and experienced. As such, the Project team will document all stakeholder and community related feedback received directly in a professional and timely manner.

Feedback is defined as any communication received from a stakeholder or community member which expresses support and/or dissatisfaction with any aspect of the Project and its delivery. As such, the proposed contact response timings for general enquiries are as follows:

- Same day acknowledgement of all stakeholder and community contact.
- Development of proposed response and issue within 48 hours by the Project team. This timeframe can be extended where complex information is required, provided an acknowledgment of the enquiry is sent, outlining the need to gather more information before a response can be sent.
- A 72-hour response target for complex enquiries (e.g. requires further consultation and planning with Project team, request for meeting).
- All details will be captured and logged in the Contact Register, and all responses will be shared with the Project team.

In accordance with CoC A39, the Contact Register will be made available to the ER on a daily basis. The ER will assist DPHI in the resolution of community complaints, as may be requested by the Planning Secretary.

Adherence to these response protocols fulfils requirements specified in CoC B44, related to the CNVMP which requires a complaints management system to be implemented for the duration of the Project.

# 3 Environmental Management Framework

## 3.1 Project Organisational Structure

Frasers is the developer of the Project and has overall responsibility for compliance with the SSD-17552047 Development Consent. Frasers have engaged various contractors for the construction of Phase 1 of the Project.

All personnel including consultants, contractors, sub-contractors and all other personnel associated with undertaking construction works on the Project, ultimately report to Frasers.

Frasers is responsible for monitoring the environmental performance of the Project and monitoring compliance with the CoC, this CEMP and Sub-Plans as they relate to the construction of the Project.

## 3.2 Roles and Responsibilities

All Project personnel are responsible for the implementation of this CEMP and have the responsibility to stop works if there is the potential for a safety or environmental incident to occur.

Roles, and responsibilities for environmental management of the Project are outlined in Table 3-1.

**Table 3-1** Project roles and responsibilities

| Role                              | Responsibility   |
|-----------------------------------|--|
| <b>Frasers Representative</b>     | Environmental reporting responsibility associated with the Project.  |
|                                   | Overall responsibility for environmental management and compliance with the SSD-17552047 Development Consent and relevant legislation.   |
|                                   | Liaise with Frasers management to keep them informed of the Project's environmental performance and progress.  |
|                                   | Record, notify, investigate and respond to any environmental incidents and, where necessary, guide the development and implementation of corrective actions.   |
|                                   | Consult and engage with any contractors or interfacing contractors regarding the environmental management of the Project.  |
|                                   | Provide adequate environmental inductions/training to Frasers employees and contractors regarding their requirements under this CEMP.  |
|                                   | Provide ER with all documentation requested in order for the ER to perform their functions specified below, including any assessment carried out by Frasers of whether proposed work is consistent with the SSD-17552047 Development Consent (which must be provided to the ER before the commencement of the subject work). |
| <b>Contractor Project Manager</b> | Oversee the implementation and maintenance of the CEMP and Sub-Plans.  |
|                                   | Check that any licence, permit and/or approval required for the Project has been obtained in the required timeframe.   |
|                                   | Implement the Contamination Unexpected Finds Protocol in the event of contamination being encountered onsite during construction.  |

| Role   | Responsibility   |
|--|--|
|  | <p>Submit the disposal location and results of testing to the Planning Secretary, prior to its removal.</p> <p>Monitor and report on overall environmental management performance.</p> <p>Review and acknowledge periodic environmental inspection reports.</p> <p>Initiate project meetings as required or directed, in which environmental items are discussed as appropriate.</p> <p>Identify and allocate Project resources to implement the requirements of the CEMP and Sub-Plans.</p> <p>Confirm relevant environmental expectations expressed by the client and/or regulatory authorities to the Project team.</p>   |
| <b>Contractor HSEQ Manager</b>                             | <p>Provide advice where required in relation to environmental issues associated with the Project.</p> <p>Inform all personnel including sub-contractors of the requirement to conform with the CEMP and Sub-Plans.</p> <p>Confirm that all necessary environmental controls are implemented and maintained for the duration of the Project.</p> <p>Complete weekly site inspections to monitor and verify mitigation measures are implemented and effective.</p> <p>Assist with the implementation of the Contamination Unexpected Finds Protocol in the event of contamination being encountered onsite during construction.</p> <p>Monitor weather conditions to prepare the Project for high winds or other extreme weather events.</p> <p>Provide regular environmental inspection and progress reports to the Contractor Project Manager.</p> <p>Monitor environmental compliance with the CEMP.</p> <p>Facilitate the environmental induction and training (toolbox talks) of employees and subcontractors (as required).</p> <p>Complete and maintain all necessary environmental documentation for the contract (as required).</p> <p>Conduct environmental incident investigations and implement corrective action responses in consultation with the Contractor Project Manager.</p> |
| <b>Communications and Community Liaison Representative</b> | <p>Lead and manage the community involvement activities, including liaison with property owners and key stakeholders.</p> <p>Be the primary Project contact for the public, handling enquiries and complaints and managing interface issues.</p> <p>Maintain the Contact Register and make available to the ER on a daily basis.</p> <p>Be available for contact by local residents and the community at all reasonable times to answer any questions.</p> <p>Liaise with property owners to co-ordinate access and to deal with specific property related issues arising from the upgrade works.</p> <p>Lead the delivery of communication and community engagement strategies and plans.</p> <p>Facilitate meetings and forums and arrange interviews to address concerns raised by the community.</p>   |

| Role                                     | Responsibility  |
|--|---|
|  | <p>Provide advice and participate with the project teams to improve and enhance the delivery of communication services to the community.</p> <p>Build and maintain collaborative and consultative working relationships with internal and external stakeholders.</p> <p>Be available for contact by local residents, key stakeholders and community representatives to answer queries and provide more information or feedback.</p>   |
| <b>Environmental Representative (ER)</b> | <p>Be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions, Amendment Report and any additional information for the development and is independent from the design and construction personnel for the development.</p> <p>Receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development.</p> <p>Consider and inform the Planning Secretary on matters specified in the terms of the SSD-17552047 Development Consent.</p> <p>Consider and recommend to the Project any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community.</p> <p>Review the CEMP required in Condition C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under the SSD-17552047 Development Consent and if so:</p> <ul style="list-style-type: none"> <li>• make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary) or</li> <li>• make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/DPHI for information or are not required to be submitted to the Planning Secretary/DPHI).</li> </ul> <p>Regularly monitor the implementation of the CEMP to be carried out in accordance with the document and the terms of the SSD-17552047 Development Consent.</p> <p>As may be requested by the Planning Secretary, help plan, attend, or undertake audits of the development commissioned by DPHI including scoping audits, programming audits, briefings, and site visits.</p> <p>As may be requested by the Planning Secretary, assist DPHI in the resolution of community complaints.</p> <p>Provide advice to the Applicant on the management and coordination of construction works on the site with adjoining sites in the MRP in relation to construction traffic management, earthworks and sediment control and noise.</p> <p>Attend the MRP Working Group (see CoC A41) in a consultative role in relation to the environmental performance of the Project.</p> <p>Prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an ER Monthly Report providing the information set out in the ER Protocol under the heading 'ER Monthly Reports'. The ER Monthly Report must be submitted within seven calendar days following the end of each quarter for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p> |
| <b>CPESC</b>                             | <p>Prepare detailed erosion and sediment control plans.</p> <p>Supervise and certify delivery and operation of all construction phase erosion and sediment controls.</p> <p>Conduct monthly audits of all construction phase erosion and sediment controls.</p>   |
| <b>MRP Working Group</b>                 | <p>Comprise of at least one representative of Frasers, the ER and relevant development consent holders in the MRP.</p>  |

| Role                 | Responsibility  |
|----------------------|---|
|                      | <p>Meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring and coordination of the approved industrial developments in the MRP.</p> <p>Inform Council, TfNSW, Sydney Water and the Planning Secretary regularly of the outcomes of these meetings and actions to be undertaken by the working group.</p> <p>Review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP.</p> <p>Review community concerns or complaints with respect to environmental management.</p> <p>Identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP.</p> <p>Provide the Planning Secretary with an update and strategies, if a review under subclauses (d) and (e) identify that additional measures and processes are required to be implemented by the working group.</p> <p>Three months prior to completion of construction of all components of the development the Applicant is eligible to exit the working group. The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) consult with the Planning Secretary</li> <li>(b) provide confirmation that all components of the development are operational</li> <li>(c) advise on the date of the proposed exit.</li> </ul> |
| <b>All Personnel</b> | <p>Report all environmental incidents, hazards, non-compliances and near misses to their supervisor or the Contractor Project Manager immediately.</p> <p>Attend all required environmental awareness, induction and training sessions.</p> <p>Stop work or otherwise mitigate the effects of an activity that is causing significant, uncontrolled or unexpected environmental harm.</p> <p>A daily pre-start inspection of plant and equipment will be undertaken by plant and equipment operators and any leaks or excessive emissions reported to the Contractors HSEQ Manager.</p>   |

### 3.3 Legal and Compliance Requirements

#### 3.3.1 SSD-17552047 Development Consent

The Project will be constructed in accordance with SSD-17552047 Development Consent and in accordance with the documents referenced under CoC A2:

- (a) The CoCs
- (b) Written directions from the Planning Secretary
- (c) The EIS (Willowtree, October 2021), the Amendment Development Report (Ethos Urban, 9 November 2023), Response to Submissions (Ethos Urban, 8 July 2024) and additional information
- (d) The development layout attached to the Development Consent as Appendix 1
- (e) The management and mitigation measures attached to the Development Consent as Appendix 2.

Appendix A lists the CoCs related to the construction of the Project and identifies where in this CEMP and Sub-Plans each COC is addressed.

Under CoC A4, if there is any inconsistency, ambiguity or conflict between the plans and documentation referred to in CoC A2(c) or A2(e), the most recent document will prevail to the extent of the inconsistency. However, the conditions of SSD-17552047 Development Consent prevail to the extent of any inconsistency, ambiguity or conflict. Frasers will notify the ER and DPHI if any inconsistencies are identified.

CoC A1 states:

*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.*

This CEMP and its Sub-Plans describe the environmental mitigation measures that will be implemented on the Project during construction to prevent and minimise environmental impacts.

CoC A32 requires that all Frasers employees, contractors (and their subcontractors) be made aware of and are instructed to comply with the CoC relevant to activities carried out for the Project.

Frasers will undertake consistency assessments to determine whether planned design changes and construction methodologies would be consistent with the requirements of the SSD-17552047 Development Consent. To meet the requirements of CoC A39(b) Frasers will provide any consistency assessments undertaken to the ER prior to any relevant work being commenced.

### 3.3.2 Regulatory Framework

The regulatory framework for the Project is outlined in Table 3-2, which identifies relevant legislative instruments, including legislative and voluntary obligations, permits and licences, and their key objectives and relevance to the Project.

**Table 3-2** Legislative and related instruments relevant to the Project

| Legislation  | Key Project Requirements  | Activity/ Aspect  |
|--|---|---|
| <i>Environment Planning and Assessment Act 1979</i>                  | Established a system of environmental planning and assessment of proposed developments in NSW.<br>The Project must comply with the SSD-17552047 Development Consent.  | All   |
| <i>Environment Protection and Biodiversity Conservation Act 1999</i> | Requirements in relation to protection and management of nationally and internationally important flora, fauna, ecological communities, and heritage places.  | Threatened species and ecological environments                                  |
| <i>Biodiversity Conservation Act 2016</i>                            | Comply with conservation requirements for any identified threatened species.  | Threatened species and ecological environments                                  |
| <i>Protection of the Environment Operations Act 1997</i>             | The handling, storage and disposal of all waste streams on site is to be implemented in accordance with the POEO Act.<br>Aims to aid the protection, restoration and enhancement of the quality of the NSW environment, including emissions to air. | Construction waste management<br>Discharges or emissions to air, land and water |

| Legislation   | Key Project Requirements   | Activity/ Aspect  |
|---|--|---|
|   | Identifies activities for which an Environment Protection Licence is required.   |   |
| <i>Protection of the Environment Operations (Noise Control) Regulation 2017</i>                             | Comply with the requirements of the POEO (Noise Control) Regulation to mitigate the impacts of noise and vibration on sensitive receivers and the environment.   | Management and mitigation of noise and vibration produced during construction works   |
| <i>Protection of the Environment Operations (Clean Air) Regulation 2021</i>                                 | Identifies criteria for air quality objectives and emissions.  | Management of any dust and air pollution emissions produced by works to promote air quality   |
| <i>Protection of the Environment Operations (Waste) Regulation 2014</i>                                     | Handling, storage, transport and disposal of all waste streams to be undertaken with consideration for the requirements within the POEO (Waste) Regulation.<br>Aims to protect human health and the environment. Identifies the thresholds for Environment Protection Licences.  | Management of construction waste<br>Discharge or emissions to air, land, water in accordance with thresholds set by the regulation                                    |
| <i>Waste Avoidance and Resource Recovery Act 2001</i>   | Aims to promote waste avoidance and resource recovery by: <ul style="list-style-type: none"> <li>• Encouraging efficient use of resources</li> <li>• Encouraging the avoidance of waste and the reuse and recycling of waste</li> <li>• Ensuring industry and the community share responsibility in reducing/dealing with waste</li> <li>• Efficiently funding waste/resource management planning, programs and service delivery.</li> </ul> | Management of construction waste  |
| <i>Contaminated Land Management Act 1997</i>  | Remediation requirements for management of contaminated lands.   | May be applicable in the event of any unexpected find of contaminants/contamination   |
| <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>                                    | Remediation of contamination lands and consent requirements.   | May be applicable in the event of any unexpected find of contaminants/contamination   |
| <i>Heritage Act 1977</i><br><i>National Parks and Wildlife Act 1974</i>                                     | Protection and recording of Indigenous and non-Indigenous heritage values, relics, artefacts, places and other finds/remains.  | Earthmoving /excavation works – identifying unexpected finds  |
| Managing Urban Stormwater: Soils and Construction – Volume 1 (the “Blue Book”) (Landcom, March 2004)        | Soil and erosion controls for managing surface water flows onsite and reducing potential for erosion and sedimentation leaving site.   | Management surface water flows onsite   |
| Technical guidance for achieving Wianamatta-South Creek stormwater management targets (DPE, September 2022) | In accordance with Water Sensitive Urban Design principles set out in the Technical Guidance.  | Specific direction on what modelling to undertake, assumptions to make and which data to use to demonstrate that the stormwater management targets are being achieved |
| Mamre Road Stormwater Scheme Plan (Sydney Water, December 2022)   | Performance of stormwater management system in accordance with Integrated Water Cycle Management Controls.   | Water cycle management<br>Irrigated street trees  |
| Stormwater Scheme Infrastructure Design Guideline   | Irrigated street trees.  | Design of irrigated street trees  |

| Legislation                   | Key Project Requirements | Activity/ Aspect |
|-------------------------------|--------------------------|------------------|
| (Sydney Water, December 2022) |                          |                  |

Where updated or revised versions of guidelines, protocols, standards or policies, or a replacement of them are available, the most recent versions should be applicable to this CEMP.

### 3.4 Training and Awareness

All personnel including sub-contractors are required to attend a compulsory site induction that includes an environmental component, prior to commencement of works onsite.

The environmental induction will include, but not be limited to, an overview of:

- relevant details of the CEMP including purpose and objectives
- key environmental issues
- Project specific environmental management requirements and responsibilities as specified in CEMP and CEMP Sub-Plans
- incident response and reporting requirements.

All Project personnel will be suitably qualified, but individual team members may benefit from specific environmental training (e.g. erosion and sediment control and environmental auditor training) to help them better manage the environmental impacts of the Project.

Short-term visitors to the Project site will be required to undertake a visitor's induction and be accompanied by inducted personnel.

A record of all inductions will be maintained onsite.

Toolbox talks will also be used to review management procedures and identify/discuss daily site conditions and raise environmental awareness. Site inductions and toolbox talks will highlight specific environmental requirements and activities being undertaken at the worksite each day.

A record of issues covered in daily toolbox meetings will be maintained onsite.

The CEMP will be explained to all contractors and a controlled copy will be maintained onsite during construction works.

# 4 Implementation

## 4.1 Aspects and Impacts

Project environmental aspects, impacts and opportunities have been identified and assessed in accordance with the risk assessment as presented in Part F of the EIS (Willowtree Planning, October 2021) and Amendment Report (Ethos Urban, November 2023). The key environmental aspects and impacts for the Project during construction are listed in Table 4-1.

**Table 4-1** Environmental aspects and impacts during construction

| Aspect                     | Potential Environmental Impact   | Significance of Impact* | Manageability of Impact | Residual Impact |
|----------------------------|--|-------------------------|-------------------------|-----------------|
| Noise and vibration        | Increase in noise and vibration levels during construction   | Moderate                | Standard                | Medium          |
| Traffic and parking        | Increase in construction traffic on local roads  | Moderate                | Standard                | Low/Medium      |
| Air and water quality      | Potential for reduced air and water quality during construction                                      | Moderate                | Standard                | Low/Medium      |
| Sediment, erosion and dust | Dust produced from construction<br>Erosion produced from construction                                | Minor                   | Elementary              | Low/Medium      |
| Heritage                   | Potential impacts to archaeology and artefacts   | Minor                   | Elementary              | Low             |
| Ecology                    | Impact on flora and fauna during construction and operation<br>Tree removal and construction impacts | Moderate                | Elementary              | Low             |

\*Significance of impact was provided in the EIS (Willowtree Planning, October 2022).

## 4.2 Environmental Mitigation Measures

Environmental mitigation measures to be implemented during construction of Phase 1 of the Project to enable compliance with the SSD-17552047 Development Consent, performance measures and criteria are documented in Table 4-2 and the aspect-specific CEMP Sub-Plans. The identified mitigation measures are consistent with those identified in the EIS (Willowtree Planning, October 2021) and Amendment Report (Ethos Urban, November 2023) and reflect current accepted industry guidelines and practice.

**Table 4-2 Environmental mitigation measures**

| Mitigation Measure  | Responsibility             |
|---|----------------------------|
| <b>General</b>  |                            |
| Maintain and implement CEMP on site.  | Contractor Project Manager |
| All vehicles, plant and equipment used on site are to be maintained in a proper and efficient condition and operated in a proper and efficient manner.  | Contractor Project Manager |
| Carry out construction activities and delivery of materials within approved construction hours.   | Contractor Project Manager |
| Only virgin excavated material (VENM), excavated natural material (ENM), or other material approved in writing by the Environment Protection Authority is to be brought onto the site.  | Contractor Project Manager |
| Maintain accurate records of the volume and type of fill to be used and make these records available to the Planning Secretary upon request.  | Contractor Project Manager |
| Where possible, source fill material from within the MRP.   | Contractor Project Manager |
| <b>Waste Management</b>   |                            |
| All liquid and non-liquid wastes to be taken off site are to be assessed and classified in accordance with the latest version of Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).   | Contractor Project Manager |
| All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.  | Contractor Project Manager |
| Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.  | Contractor Project Manager |
| 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.   | Contractor Project Manager |
| <b>Erosion and Sediment Control</b>   |                            |
| See ESCP (Appendix C)   | See Sub-Plan               |
| <b>Noise and Vibration</b>  |                            |
| See CNVMP (Appendix E)  | See Sub-Plan               |
| <b>Biodiversity</b>   |                            |
| Site induction is to include identification of noxious weeds species, pest species and vermin that may occur on the Project site and control measures.  | Contractor Project Manager |
| Waste bins are to include covers to prevent windblown litter and the entry of pest animals or rain.   | Contractor Project Manager |
| Vehicles, equipment, materials and footwear are to be clean on entry to site (free of soil, mud and/or seeds) to minimise the introduction or spread of priority weeds.   | Contractor Project Manager |
| No spoil, excavated material, plant or equipment is to be stockpiled or stored within the delineated "No-Go" zones.   | Contractor Project Manager |
| Inspect the site on a regular basis to verify that 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. | Contractor Project Manager |
| <b>Aboriginal Cultural Heritage</b>   |                            |
| Discovery of unanticipated Aboriginal item or object:   | Contractor Project Manager |

| Mitigation Measure  | Responsibility             |
|---|----------------------------|
| <ol style="list-style-type: none"> <li>1. Works must cease immediately in the immediate vicinity of the suspected Aboriginal item or object.</li> <li>2. A 10m wide buffer area around the suspected item or object must be cordoned off</li> <li>3. Heritage NSW must be contacted immediately.</li> <li>4. Find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object, the archaeologist will provide further recommendations. These may include notifying Registered Aboriginal Parties (RAPs).</li> </ol>   |                            |
| <p>A long-term care agreement is to be established in consultation with RAPs to adequately care for the artefacts identified in the Aboriginal Cultural Heritage Assessment (Biosis, 22 April 2022).</p>  | Contractor Project Manager |
| <p>RAPs are to be regularly informed about the management of Aboriginal cultural heritage sites within the site throughout the life of the project.</p>   | Contractor Project Manager |
| <p><b>Historical Heritage</b></p>   |                            |
| <p>Discovery of unanticipated historical relics: If unanticipated archaeological relics are uncovered during the project:</p> <ol style="list-style-type: none"> <li>1. Work in the immediate vicinity of the find must cease immediately.</li> <li>2. Contact an archaeologist to provide a preliminary assessment of the find.</li> <li>3. Heritage NSW will require notification if the find is assessed as a relic.</li> <li>4. Relics cannot be disturbed except with a permit or exception/exemption notification, or approval issued by DPHI.</li> </ol> <p>Discovery of Human Remains: If any suspected human remains are discovered:</p> <ol style="list-style-type: none"> <li>1. Immediately cease all work at that location and not further move or disturb the remains.</li> <li>2. Notify the NSW Police and Heritage NSW Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.</li> <li>3. Not recommence work at that location unless authorised in writing by Heritage NSW.</li> </ol> | Contractor Project Manager |
| <p><b>Site Contamination</b></p>  |                            |
| <p>See Remediation Action Plan (JBS&amp;G, February 2024)</p>   | See Sub-Plan               |
| <p><b>Air Quality</b></p>   |                            |
| <p>See CAQMP (Appendix F)</p>   | See Sub-Plan               |

# 5 Monitoring and Review

## 5.1 Environmental Inspections

The Contractor Project Manager (or delegate) is to complete weekly environmental inspections of the Project. The purpose of these inspections is to:

- verify compliance with CoC
- review the performance and effectiveness of environmental management measures
- Identify any non-conformances or potential non-conformances against the mitigation measures and other requirements of this CEMP and the Sub-Plans
- document observations and track performance.

These inspections are to be documented in the contractor's Environmental Inspection Checklist.

Any corrective actions identified are to be documented and their implementation is to be recorded onsite to verify that they have been being actioned and closed out.

A daily pre-start inspection of plant and equipment is to be completed by plant and equipment operators and any leaks or excessive emissions reported to the Contractors HSEQ Manager.

The ER and Fraser representative are to regularly monitor the implementation of this CEMP and Sub-Plans to determine whether the Project is being carried out in accordance with this CEMP and the SSD-17552047 Development Consent.

The CPESC is to supervise the delivery and operation of all construction phase erosion and sediment controls on the site and also conduct monthly audits in accordance with CoC B26.

## 5.2 Environmental Monitoring

Environmental monitoring will be undertaken to assist in the management of the following:

- construction of the Project in accordance with environmental approvals
- compliance with all relevant legislative requirements
- the minimisation of potential environmental incidents
- effectiveness of environmental controls
- implementation of this CEMP and the Sub-Plans.

Monitoring requirements are included in the relevant Sub-Plans. Where relevant, the Sub-Plan will provide detail on the following:

- responsibility for monitoring
- relevant standards applicable to the monitoring
- monitoring technique and location
- frequency of monitoring
- data management, review and distribution.

Environmental monitoring requirements are summarised in Table 5-1.

**Table 5-1** Summary of environmental monitoring

| Aspect                  | Monitoring  | Frequency/<br>Timing                                   | Responsible  | Reference          |
|-------------------------|---|--|--|--------------------|
| General                 | Monitor the implementation of the CEMP to ensure implementation is being carried out in accordance with the document and the CoC  | Ongoing  | <ul style="list-style-type: none"> <li>• Fraser representative</li> <li>• Contractor Project Manager</li> <li>• ER</li> <li>• CPESC</li> </ul> | CEMP and Sub-Plans |
| Water quality           | Effectiveness of erosion and sediment controls  | After rainfall events and at least weekly              | Contractor HSEQ Manager  | ESCP               |
| Traffic safety measures | Identify interim traffic safety measures to manage construction traffic and how these measures are to be coordinated, communicated, funded and monitored  | Ongoing  | MRP Working Group  | CTMP               |
| Traffic                 | <ul style="list-style-type: none"> <li>• Onsite traffic management effectiveness</li> <li>• Traffic numbers/movements tracking</li> </ul>   | Ongoing  | Contractor Project Manager   | CTMP               |
| Air quality             | Effectiveness of mitigation measures  | Daily  | Contractor HSEQ Manager  | CAQMP              |
| Air quality             | Dust generation   | Daily  | Contractor HSEQ Manager  | CAQMP              |
| Air quality             | Weather conditions  | Daily  | Contractor HSEQ Manager  | CAQMP              |
| Noise                   | Short term unattended Noise monitoring (monitoring location receivers 1 to 4)   | On receipt of a noise complaint.                       | Contractor HSEQ Manager  | CNVMP              |
| Noise                   | Long term unattended Noise monitoring (monitoring location receivers 1 to 4)  | Continued ongoing receipt of a noise complaints        | Contractor HSEQ Manager  | CNVMP              |
| Vibration               | Vibration monitoring to: <ul style="list-style-type: none"> <li>• confirm acceptability of construction techniques, or</li> <li>• confirm compliance with limits for structural or cosmetic damage of buildings.</li> </ul> | As required and or on receipt of a vibration complaint | Contractor HSEQ Manager  | CNVMP              |
| Vibration               | Assess compliance with vibration limits for human exposure to vibration   | As required  | Contractor HSEQ Manager  | CNVMP              |
| Waste                   | Waste generated and disposal methods  | Ongoing  | Contractor HSEQ Manager  | WRRMP              |
| Waste                   | Past waste disposal receipts  | Ongoing  | Contractor HSEQ Manager  | WRRMP              |

| Aspect                      | Monitoring  | Frequency/<br>Timing                                       | Responsible  | Reference |
|-----------------------------|---|--|--|-----------|
| Waste                       | Waste volumes recycled, reused or contractor removed in accordance with Penrith DCP   | Ongoing  | Contractor HSEQ Manager  | WRRMP     |
| Waste                       | Information to track waste avoidance, reuse and recycling performance and to help in waste estimations for future waste management plans.                                     | Ongoing  | Contractor HSEQ Manager  | WRRMP     |
| Dam water                   | Water quality, check whether it meets the Australian and New Zealand Guidelines for Fresh Water Quality 95% species protection Assess dam water quality.                      | Prior to dam dewatering                                    | Contractor HSEQ Manager under supervision of a suitably qualified specialist | DDP       |
| Ecological clearance of dam | Presence or likely presence of aquatic species of flora and fauna in dam.   | Prior to dam dewatering                                    | Suitably qualified ecologist   | DDP       |
| Dam sediment                | Assess sediments excavated from the dams against relevant guideline criteria.   | During dam removal   | Environmental Manager  | DDP       |
| Biodiversity                | Inspect site (focused on cleared areas) for the establishment of priority weeds and weeds of national significance.   | Monthly  | Contractor HSEQ Manager  | CEMP      |
| Biodiversity                | Inspect site to determine vermin and pest species are not present in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. | Monthly  | Contractor HSEQ Manager  | CEMP      |
| Biodiversity                | Inspect security (bins lids closed and secured, waste store wholly with the receptacle) of waste storage areas, particularly relating to putrescible waste items.             | Daily  | Site Supervisor  | CEMP      |
| Biodiversity                | Inspect site for general housekeeping relating to improper disposal of food stuffs and packaging.   | Weekly   | Site Supervisor  | CEMP      |
| Biodiversity                | Inspect sediment control measures (sediment fencing) to verify all measures are intact and functioning properly, to avoid indirect impacts on adjoining areas                 | Weekly, prior to and soon as practical following rainfall. | Contractor HSEQ Manager  | CEMP      |

On request, Frasers will provide the ER with all performance reporting documentation for the ER to perform their functions in accordance with the SSD-17552047 Development Consent.

## 5.3 Environmental Auditing

Frasers are to complete an internal HSSE audit of the Project annually. Audits are to involve a review of all environmental documents, records and reports to verify compliance with the CEMP. In addition, the ER may at any time request documents and evidence confirming implementation of the CEMP and Sub-Plans.

Key environmental and procedural aspects to be covered by the audit may include:

- environmental mitigation measures detailed in the CEMP Sub-Plans
- adherence to reporting procedures
- complaint and incident management
- legislative requirements.

Environmental and construction records include:

- contact register
- incident, non-conformance and corrective action reporting
- communications with stakeholders
- records of environmental monitoring
- monthly waste management reporting
- CEMP audit documentation.

Records of auditing and reporting are to be maintained to demonstrate compliance.

As per CoC A3, the Planning Secretary may make written directions to the Applicant in relation to an audit being undertaken and approved by the DPHI.

The CPESC is to conduct monthly audits of the delivery and operation of all construction phase erosion and sediment controls on the site in accordance with CoC B26(d).

## 5.4 Contingency Plan

If inspections, monitoring and/or auditing indicate that the mitigation measures listed in the Sub-Plans are not effective in managing environmental impacts, the actions outlined in the Contingency Plan (Appendix J) are to be implemented.

The Contingency Plan (required by CoC C1(f)) is designed to manage any unpredicted impacts and their consequences.

## 5.5 Non-compliance and Actions

A non-compliance is defined in SSD-17552047 Development Consent as an:

*occurrence, set of circumstances or development that is in breach of this consent.*

A failure to comply with statutory requirements is considered a breach of the Development Consent as per CoC C1(h)(iii).

Potential non-compliances with the CoC, statutory requirements, this CEMP and Sub-Plans can be identified by anyone and are to be reported to the Contractor Project Manager as a potential non-

compliance. The Contractor Project Manager must report non-compliances and potential non-compliances to Frasers immediately.

Non-compliances are to be investigated by the Contractor Project Manager to determine the root cause and any corrective and/or preventative actions arising from the investigation. This investigation is to be documented in a Non-Compliance Report prepared by, or for, the Contractor Project Manager and is to include any corrective and/or preventative actions. The Non-Compliance Report is to be provided to Frasers and the ER within five days of the non-compliance.

In accordance with CoC C15, the Planning Secretary must be notified via the major Projects website within seven days after Frasers becomes aware of any non-compliance. As per CoC C16, the notification must identify the development and the application number for it, set out the CoC that the development is non-compliant with, the way in which it does not comply, the reasons for the non-compliance (if known), and what actions have been, or will be, undertaken to address the non-compliance.

Note that under CoC C17, a non-compliance which has been notified as an environmental incident (see Section 5.6.1) does not need to also be notified as a non-compliance.

## 5.6 Environmental Incident and Emergency Response

### 5.6.1 Environmental Incidents

An environmental incident is defined in the SSD-17552047 Development Consent 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.*

Material harm is defined as:

*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).*

Environmental incidents can be identified by anyone and are to be reported without delay to the Contractor Project Manager. The Contractor Project Manager must then verbally report the environmental incident to Frasers and the ER immediately.

Under CoC C13, Frasers must notify the Department in writing via the NSW Planning Portal (Major Projects) website within 24 hours of Frasers becomes aware of an incident. The notification must identify:

- a) date, time and location
- b) a brief description of what occurred and why it has been classified as an incident
- c) a description of what immediate steps were taken in relation to the incident
- d) identifying a contact person for further communication regarding the incident.

Where a pollution incident causes or threatens material harm to the environment or human health, the following authorities must also be notified immediately under the POEO Act:

- EPA
- Penrith City Council
- The Ministry of Health (via Public Health Units)
- SafeWork NSW (formerly WorkCover)
- Fire and Rescue NSW.

Within seven days of the incident notification (or as otherwise agreed to by the Planning Secretary), Frasers must provide the Planning Secretary with a subsequent incident report addressing all requirements within Appendix 7 of the SSD-17552047 Development Consent, and such further reports as may be requested (CoC C14).

### 5.6.2 Environmental Emergencies

An environmental emergency is any event that causes or has the potential to cause material harm to the environment.

Frasers have nominated an emergency contact and an alternate contact that are available 24-hours a day, seven days a week. The Construction Contractor is to implement an Emergency Response Plan for the Project as required. Under this plan the Site Emergency Contact has the authority to stop and direct works on site in the event of an emergency.

For reference, emergency contact details are included in Table 5-2.

**Table 5-2** Emergency contact details

| Contact                    | Contact Details  | Address                       |
|----------------------------|--|-------------------------------|
| Ambulance                  | 000  | N/A                           |
| Fire Brigade               | 000  | N/A                           |
| Police                     | 000  | N/A                           |
| NSW EPA Pollution Hotline  | 131 555  | N/A                           |
| DPHI                       | 1300 305 695   | N/A                           |
| NSW Department of Health   | (02) 9391 9000   | N/A                           |
| SafeWork NSW               | 13 10 50   | N/A                           |
| Penrith City Council       | (02) 4732 7777   | 601 High St, Penrith NSW 2750 |
| Frasers Representative     | Monica Ngo<br>Mobile: 0408 930 244<br>Email:<br><a href="mailto:monica.ngo@fraserproperty.com.au">monica.ngo@fraserproperty.com.au</a> | N/A                           |
| Contractor Project Manager | <b>TBC</b>   | N/A                           |

### 5.7 Environmental Reporting

The reporting of environmental performance during construction is to be completed as required by the SSD-17552047 Development Consent. Environmental reporting requirements for the Project as documented in the CEMP and Sub-plans are summarised in Table 5-3.

**Table 5-3 Environmental reporting**

| Report  | Timing/Frequency  | Responsibility                    | Reference                       |
|---|---|-----------------------------------|---------------------------------|
| Dilapidation Report   | Before the commencement of earthworks   | Contractor Project Manager        | CoC A17(b)                      |
| ER Monthly Report   | Monthly   | ER                                | CoC A38(l)                      |
| CPESC Monthly Audits  | Monthly   | CPESC/ Contractor Project Manager | CoC B26(d)                      |
| Remediation Validation Report   | Within three months of completion of remediation works  | Contractor HSEQ Manager           | CoC B67                         |
| Incident Report   | Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification  | Contractor Project Manager        | CoC C13                         |
| Non-Compliance Report   | Within seven days of becoming aware of non-compliance   | Contractor Project Manager        | CoC C15                         |
| Compliance Report   | Within three months after the commencement of earthworks of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), for the duration of earthworks and construction works | Contractor Project Manager        | CoC C18                         |
| Environmental inspection and progress reports                                       | Ongoing to the Project Manager  | Contractor HSEQ Manager           | Section 3.2                     |
| Monthly Project Report (including overall environmental performance of the Project) | Monthly to Frasers  | Contractor Project Manager        | Section 3.2                     |
| Pre-start checks on plant and equipment   | Daily   | Plant and Equipment Operators     | Table 4-2 and Section 5.1 CAQMP |
| Internal Health, Safety, Security and Environment Audit Report                      | Annually  | Frasers Representative            | Section 5.3                     |

Several of these reports are required by the CoC to be prepared by individuals with certain qualifications or accreditations, as follows:

- The CPESC Audit Report must be prepared by a CPESC.
- The ER monthly reports must be prepared by the DPHI approved ER or Alternate ER.
- The Remediation Validation Report must be prepared by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management scheme.

Under CoC A39(a), Frasers are to provide the ER with the Contact Register (on a daily basis) and a copy of any consistency assessment for proposed works (before the commencement of the subject work).

The Compliance Reports (required by CoC C18) are to review the environmental performance of the Project. The Compliance Reports are to be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department, 2020) and must also:

- identify any trends in the monitoring data
- identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies
- describe what measures will be implemented over the next year to improve the environmental performance of the development.

Under CoC C19, each Compliance Report is to be made publicly available by Frasers no later than 60 days after submission to the Planning Secretary. Frasers must notify the Planning Secretary in writing seven days prior to public availability.

## 5.8 CEMP Review and Revision Program

To meet the requirements of CoC C1(e) and (g) for this CEMP and the Sub-Plans, Frasers are to implement a review program to:

- monitor and report on the:
  - impacts and environmental performance of the Project
  - effectiveness of the management measures included in the CEMP and Sub-Plans
- investigate and implement ways to improve the environmental performance of the Project over time.

This review is to consider the broader management context of the CEMP and Sub-Plans including:

- complaints received
- issues raised by stakeholders
- non-compliances identified and reported
- incidents and the Project team response
- Project team structure and resourcing
- recommendations of environmental inspections, audits and previous review (after the initial review).

This review is to be completed by the Contractor HSEQ Manager, in consultation with the Project Manager and Frasers Representative, on an annual basis commencing one year after the commencement of construction. An Environmental Review Report recommending measures to improve the environmental performance of the Project is to be produced by the review.

CoC C11 also states that all strategies, plans and programs required under the SSD-17552047 Development Consent are to be reviewed and the Planning Secretary notified of the review within three months of:

- the submission of a Compliance Report under CoC C18

- the submission of an incident report under CoC C13
- the approval of any modification of the conditions of the SSD-17552047 Development Consent
- the issue of a direction of the Planning Secretary under CoC A2(b) which requires a review.

As per CoC C12, where documents are revised under the above reviews, the revised documents must be sent to the Planning Secretary for approval within six weeks of the review (or as agreed by the Planning Secretary).

All employees and contractors are to be informed of any revisions to the CEMP during toolbox talks and incorporated into environmental induction materials where relevant.

# Appendix A Development Consent Compliance Matrix

| Ref.                                    | Condition  | How addressed  |
|---|--|--|
| <b>Part A Administrative Conditions</b> |  |  |
| <b>A1</b>                               | 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.  | This CEMP and associated Sub-Plans have been developed to prevent/minimise any material harm to the environment.   |
| <b>A2</b>                               | The development may only be carried out:<br>(a) in compliance with the conditions of this consent;<br>(b) in accordance with all written directions of the Planning Secretary;<br>(c) in accordance with the EIS, ADR, RtS, and Additional Information;<br>(d) in accordance with the Development Layout in Appendix 1; and<br>(e) in accordance with the management and mitigation measures in Appendix 2.  | This CEMP and associated Sub-Plans have been developed to comply with the CoC, written directions of the Secretary, EIS, ADR, RtS and additional information, Development Layout and management and mitigation measures outlined in Appendix 2 of the Development Consent. |
| <b>A3</b>                               | Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:<br>(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<br>(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a). | Section 5.8 details when revisions of the CEMP may be undertaken including upon written direction by the Planning Secretary.   |
| <b>A4</b>                               | 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  |
| <b>A5</b>                               | 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.   | Noted  |
| <b>A8</b>                               | The Applicant must ensure no vehicles associated with the construction and operation of the development use Bakers Lane.   | Noted<br>Included in site induction content  |
| <b>A11</b>                              | 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:<br>(a) earthworks;<br>(b) construction; and<br>(c) operation.  | Noted  |

| Ref.       | Condition  | How addressed  |
|------------|--|--|
| <b>A12</b> | If the earthworks, 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.   | Noted  |
| <b>A13</b> | Where conditions of this consent require consultation with an identified party, the Applicant must:<br>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and<br>(b) provide details of the consultation undertaken including:<br>(i) the outcome of that consultation, matters resolved and unresolved; and<br>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.   | Consultation with stakeholders during the preparation of this CEMP was not required. Where required, consultation with stakeholders has occurred and is documented in the relevant Sub-Plan. |
| <b>A14</b> | With the approval of the Planning Secretary, the Applicant may:<br>(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);<br>(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<br>(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). | Noted  |
| <b>A15</b> | 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.  | Noted  |
| <b>A16</b> | 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.   | Noted  |
| <b>A17</b> | Prior to the commencement of earthworks for the development, the Applicant must:<br>(a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;<br>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and<br>(c) submit a copy of the dilapidation report to the Planning Secretary and Council.   | Consultation with relevant owners will be undertaken and a dilapidation report will be prepared and submitted to Secretary and Council.  |

| Ref.       | Condition   | How addressed  |
|------------|---|--|
| <b>A18</b> | Unless the Applicant and the applicable authority agree otherwise, the Applicant must:<br>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;<br>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and<br>(c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works. | Noted  |
| <b>A32</b> | 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 3.3.1 of this CEMP                           |
| <b>A36</b> | All plant and equipment used on-site, or to monitor the performance of the development, must be:<br>(a) maintained in a proper and efficient condition; and<br>(b) operated in a proper and efficient manner.   | Table 4-2 and Section 5.1 of this CEMP and Sub-Plans |

| Ref.       | Condition  | How addressed                              |
|------------|--|--|
| <b>A38</b> | <p>The Applicant must engage an Environmental Representative (ER) to oversee earthworks and construction of the development. Unless otherwise agreed to by the Planning Secretary, earthworks and construction of the development must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant. The approved ER must:</p> <ul style="list-style-type: none"> <li>(a) be a suitably qualified and experienced person who was not involved in the preparation of the EIS, ADR, Submissions Report, and Additional Information for the development and is independent from the design and construction personnel for the development;</li> <li>(b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;</li> <li>(c) consider and inform the Planning Secretary on matters specified in the terms of this consent;</li> <li>(d) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</li> <li>(e) review the CEMP required in conditions C2 and C5 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so: <ul style="list-style-type: none"> <li>(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or</li> <li>(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/Department for information or are not required to be submitted to the Planning Secretary/Department);</li> </ul> </li> <li>(f) regularly monitor the implementation of the CEMP, including the ESCP to ensure implementation is being carried out in accordance with the document and the terms of this consent;</li> <li>(g) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits;</li> <li>(h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</li> <li>(i) provide advice to the Applicant on the management and coordination of earthworks and construction on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, air quality, erosion and sediment control, stormwater management and noise;</li> <li>(j) attend the Mamre Road Precinct Working Group (see condition A41) in a consultative role in relation to the environmental performance of the development;</li> <li>(k) review the monthly audits of the erosion and sediment controls undertaken by the CPESC in accordance with condition B26; and</li> <li>(l) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading 'Environmental Representative Monthly Reports'. The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary</li> </ul> | Section 3.2 and Section 1.2.4 of this CEMP |

| Ref.       | Condition  | How addressed                            |
|------------|--|--|
| <b>A39</b> | <p>The Applicant must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A38 (including preparation of the ER monthly report), as well as:</p> <ul style="list-style-type: none"> <li>(a) the complaints register (to be provided on a daily basis); and</li> <li>(b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).</li> </ul>  | Section 2.2 and Section 3.2 of this CEMP |
| <b>A40</b> | <p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition C20. The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) facilitate and assist the Planning Secretary in any such audit; and</li> <li>(b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.</li> </ul>   | Section 3.2 of this CEMP                 |
| <b>A41</b> | <p>Within three months of the date of this consent and until all components of the development are constructed and operational, the Applicant must join the working group established by relevant consent holders in the Mamre Road Precinct (MRP), to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:</p> <ul style="list-style-type: none"> <li>(a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;</li> <li>(b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;</li> <li>(c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;</li> <li>(d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, air quality, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;</li> <li>(e) review community concerns or complaints with respect to environmental management;</li> <li>(f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and</li> <li>(g) provide the Planning Secretary with an update and strategies, if a review under subclause (d) and (e) identifies additional measures and processes are required to be implemented by the working group.</li> </ul> | Section 3.1 and Section 3.2              |
| <b>A42</b> | <p>Three months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A41. The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) consult with the Planning Secretary;</li> <li>(b) provide confirmation that all components of the development are operational; and</li> <li>(c) advise on the date of the proposed exit.</li> </ul>   | Section 3.2 of this CEMP                 |
| <b>A43</b> | <p>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.</p>   | Section 3.3 of this CEMP                 |

| Ref.  | Condition   | How addressed            |
|---|---|--------------------------|
| <b>A44</b>                                      | However, consistent with the conditions in 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.   | Section 5.8 of this CEMP |
| <b>AN1</b>                                      | 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.   | Section 3.3 of this CEMP |
| <b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS</b> |   |                          |
| <b>B1</b>                                       | <p>Prior to the commencement of earthworks and construction of each warehouse building, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by conditions C2 and C5 and must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced person(s);</li> <li>(b) be prepared in consultation with Council and TfNSW;</li> <li>(c) incorporate any traffic safety outcomes and actions from the MRP working group;</li> <li>(d) outline traffic management and contingency measures to be implemented for the site to: <ul style="list-style-type: none"> <li>(i) ensure access and road safety and network efficiency is maintained;</li> <li>(ii) manage cumulative construction traffic from other concurrent construction works within the Mamre Road Precinct;</li> </ul> </li> <li>(e) detail heavy vehicle routes, access and parking arrangements including any temporary construction access on Aldington Road constructed under condition B3;</li> <li>(f) include a Driver Code of Conduct to: <ul style="list-style-type: none"> <li>(i) minimise the impacts of earthworks and construction on the local and regional road network;</li> <li>(ii) minimise conflicts with other road users;</li> <li>(iii) minimise road traffic noise;</li> <li>(iv) ensure truck drivers use specified routes;</li> </ul> </li> <li>(g) include a program to monitor the effectiveness of these measures; and</li> <li>(h) detail procedures for notifying residents and the community (including local schools and places of worship), of any potential disruptions to routes.</li> </ul> | Appendix B CTMP          |
| <b>B2</b>                                       | <p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence earthworks and construction of each warehouse building until the CTMP required by condition B1 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of earthworks and construction of the development.</li> </ul>   | Appendix B CTMP          |

| Ref.       | Condition   | How addressed          |
|------------|---|------------------------|
| <b>B3</b>  | Prior to the commencement of earthworks, the Applicant must obtain a Section 138 Roads Act Approval from Council and construct one temporary left-in/right-out driveway on Aldington Road shown in Figure 12: in Appendix 1 to be used by construction vehicles.  | Appendix B CTMP        |
| <b>B4</b>  | The Applicant must:<br>(a) ensure the temporary left-in/right-out construction driveway is constructed and maintained at no cost to Council; and<br>(b) remove the temporary left-in/right-out construction driveway at the completion and commissioning of the Aldington Road/collector road intersection, at no cost to Council.  | Appendix B CTMP        |
| <b>B15</b> | The Applicant must provide sufficient parking facilities for the development in accordance with the MRP DCP, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public streets or public parking facilities.  | Appendix B CTMP        |
| <b>B23</b> | The Applicant must:<br>(a) ensure that only VENM, ENM, or other fill material approved in writing by the Environment Protection Authority is brought onto the site;<br>(b) where possible, source fill material from within the MRP;<br>(c) keep accurate records of the volume and type of fill to be used; and<br>(d) make these records available to the Planning Secretary upon request.  | Table 4-2 of this CEMP |
| <b>B25</b> | Prior to the commencement of any earthworks or other surface disturbance, the Applicant must prepare an Erosion and Sediment Control Plan (ESCP) to the satisfaction of the Planning Secretary. The ESCP must:<br>(a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary;<br>(b) be prepared in consultation with CPHR, Sydney Water and include written evidence of the outcomes of the consultation process and how the recommendations have been incorporated into the ESCP;<br>(c) be independently reviewed and verified by the ER prior to submission to the Planning Secretary;<br>(d) comply with the detailed technical specifications in the Technical guidance for achieving Wianamatta South Creek stormwater management targets (DPE 2022) (the Technical Guidance) or its latest version and the performance criteria in Appendix 3 in this consent;<br>(e) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed; and<br>(f) be included in the CEMP required by conditions C2 and C5. | Appendix C ESCP        |

| Ref.                        | Condition  | How addressed                                   |     |      |                             |                 |              |          |              |           |                 |          |   |
|-----------------------------|--|---|-----|------|-----------------------------|-----------------|--------------|----------|--------------|-----------|-----------------|----------|---|
| B26                         | <p>The Applicant must:</p> <p>(a) not commence earthworks until the ESCP required by condition B25 is approved by the Planning Secretary;</p> <p>(b) ensure installation and operation of the erosion and sediment controls are supervised and certified by the CPESC appointed under condition B25(a);</p> <p>(c) implement the ESCP approved by the Planning Secretary for the duration of earthworks and construction; and</p> <p>(d) engage the CPESC to conduct monthly audits of the erosion and sediment controls for the duration of earthworks and construction and for a further 12 months following the completion of construction works to ensure the controls remain effective in achieving the construction phase stormwater quality targets in the Technical Guidance. Monthly audit reports must be reviewed and verified by the ER and submitted to the Planning Secretary within 7 days of completing the audit.</p> | Appendix C ESCP                                 |     |      |                             |                 |              |          |              |           |                 |          |   |
| B27                         | The Environmental Representative (ER) appointed in accordance with condition A38, shall make a written statement to the Planning Secretary confirming the erosion and sediment controls are commissioned, prior to the commencement of earthworks and other construction activities for the development. The ER must also verify that disturbed areas have been adequately stabilised at the completion of earthworks.   | Appendix C ESCP                                 |     |      |                             |                 |              |          |              |           |                 |          |   |
| B28                         | The development must comply with section 120 of the <i>Protection of Environment Operations Act 1997</i> (NSW) (POEO Act), which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.   | Table 3-2 of this CEMP and Appendix C ESCP      |     |      |                             |                 |              |          |              |           |                 |          |   |
| B40                         | Prior to commencement of earthworks, the Applicant must implement the Aldington Road Estate, Kemps Creek SSD-17552047 Dam Decommissioning Management Plan, prepared by écologique, dated 13 October 2022, Revision 03 included in the ADR. The Dam Decommissioning Management Plan must form part of the CEMP required by conditions C2 and C5. The Applicant must implement the most recent version of the Dam Decommissioning Management Plan for the duration of construction.  | Appendix D DDP                                  |     |      |                             |                 |              |          |              |           |                 |          |   |
| B41                         | <p>The Applicant must comply with the hours detailed in Table 2.</p> <p><i>Table 2 Hours of Work</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>  | Activity  | Day | Time | Earthworks and construction | Monday – Friday | 7 am to 6 pm | Saturday | 8 am to 1 pm | Operation | Monday – Sunday | 24 hours | Section 1.2.3 of this CEMP and Appendix E CNVMP |
| Activity                    | Day  | Time  |     |      |                             |                 |              |          |              |           |                 |          |   |
| Earthworks and construction | Monday – Friday  | 7 am to 6 pm                                    |     |      |                             |                 |              |          |              |           |                 |          |   |
|                             | Saturday   | 8 am to 1 pm                                    |     |      |                             |                 |              |          |              |           |                 |          |   |
| Operation                   | Monday – Sunday  | 24 hours  |     |      |                             |                 |              |          |              |           |                 |          |   |
| B42                         | <p>Works outside of the hours identified in condition B41 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) works agreed to in writing by the Planning Secretary;</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>  | Section 1.2.3 of this CEMP and Appendix E CNVMP |     |      |                             |                 |              |          |              |           |                 |          |   |

| Ref.       | Condition   | How addressed    |
|------------|---|------------------|
| <b>B43</b> | The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (ICNG) (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 Appendix 2.   | Appendix E CNVMP |
| <b>B44</b> | <p>Prior to commencement of earthworks and construction of each warehouse building in the development, 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 conditions C2 and C5 and must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by a suitably qualified and experienced noise expert;</li> <li>(b) be approved by the Planning Secretary prior to the commencement of earthworks and construction;</li> <li>(c) describe procedures for achieving the noise management levels in the ICNG (DECC, 2009) (as may be updated or replaced from time to time);</li> <li>(d) describe the measures to be implemented to manage high noise generating works such as rock breaking and piling, in close proximity to sensitive receivers;</li> <li>(e) include strategies that have been developed with the community for managing high noise generating works;</li> <li>(f) describe the community consultation undertaken to develop the strategies in condition B44(e);</li> <li>(g) detail the timing, duration and frequency of monitoring to be undertaken to demonstrate the earthworks and construction meet the construction noise management levels in the ICNG; and</li> <li>(h) include a complaints management system that would be implemented for the duration of earthworks and construction.</li> </ul> | Appendix E CNVMP |
| <b>B45</b> | <p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence earthworks or construction of the development until the Construction Noise Management Plan required by condition B44 is approved by the Planning Secretary; and</li> <li>(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of earthworks and construction.</li> </ul>  | Appendix E CNVMP |
| <b>B49</b> | The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.  | Appendix F CAQMP |
| <b>B50</b> | <p>During construction of the development, the Applicant must ensure that:</p> <ul style="list-style-type: none"> <li>(a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;</li> <li>(b) all trucks entering or leaving the site with loads have their loads covered;</li> <li>(c) trucks associated with the development do not track dirt onto the public road network;</li> <li>(d) public roads used by these trucks are kept clean; and</li> <li>(e) land stabilisation works are carried out progressively on-site to minimise exposed surfaces.</li> </ul>   | Appendix F CAQMP |

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- B51** Prior to the commencement of earthworks and construction of each warehouse building in the development, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by conditions C2 and C5 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) detail and rank all emissions from all sources during construction of the development, including particulate emissions;
  - (c) describe a program that is capable of evaluating the performance of the construction and determining compliance with key criteria, including installation of real-time air quality monitors on the site boundary;
  - (d) identify the locations of the real-time air quality monitors including at receiver R13 as shown in Figure 17 in Appendix 5;
  - (e) identify the control measures that will be implemented for each emission source;
  - (f) nominate the following for each of the proposed controls:
    - (i) key criteria;
    - (ii) monitoring method;
    - (iii) locations, frequency and duration of monitoring;
  - (g) outline procedures that will be implemented in relation to:
    - (i) record keeping;
    - (ii) reporting to the Environmental Representative required under condition A38;
    - (iii) complaints register;
    - (iv) response procedures;
    - (v) compliance monitoring; and
  - (h) include a Trigger Action Response Plan (TARP) that must include:
    - (i) the objectives of the TARP;
    - (ii) triggers for:
      - continuously monitored PM10 concentrations;
      - meteorological conditions;
      - visible dust plumes;
      - on-site activities that have the potential for elevated dust emissions;
    - (iii) a procedure to identify likely dust-generating sources;
    - (iv) source-specific actions to reduce dust generation rates;
    - (v) a procedure to determine the effectiveness of the implemented actions;
    - (vi) a procedure to implement additional controls if required, to ensure the development complies with the conditions of this consent; and
    - (vii) a procedure to record evidence / observations of the effectiveness of the implemented actions to manage the triggers, and evidence to demonstrate that the objectives of the TARP have been achieved; and

| Ref.       | Condition   | How addressed   |
|------------|---|---|
|            | (i) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.  |   |
| <b>B52</b> | <p>The Applicant must:</p> <p>(a) not commence earthworks until the CAQMP required by condition B51 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of earthworks and construction.</p>  | Appendix F CAQMP  |
| <b>B53</b> | <p>Within three months of the commencement of earthworks and every three months thereafter until the completion of earthworks, the Applicant must commission and pay the full cost of an Independent Air Quality Audit to review the air quality performance of the development. The IAQA must, and:</p> <p>(a) be undertaken by a suitably qualified (i.e. CAQP and/or CEnv), experienced and independent expert whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) analyse the performance of the CAQMP, including the TARP;</p> <p>(c) audit the performance of the CAQMP, including the TARP in achieving its objectives;</p> <p>(d) identify any deficiencies in the CAQMP including the TARP in achieving its objectives and propose changes to improve the performance of the CAQMP to achieve those objectives;</p> <p>(e) review the air quality monitoring and mitigation requirements and air quality monitoring data for the audit period;</p> <p>(f) analyse any incidents, non-compliances and complaints that occurred or were made during the audit period; and</p> <p>(g) if necessary, recommend and prioritise measures to improve the air quality controls on-site for subsequent stages of the earthworks program, such that sensitive receivers would be protected against adverse air quality impacts from the development.</p> | Appendix F CAQMP  |
| <b>B54</b> | <p>Within 6 weeks of the completion of the IAQA required by Condition B53, the Applicant must submit a copy of the audit report to the Planning Secretary with a response to any recommendations contained in the audit report. The response must include a timeframe for implementing the recommendations of the IAQA.</p>   | Appendix F CAQMP  |
| <b>B62</b> | <p>Prior to commencement of earthworks, the Applicant must implement the recommendations outlined in the Aldington Road Estate, Kemps Creek: Aboriginal Cultural Heritage Assessment Report, prepared by Biosis Pty Ltd, dated 22 April 2022 and the Edge Estate – Interim Letter of Advice regarding responses to State Significant Development Submission, prepared by Biosis Pty Ltd, dated 8 May 2024.</p>  | Section 4.2 of this CEMP  |
| <b>B63</b> | <p>If any item or object of Aboriginal heritage significance is identified on-site:</p> <p>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;</p> <p>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</p> <p>(c) Heritage NSW must be contacted immediately.</p>  | <p>Section 4.2 of this CEMP</p> <p>Site Induction Training Material</p> |
| <b>B64</b> | <p>Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> (NSW).</p>  | <p>Section 4.2 of this CEMP</p> <p>Site Induction Training Material</p> |

| Ref. | Condition   | How addressed  |
|------|---|--|
| B65  | If any archaeological relics are uncovered during earthworks or construction, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW.  | Section 4.2 of this CEMP<br>Site Induction Training Material |
| B66  | The Applicant must remediate the site in accordance with the Remedial Action Plan included in the ADR and relevant guidelines produced or approved under the <i>Contaminated Land Management Act 1997</i> (NSW). Remediation works must be undertaken by a suitably qualified and experienced consultant(s).  | RAP  |
| B67  | <p>Within three months of completion of the remediation works, the Applicant must submit a Remediation Validation Report (RVR) to the satisfaction of the Planning Secretary. The RVR must be prepared in accordance with the approved remedial action plan and relevant guidelines produced or approved under the <i>Contaminated Land Management Act 1997</i> and must:</p> <p>(a) be reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; and</p> <p>(b) demonstrate that:</p> <p>(i) the site is suitable for its intended industrial land use, or</p> <p>(ii) the site is suitable for its intended industrial land use with the implementation of an environmental management plan or long-term environmental management plan.</p> | RAP  |
| B68  | <p>Prior to the commencement of earthworks, the Applicant must prepare an Asbestos Management Plan (AMP) for the development to the satisfaction of the Planning Secretary. The AMP must form part of the CEMP required by condition C2 and must:</p> <p>(a) be prepared by a suitably experienced person(s) or a SafeWork NSW licenced asbestos assessor; and</p> <p>(b) be prepared in accordance with the Detailed Site Investigation Aldington Road Estate 155-167; 169-181; 183- 197; 199; 201-217; 219-233 and 235-251 Aldington Road, Kemps Creek, NSW prepared by JBS&amp;G Australia Pty Ltd, dated 16 March 2022.</p>   | Appendix F AMP   |
| B69  | Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.  | Appendix H UFP<br>Site Induction Training Material           |
| B75  | The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).  | Section 4.2 of this CEMP                                     |
| B76  | All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.  | Site Induction Training Material                             |
| B77  | Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.  | Section 4.2 of this CEMP                                     |
| B78  | 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 4.2 of this CEMP<br>Site Induction Training Material |

| Ref.   | Condition  | How addressed   |
|--|--|---|
| <b>B79</b>   | <p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and</li> <li>(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.</li> </ul> <p><i>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015 (NSW).</i></p>  | <p>Section 4.2 of this CEMP<br/>Site Induction Training Material</p>  |
| <b>PART C ENVIRONMENTAL MANAGEMENT, MANAGEMENT PLAN REQUIREMENTS</b> |  |   |
| <b>C1</b>  | <p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> <li>(a) a condition compliance table for that plan;</li> <li>(b) detailed baseline data, where relevant;</li> <li>(c) details of: <ul style="list-style-type: none"> <li>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</li> <li>(ii) any relevant limits or performance measures and criteria; and</li> <li>(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;</li> </ul> </li> <li>(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</li> <li>(e) a program to monitor and report on the: <ul style="list-style-type: none"> <li>(i) impacts and environmental performance of the development; and</li> <li>(ii) effectiveness of the management measures set out pursuant to paragraph (d) above;</li> </ul> </li> <li>(f) 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;</li> <li>(g) a program to investigate and implement ways to improve the environmental performance of the development over time;</li> <li>(h) a protocol for managing and reporting any: <ul style="list-style-type: none"> <li>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</li> <li>(ii) complaint;</li> <li>(iii) failure to comply with statutory requirements; and</li> <li>(i) a protocol for periodic review of the plan.</li> </ul> </li> </ul> <p>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</p> | <ul style="list-style-type: none"> <li>(a) Appendix A</li> <li>(b) Section 1.2, Section 4.1 and Sub-Plans</li> <li>(c) (i) Section 3.3 (ii) Section 1.3.3 and (iii) Section 1.4 and Sub-Plans</li> <li>(d) Section 4.2 and Table 4-2</li> <li>(e) Section 5</li> <li>(f) Appendix J</li> <li>(g) Section 5.3</li> <li>(h) Section 5.5 and 5.6</li> <li>(i) Section 5.8</li> </ul> |
| <b>C2</b>  | <p>The Applicant must prepare a Construction Environmental Management Plan (CEMP) for undertaking earthworks and infrastructure works as shown in Figure 15: in Appendix 1 in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.</p>  | This CEMP   |

| Ref.      | Condition  | How addressed  |
|-----------|--|--|
| <b>C3</b> | <p>As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> <li>(a) Construction Traffic Management Plan (see condition B1);</li> <li>(b) Erosion and Sediment Control Plan (see condition B25);</li> <li>(c) Dam Decommissioning Plan (see condition B40);</li> <li>(d) Construction Noise Management Plan (see condition B44);</li> <li>(e) Construction Air Quality Management Plan (see condition B51);</li> <li>(f) Asbestos Management Plan (see condition B68);</li> <li>(g) Unexpected Finds Procedure (see condition B69); and</li> <li>(h) Community Consultation and Complaints Handling Procedure.</li> </ul> | <ul style="list-style-type: none"> <li>(a) Appendix B</li> <li>(b) Appendix C</li> <li>(c) Appendix D</li> <li>(d) Appendix E</li> <li>(e) Appendix F</li> <li>(f) Appendix G</li> <li>(g) Appendix H</li> <li>(h) Appendix I</li> </ul> |
| <b>C4</b> | <p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence earthworks until the CEMP is approved by the Planning Secretary; and</li> <li>(b) carry out earthworks and infrastructure works in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).</li> </ul>  | Section 1.3  |
| <b>C5</b> | <p>The Applicant must prepare a CEMP for construction of warehouse buildings in the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.</p>   | Future CEMP to be prepared   |
| <b>C6</b> | <p>As part of the CEMP required by condition C5 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> <li>(a) Construction Traffic Management Plan (see condition B1);</li> <li>(b) Erosion and Sediment Control Plan (see condition B26);</li> <li>(c) Construction Noise Management Plan (see condition B44);</li> <li>(d) Construction Air Quality Management Plan (see condition B51); and</li> <li>(d) Community Consultation and Complaints Handling Procedure.</li> </ul>   | Future CEMP to be prepared   |
| <b>C7</b> | <p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) not commence construction of each warehouse building in the development until the CEMP is approved by the Planning Secretary; and</li> <li>(b) carry out the construction of each warehouse building in 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).</li> </ul>   | Future CEMP to be prepared   |

| Ref.       | Condition  | How addressed              |
|------------|--|----------------------------|
| <b>C11</b> | <p>Within three months of:</p> <ul style="list-style-type: none"> <li>(a) the submission of a Compliance Report under condition C18;</li> <li>(b) the submission of an incident report under condition C13;</li> <li>(c) the approval of any modification of the conditions of this consent; or</li> <li>(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 of the outcomes of any review.</li> </ul>   | Section 5.8 of this CEMP   |
| <b>C12</b> | <p>If identified as part of the review process (see condition C11) or considered to improve the environmental performance of the development, 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 C11, or such other timing as agreed by the Planning Secretary.</p> <p><i>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.</i></p> | Section 5.8 of this CEMP   |
| <b>C13</b> | <p>The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:</p> <ul style="list-style-type: none"> <li>(a) date, time and location;</li> <li>(b) a brief description of what occurred and why it has been classified as an incident;</li> <li>(c) a description of what immediate steps were taken in relation to the incident; and</li> <li>(d) identifying a contact person for further communication regarding the incident.</li> </ul>   | Section 5.6.1 of this CEMP |
| <b>C14</b> | <p>The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 7.</p>  | Section 5.6.1 of this CEMP |
| <b>C15</b> | <p>Within seven days of becoming aware of non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.</p>  | Section 5.5 of this CEMP   |
| <b>C16</b> | <p>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.</p>   | Section 5.5 of this CEMP   |
| <b>C17</b> | <p>A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>  | Section 5.5 of this CEMP   |

| Ref.       | Condition   | How addressed            |
|------------|---|--------------------------|
| <b>C18</b> | <p>Within three months after the commencement of earthworks of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), for the duration of earthworks and construction works, 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:</p> <p>(a) identify any trends in the monitoring data;</p> <p>(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(c) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p> | Section 5.7 of this CEMP |
| <b>C19</b> | <p>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 seven days before this is done.</p>  | Section 5.7 of this CEMP |
| <b>C20</b> | <p>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&amp;A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><i>Note: For the purposes of this condition, as set out in the EP&amp;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.</i></p>                   | Noted                    |

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| Ref.       | Condition  | How addressed  |
|------------|--|--|
| <b>C21</b> | <p>At least 48 hours before the commencement of earthworks of the development and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"><li>(i) the documents referred to in condition A2 of this consent;</li><li>(ii) all current statutory approvals for the development;</li><li>(iii) all approved strategies, plans and programs required under the conditions of this consent, with the exception of the document described under condition B73;</li><li>(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;</li><li>(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;</li><li>(vi) a summary of the current stage and progress of the development;</li><li>(vii) contact details to enquire about the development or to make a complaint;</li><li>(viii) a complaints register, updated monthly;</li><li>(ix) the Compliance Report of the development;</li></ul> <p>(b) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.</p> | Section 2.1 of this CEMP and Appendix I Community and Stakeholder Participation Strategy |

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# Appendix B Construction Traffic Management Plan

# Appendix C Erosion and Sediment Control Plan

# Appendix D Dam Decommissioning Plan

# Appendix E Construction Noise and Vibration Management Plan

# Appendix F Construction Air Quality Management Plan

# Appendix G Asbestos Management Plan

# Appendix H Unexpected Finds Procedure

# Appendix I Community Consultation and Complaints Handling Procedure

# Appendix J Contingency Plan

| Key Elements                   | Trigger/ Response | Condition Green  | Condition Amber   | Condition Red   |
|--------------------------------|-------------------|--|---|---|
| <b>Traffic Management Plan</b> |                   |  |   |   |
| Traffic Noise                  | Trigger           | Noise levels do not exceed imposed noise constraints, as outlined within the Noise Assessment Report (<45dBA), nor has there been a traffic-related noise complaint.               | Noise levels marginally (<10dBA) in excess of imposed noise constraints or receipt of a single traffic-related noise complaint.           | Noise levels greatly (>10dBA) in excess of imposed noise constraints or consistent traffic-related noise complaints.  |
|                                | Response          | No response required.  | 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.<br>As with Condition Amber, if noise levels cannot be kept below applicable limits, then a different construction method or equipment must be utilised.<br>Response to also be consistent with the CNVMP. |
| Traffic Guidance Scheme (TGS)  | Trigger           | No observable traffic issues caused by construction traffic.   | Minor inconsistencies with TGS to onsite operations (e.g. covered signs, missing signs and fallen cones).                                 | Near miss or incident occurring regardless of/as a result of TGS being implemented.   |
|                                | Response          | No response required.<br>Continue monitoring TGS implementation under CTMP.  | Traffic Controller to amend TGS on site and to keep a log of all changes.   | Stop work until an investigation has been undertaken into the incident.<br>Amend the TGS to ensure that the safety of all workers and community members are addressed.  |
| Construction Movements         | Tigger            | Both peak hour and daily construction traffic volumes are in accordance with volume and time constraints as outlined within Section 2.3 and Section 3.1 of CTMP (287 Light Vehicle | Construction traffic volumes exceed programmed peak volumes but are within the daily volumes (287 Light Vehicle Movements per day and 200 | Construction traffic volumes exceed permissible volume and time constraints (287 Light Vehicle Movements per day (up to 25 movements in the AM and 6 movements in PM Peak   |

| Key Elements | Trigger/ Response | Condition Green  | Condition Amber   | Condition Red  |
|--------------|-------------------|--|---|--|
|              |                   | Movements per day (up to 25 movements in the AM and 6 movements in PM Peak Periods) and 200 Heavy Vehicle Movements per day (up to 16 movements in the AM Peak Periods and 12 movements in the PM peak). | Heavy Vehicle Movements per day).   | Periods) and 200 Heavy Vehicle Movements per day (up to 16 movements in the AM Peak Periods and 12 movements in the PM peak).  |
|              | Response          | No response required.  | Review and investigate construction activities, and where appropriate, implement additional remediation measures such as:<br>Review CTMP and update where necessary<br>Provide additional training.                 | As for Condition Amber, plus:<br>If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies<br>Stop all transportation into and out of the site.   |
| Queuing      | Trigger           | No queuing identified.   | Queuing identified within site, but not on to public road.  | Queuing identified on the public road.   |
|              | Response          | No response required.<br>Continue monitoring program.  | Review the delivery schedule prepared by the contractor. If drivers are not following the correct schedule, then they should be provided with additional training and an extra copy of the Drivers' Code of Conduct | As with Condition Amber, plus:<br>Review and investigate construction activities<br>If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies<br>Temporary halting of activities and resuming when conditions have improved<br>Stop all transportation into and out of the site<br>Review CTMP and update where necessary, provide additional training. |

| Key Elements              | Trigger/ Response | Condition Green   | Condition Amber  | Condition Red  |
|---------------------------|-------------------|---|--|--|
| Dust Generated by Traffic | Trigger           | No observable dust.   | Minor quantities of dust in the air and/or tracking on to the road.  | Large quantities of dust in the air and/or tracking on to the road.  |
|                           | Response          | No response required.   | <p>Review and investigate construction activities and respective control measures, where appropriate.</p> <p>Implement additional remedial measures, such as:</p> <ul style="list-style-type: none"> <li>Deployment of additional water sprays</li> <li>Relocation or modification of dust-generating sources</li> <li>Check condition of vibrating grids to ensure they are functioning correctly</li> <li>Temporary halting of activities and resuming when conditions have improved.</li> </ul> | <p>As with Condition Amber.</p> <p>If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies</p> <p>Implement relevant responses and undertake immediate review to avoid such occurrence in future.</p> |
| <b>Air Quality</b>        |                   |   |  |  |
| Dust Emissions            | Trigger           | <p>Concentration at any monitor <math>&lt;50 \mu\text{g m}^{-3}</math></p> <p>And</p> <p>Daily inspections show that there is no visible dust leaving the site.</p> | <p>Concentration at any monitor <math>\geq 50 \mu\text{g m}^{-3}</math></p> <p>And</p> <p>1-hour average DWI <math>\geq 5 \mu\text{g m}^{-3}</math> and <math>&lt;10 \mu\text{g m}^{-3}</math></p> <p>Or</p> <p>Visible dust observed leaving the site boundary</p> <p>Or</p> <p>Receipt of a justified complaint.</p>   | <p>Concentration at any monitor <math>\geq 50 \mu\text{g m}^{-3}</math></p> <p>And 1-hour average DWI <math>&gt;10 \mu\text{g m}^{-3}</math></p> <p>Or</p> <p>Visible dust observed leaving the site boundary</p> <p>Or</p> <p>Receipt of a justified complaint.</p>                         |
|                           | Response          | Monitor weather conditions and stop works if dust generation is excessive.  | During periods of unsuitable weather (high winds and high temperatures), avoid or minimise dust generating   | Where possible, locate high dust generating activities away from sensitive receivers.  |

| Key Elements                        | Trigger/ Response | Condition Green                                     | Condition Amber   | Condition Red   |
|-------------------------------------|-------------------|---|---|---|
|                                     |                   | Continue implementation measures of the CAQMP       | activities where possible, or increase frequency of dust suppression activities.<br>Remove, suppress, stabilise or cover materials that have a potential to produce dust as soon as possible, unless being used on site.<br>Impose 20km/h speed limits on haul routes to minimise dust generated from vehicle movements.  | Record any exceptional events that cause dust and/or air emissions on or off site and note action taken to resolve situation.   |
| Dust Complaints                     | Trigger           | No complaints received during construction.         | An air-quality related complaint is received from a nearby resident.  | Further complaints are received after the additional mitigation measures have been implemented.   |
|                                     | Response          | Continue monitoring program and implementing CAQMP  | Record all air quality related complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner and record measures taken. Make Contact Register available to relevant authorities (Council, EPA, DPHI).<br>Review and investigate construction activities and increase dust suppression measures (additional watering, covering stockpiles etc), where appropriate. | Conduct real time air quality monitoring at the complaint location including meteorology if required. This monitoring should be conducted in consultation with a suitably qualified air quality professional. |
| <b>Noise and Vibration</b>          |                   |   |   |   |
| Noise Impacts at Sensitive Receiver | Trigger           | Noise levels do not exceed noise management levels. | Noise levels exceed applicable noise management levels.   | Noise levels exceed Highly Noise Affected threshold at a sensitive receiver.<br>Noise complaints received.  |

| Key Elements                             | Trigger/ Response | Condition Green  | Condition Amber   | Condition Red   |
|--|-------------------|--|---|---|
|  | Response          | Continue implementing existing measures in accordance with the CNVMP.                      | Implement every practical and logical mitigation and management strategy to keep noise levels below the Highly Noise Affected (>75dBA) threshold. | Implement every practical and logical mitigation and management strategy to reduced noise levels below the Highly Noise Affected threshold.<br>If noise levels cannot be kept below the imposed restrictions, an alternative construction method or equipment will be used.       |
| Vibration Impacts at Sensitive Receivers | Trigger           | Vibration-intensive tasks carried out beyond the equipment's recommended working distance. | Vibration intensive works undertaken within minimum working distance for the specific equipment in use.   | Vibration levels exceed applicable vibration limits.  |
|  | Response          | Continue to implement existing measures in accordance with CNVMP.                          | Undertake vibration monitoring for the duration of the works to confirm vibration levels.   | Stop work. Undertake all feasible and reasonable mitigation and management measures to ensure vibration levels are below applicable limits.<br><br>If vibration levels cannot be kept below applicable limits then a different construction method or equipment will be utilised. |
| <b>Unexpected Finds</b>                  |                   |  |   |   |
| Unexpected Contamination Find            | Trigger           | No contamination uncovered during earthworks.  | Areas of possible contamination uncovered during earthworks.  | Areas of potentially hazardous substance identified during earthworks.  |
|  | Response          | Continue to implement existing measures in accordance with CEMP.                           | Implement Contamination Unexpected Finds Protocol (Appendix H of CEMP, JBS&G, 2024).  | Implement Contamination Unexpected Finds Protocol ((Appendix H of CEMP, (JBS&G, 2024).  |
| Unexpected Heritage Find                 | Trigger           | No Aboriginal or historical artefacts found  | Unanticipated archaeological items uncovered  | Potential human remains discovered  |

| Key Elements                | Trigger/ Response | Condition Green   | Condition Amber  | Condition Red  |
|-----------------------------|-------------------|---|--|--|
|                             | Response          | No action.  | Implement Recommendations 3 or 4 of the Updated Letter of Compliance (Biosis, 14 September 2023).  | Implement Recommendation 5 of the Updated Letter of Compliance (Biosis, 14 September 2023).  |
| <b>Waste Management</b>     |                   |   |  |  |
| Waste                       | Trigger           | Inspections identified no waste from demolition and construction generated outside of dedicated bins and stockpiles.    | Inspections identified minimal waste from demolition and construction generated outside of dedicated bins and stockpiles.  | Inspections identified large quantities of waste from demolition and construction generated outside of dedicated bins and stockpiles.<br>Complaints received regarding waste management. |
|                             | Response          | Continue to implement existing measures in accordance with CEMP.  | Clean up the waste immediately and dispose according to CEMP requirements.<br>Toolbox talk with all workers to discuss waste management requirements.                | Clean up the waste immediately and dispose according to CEMP requirements.<br>Toolbox talk with all workers to discuss waste management requirements.                                    |
| <b>Civil Infrastructure</b> |                   |   |  |  |
| Erosion                     | Trigger           | No evidence of erosion  | Minor gully or tunnel erosions or rilling. Evidence of sediment leaving the site   | Significant gully or tunnel erosions present or rolling. Evidence of sediment leaving site   |
|                             | Response          | Continue to implement existing measures in accordance with ESCP.  | Site manager will inspect the site every rainfall event and at least weekly.<br>Construct additional erosion and sediment control works to ensure desired protection | Environmental consultant to inspect the site.<br>Review of erosion and sediment structures and ESCP.<br>Remediate as soon as practical   |
| Water Management Structures | Trigger           | Water management structures have been designed, constructed and managed in accordance with the Mamre Road Precinct DCP. | Inspections identify that water management structures are in minor non-compliance with the ESCP and Mamre Road Precinct DCP.   | Inspections identify a failure of the water management structures (discharging outside of site of boundary and/or water  |

| Key Elements            | Trigger/ Response | Condition Green  | Condition Amber   | Condition Red   |
|-------------------------|-------------------|--|---|---|
|                         |                   |  |   | quality does not meet required criteria).   |
|                         | Response          | Continue to implement existing measures in accordance with ESCP. | A suitably trained person to inspect the site and review adequacy 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 ESCP. |
| <b>Flooding</b>         |                   |  |   |   |
| Flooding                | Trigger           | No evidence of flood hazard, flood levels or risk to property.   | Slight increase in flood hazard, flood levels and risk to properties.   | Significant increase in flood hazard, flood levels and risk to properties.  |
|                         | Response          | Continue implementing FIRA and ERP.                              | Monitor weather conditions and stay up to date. Continue implementing FIRA and ERP.   | Reevaluate the flood levels, velocities and hazard assessment under Benchmark condition and Masterplan conditions.    |
| <b>Bushfire</b>         |                   |  |   |   |
| Bushfire                | Trigger           | No or 'Watch' bushfire warning covering the Project site.        | 'Watch and Act' bushfire warning covering the Project site.   | 'Emergency' bushfire warning covering the Project site.   |
|                         | Response          | Check fire warnings to stay updated.                             | Take action to protect Project workers and equipment.   | Evacuate the site as directed by NSW Fire and Rescue.   |
| <b>Community</b>        |                   |  |   |   |
| Submission              | Trigger           | General feedback/comment (no complaint or query).                | Enquiry made by formal or informal channels.  | Complaint made by formal or informal channels.  |
|                         | Response          | Implement Community and Stakeholder Communications Strategy.     | Implement Community and Stakeholder Communications Strategy.  | Implement Community and Stakeholder Communications Strategy.  |
| <b>Wildlife</b>         |                   |  |   |   |
| Biodiversity Management | Trigger           | No impacts to biodiversity identified.                           | Minor biodiversity impacts identified on-site.  | Significant biodiversity impacts identified.  |

| Key Elements        | Trigger/ Response | Condition Green  | Condition Amber  | Condition Red  |
|---------------------|-------------------|--|--|--|
|                     | Response          | No response required.                                    | Review effectiveness of management measures.<br>Implement additional measures to manage impacts. | Stop works causing biodiversity impact.<br>As for Condition Amber. |
| Wildlife Management | Trigger           | Minimal occurrence of common strike species at the site. | Common strike species occur regularly at the site.   | Common strike species occurring at the site in large numbers.      |
|                     | Response          | No response required.                                    | Review effectiveness of management measures.<br>Consider implementing additional measures.       | As for Condition Amber.  |