

# Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

**Joanna Bakopanos**  
**Acting Director**  
**Industry Assessments**

Sydney

3 June 2025

***The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.***

***The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.***

## SCHEDULE 1

<b>Application Number:</b>	SSD-17552047
<b>Applicant:</b>	Frasers Property Industrial Australia Pty Limited
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 34 DP 258949, Lot 33 DP 258949, Lots 24-28 DP 255560, Lot 10 DP 253503  141-251 Aldington Road, Kemps Creek NSW 2178
<b>Development:</b>	Construction and operation of the Edge Estate comprising eight warehouses and ancillary office space, with site preparation works (including demolition, remediation and bulk earthworks), construction of stormwater and road infrastructure, landscaping and subdivision.

## SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-17552047-Mod-1	6 May 2026	Team Leader	Revisions to the approved stormwater management system, subdivision plan and construction staging for the Estate to support built form on Lots 9 and 10 under a separate development application

FOR INFORMATION

## TABLE OF CONTENTS

<b>DEFINITIONS .....</b>	<b>V</b>
<b>PART A ADMINISTRATIVE CONDITIONS .....</b>	<b>1</b>
Obligation to Minimise Harm to the Environment.....	1
Terms of Consent .....	1
Limits of Consent.....	1
Notification of Commencement.....	2
Evidence of Consultation .....	2
Staging, Combining and Updating Strategies, Plans or Programs .....	2
Utilities, Services and Public Infrastructure.....	2
Demolition.....	3
Structural Adequacy .....	3
External Walls and Cladding.....	3
Civil Plans.....	3
Subdivision .....	4
Compliance.....	4
Development Contributions .....	4
Planning Agreement .....	4
Operation of Plant and Equipment.....	4
Work as Executed Plans.....	5
Environmental Representative.....	5
Mamre Road Working Group.....	6
Applicability of Guidelines.....	6
<b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS .....</b>	<b>7</b>
Traffic and Access .....	7
Earthworks.....	9
Water Quality and Hydrology.....	10
Noise .....	13
Air Quality .....	15
Visual Amenity .....	16
Aboriginal Heritage .....	17
Historic Heritage .....	18
Contamination and Remediation.....	18
Hazards and Risk .....	18
Bushfire Protection .....	19
Waste Management.....	19
<b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING.....</b>	<b>20</b>
Environmental Management.....	20
Construction Environmental Management Plan.....	20
Operational Environmental Management Plan .....	21
Revision of Strategies, Plans and Programs .....	21
Reporting and Auditing .....	22
Access to Information .....	22
<b>APPENDIX 1 DEVELOPMENT LAYOUT PLANS.....</b>	<b>24</b>
<b>APPENDIX 2 APPLICANT’S MANAGEMENT AND MITIGATION MEASURES.....</b>	<b>40</b>
<b>APPENDIX 3 EROSION AND SEDIMENT CONTROL – PERFORMANCE CRITERIA .....</b>	<b>48</b>
<b>APPENDIX 4 NOISE RECEIVERS.....</b>	<b>50</b>
<b>APPENDIX 5 AIR QUALITY SENSITIVE RECEIVERS .....</b>	<b>51</b>
<b>APPENDIX 6 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS.....</b>	<b>52</b>

# CONSOLIDATED CONSENT

## DEFINITIONS

<b>Additional Information</b>	Additional information submitted by the Applicant following the submission of the Submissions Report including: <ul style="list-style-type: none"><li>• Response to request for Information, prepared by Frasers Property Industrial Australia Pty Limited, dated 4 September 2024 and all accompanying documents</li><li>• Response to Biodiversity, Conservation and Science Comments, prepared by Frasers Property Industrial Australia Pty Ltd, Dated 28 September 2024 and all accompanying documents</li><li>• Response to Request for Additional Information – Edge Estate (SSD-17552047), prepared by Ethos Urban, dated 4 December 2024, and all accompanying documents</li><li>• Response to further submission from NSW CPHR Group, prepared by AT&amp;L, dated 12 March 2025</li><li>• Edge Estate (SSD 17552047) – Additional Stormwater Information, prepared by Frasers Property, dated 30 April 2025, and all accompanying documents</li></ul>
<b>ADR</b>	Amended Development Report titled Amendment Report, Edge Estate, 155-251 & 141-153 Aldington Road, Kemps Creek, prepared by Ethos Urban Pty Ltd, dated 9 November 2023
<b>Applicant</b>	Frasers Property Industrial Australia Pty Limited, or any person carrying out any development to which this consent applies
<b>BAPS Temple</b>	The place of public worship development located at 230-242 Aldington Road, Kemps Creek
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016 (NSW)</i>
<b>Carrier</b>	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997 (Cth)</i>
<b>Certifier</b>	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The carrying out of works for the purpose of the development, including erection of buildings and other infrastructure permitted by this consent
<b>Council</b>	Penrith City Council
<b>CPESC</b>	Certified Professional in Erosion and Sediment Control
<b>CPHR</b>	Conservation Programs, Heritage and Regulation Group of DCCEEW
<b>Day</b>	The period from 7 am to 6 pm on Mondays to Saturdays, and 8 am to 6 pm on Sundays and Public Holidays
<b>DCCEEW</b>	NSW Department of Climate Change, Energy, the Environment and Water
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure and any successors
<b>Development</b>	The development described in Schedule 1, the EIS, ADR, Submissions Report, and Additional Information including bulk earthworks, subdivision, construction, fit-out, and operation of eight warehouse buildings and ancillary office space, landscaping, construction of a collector road, a local industrial road, and an estate road, site servicing and stormwater infrastructure, as modified by the conditions of this consent
<b>Development layout</b>	The plans contained in Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, clearing, site levelling, import and compaction of fill material, installation of erosion and sediment controls, services and utilities to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled <i>Environmental Impact Statement, Proposed Warehouse and Logistics Hub, 155-217 Aldington Road, Kemps Creek</i> , prepared by Willowtree Planning Pty Ltd, version 7, dated 19 October 2021
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act

<b>Environmental Representative Protocol</b>	The document of the same title published by the Department
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i> (NSW)
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Fibre-ready facility</b>	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
<b>GFA</b>	gross floor area
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> (NSW), and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>ICNG</b>	Interim Construction Noise Guideline (DECC 2009)
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
<b>Infrastructure works</b>	Installation of permanent stormwater infrastructure, services and utilities, and construction of roads
<b>Infrastructure Design Guidelines</b>	Stormwater Scheme Infrastructure Design Guidelines DRAFT Western Sydney (Sydney Water, December 2022) and any succeeding version of the Guidelines
<b>IWCM</b>	Integrated Water Cycle Management
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	<p>Is harm that:</p> <ul style="list-style-type: none"> <li>a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or</li> <li>b) results in actual 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)</li> </ul> <p><i>Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval.</i></p> <p><i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i></p>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Modification Assessments</b>	<p><b>The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&amp;A Act:</b></p> <ul style="list-style-type: none"> <li>a) <b>SSD-17552047-Mod-1, Section 4.55(1A) modification application titled ‘Modification Report Section 4.55(1A) Modification Application to SSD-17552047’ prepared by Colliers Urban Planning and dated 3 November 2025.</b></li> </ul>
<b>MRP</b>	Mamre Road Precinct
<b>MRP DCP</b>	Mamre Road Precinct Development Control Plan 2021
<b>Night</b>	The period from 10 pm to 7 am on Mondays to Saturdays, and 10 pm to 8 am on Sundays and Public Holidays

<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The use of a warehouse and distribution centre with ancillary office spaces as described in the EIS, ADR, RfS, and Additional Information
<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
<b>Planning Secretary</b>	Planning Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i> (NSW)
<b>Principal Certifier</b>	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
<b>Regional Stormwater Authority</b>	Sydney Water Corporation established under the <i>Sydney Water Act 1994</i> (NSW) and any successors
<b>Regional Stormwater Scheme</b>	Regional stormwater infrastructure as shown on the MRP Stormwater Scheme Plan, May 2024 prepared by Sydney Water and any succeeding Scheme Plan
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
<b>Registered Surveyor</b>	Means registered surveyor within the meaning of the term in the <i>Surveying and Spatial Information Act 2002</i> (NSW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Southern Link Road</b>	Southern Link Road as shown in State Environmental Planning Policy (Industry and Employment) 2021 and described in the Revised Preferred Options Report Southern Link Road Old Wallgrove Road to Wallgrove Road, Transport for NSW, May 2024, or its latest version
<b>Submissions Report</b>	Submissions Report titled Submissions Report, Edge Estate, 155-251 & 141-153 Aldington Road, Kemps Creek (SSD-17552047), prepared by Ethos Urban Pty Ltd, dated 8 July 2024
<b>Site</b>	The land defined in Schedule 1
<b>Technical Guidance</b>	<i>Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022)
<b>TfNSW</b>	Transport for New South Wales
<b>Trunk Drainage</b>	Stormwater assets, typically open natural trunk drainage channels, wetlands, and storage ponds, as shown on Sydney Water’s Mamre Road Precinct Stormwater Scheme Plan May 2024 and any succeeding Scheme Plan
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>WSUD</b>	Water Sensitive Urban Design
<b>Year</b>	A period of 12 consecutive months

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

#### TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the EIS, ADR, RtS, ~~and~~ Additional Information, **and Modification Assessments**;
  - (d) in accordance with the Development Layout in **Appendix 1**; and
  - (e) in accordance with the management and mitigation measures in **Appendix 2**.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### LIMITS OF CONSENT

##### Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

##### Maximum GFA

- A6. The maximum GFA of the development must not exceed the limits described in Table 1.

*Table 1 Maximum GFA of the Development*

Land Use	Maximum GFA (m <sup>2</sup> )
Warehouses and distribution centres	146,560
Ancillary offices	6,783
<b>Total</b>	<b>153,343</b>

##### Site Access

- A7. The Applicant must not commence operation of the first warehouse building in the development until either:
- (a) the Aldington and Abbots Roads upgrade, including Mamre Road/Abbots Road and Aldington Road/collector road intersections, approved under SSD-10479 and SSD-9138102 is constructed and commissioned; or
  - (b) the collector road within the Access Logistics Park (SSD-17647189) is connected to the collector road within the development and the Aspect Industrial Estate (SSD-10448);
- whichever is the first.

##### Traffic and Access

- A8. All construction traffic associated with the development must access and depart the site via Abbots Road. No construction vehicles are permitted to access the site via Bakers Lane.
- A9. Operational traffic associated with the development must not use Bakers Lane and must only access and depart the site via the Abbots Road and Mamre Road intersection until the Southern Link Road is completed and fully operational, or as otherwise agreed in writing by the Planning Secretary, Council and TfNSW.

## **Stormwater Management**

- A10. The Applicant must maintain the site's existing stormwater discharge points as shown on **Figure 3**: in **Appendix 1** until the site is connected to the Regional Stormwater Scheme or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development can be connected to an alternative stormwater management system that has been installed and is operational.
- A11. Under this consent, Lots **11** to 14 must only be used for stormwater management purposes (with the exception of earthworks, road and utility infrastructure works), until the site is connected to the Regional Stormwater Scheme, or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development is able to be connected to an alternative stormwater management system that has been installed and is operational.

## **Signage**

- A12. The mega graphics signage shown on the eastern elevation of Warehouse 2, western elevation of Warehouse 3 and southern elevation of Warehouse 7 are not approved.
- A13. The building identification signage shown on the updated architectural plans (see Appendix C1 of the Submissions Report and Appendix 1 of this consent) are not approved and are subject to a Signage Strategy (see Condition B60).

## **NOTIFICATION OF COMMENCEMENT**

- A14. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) earthworks;
  - (b) construction; and
  - (c) operation.
- A15. 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.

## **EVIDENCE OF CONSULTATION**

- A16. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

## **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

- A17. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
  - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A18. 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.
- A19. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

## **UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE**

### **General Requirements**

- A20. Prior to the commencement of earthworks, the Applicant must:
- (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;

- (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
- (c) submit a copy of the dilapidation report to the Planning Secretary and Council.

A21. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
- (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
- (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

### **Sydney Water**

A22. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

### **Fibre-Ready Facilities**

A23. Prior to the issue of a Subdivision Certificate or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.

A24. Prior to the issue of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

### **DEMOLITION**

A25. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

### **STRUCTURAL ADEQUACY**

A26. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

**Note:**

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

### **EXTERNAL WALLS AND CLADDING**

A27. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A28. Prior to the issue of:

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

the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

A29. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **CIVIL PLANS**

A30. Engineering plans are to be prepared in accordance with the development consent, Council's *Design Guidelines for Engineering Works for Subdivisions and Developments*, *Engineering Construction Specification for Civil Works* and *Austrroads Guidelines*.

## SUBDIVISION

- A31. Prior to the issue of a Subdivision Certificate for any stage of the development, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.
- A32. Prior to the issue of a Subdivision Certificate for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.
- A33. Prior to the issue of a Subdivision Certificate for any stage of the development:
- (a) a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established; and
  - (b) a certificate from the Regional Stormwater Authority must be submitted to the Certifier certifying that satisfactory stormwater servicing arrangements for the site have been established.
- A34. Prior to issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road:
- (a) a final inspection of the estate road is to be undertaken by the relevant Roads Authority. All compliance documentation for road and drainage construction of the estate road must be submitted to the relevant Roads Authority in accordance with the relevant Roads Authorities specifications and requirements;
  - (b) where installation of any regulatory/advisory signage and line marking are proposed, plans are to be lodged with Council and approved by the Local Traffic Committee; and
  - (c) an application for proposed street names must be lodged with and approved by Council and the signs erected on-site. The proposed names must be in accordance with Council's Street Naming Policy.
- Note:** Contact Penrith City Council's Engineering Services Department on 02 4732 7777 for further information on this process and applicable fees.

## COMPLIANCE

- A35. 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.

## DEVELOPMENT CONTRIBUTIONS

- A36. Prior to the issue of a Subdivision Works Certificate or Construction Certificate (as required by the contributions plan or agreed by Council), the Applicant must pay contributions to Council as required in accordance with the Penrith City Mamre Road Precinct Development Contributions Plan 2022.

**Note:** Subject to agreement between Council and the Applicant, local contributions may be satisfied by a planning agreement or works-in-kind agreement between Council and the Applicant.

- A37. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (as in force when this development consent takes effect).

A person may not apply for a Subdivision Works Certificate or Construction Certificate (as the case may require, having regard to the Determination) in relation to development the subject of this development consent unless the person provides, with the application, written evidence from the Department that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

**Note:** A request for assessment by the Department of the amount of the contribution that is required under this condition can be made through the NSW planning portal (<https://www.planningportal.nsw.gov.au/development-assessment/contributions/sic-online-service>). Please refer enquiries to [SIContributions@planning.nsw.gov.au](mailto:SIContributions@planning.nsw.gov.au).

## PLANNING AGREEMENT

- A38. Within six months of the date of this development consent, the Applicant must enter into a Planning Agreement with Council in accordance with the terms of the Letter of Offer dated 21 August 2024, in relation to carrying out and completing the Aldington Road widening works and dedication of the land on which they are located.

## OPERATION OF PLANT AND EQUIPMENT

- A39. All plant and equipment used on-site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

## WORK AS EXECUTED PLANS

A40. Prior to the issue of an Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

## ENVIRONMENTAL REPRESENTATIVE

A41. 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:

- (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;
- (b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;
- (c) consider and inform the Planning Secretary on matters specified in the terms of this consent;
- (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;
- (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:
  - (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
  - (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);
- (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;
- (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;
- (h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;
- (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;
- (j) attend the Mamre Road Precinct Working Group (see condition A44) in a consultative role in relation to the environmental performance of the development;
- (k) review the monthly audits of the erosion and sediment controls undertaken by the CPESC in accordance with condition B25; and
- (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

A42. 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 A41 (including preparation of the ER monthly report), as well as:

- (a) the complaints register (to be provided on a daily basis); and
- (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).

A43. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition C20. The Applicant must:

- (a) facilitate and assist the Planning Secretary in any such audit; and
- (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

## **MAMRE ROAD WORKING GROUP**

- A44. 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:
- (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;
  - (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;
  - (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;
  - (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;
  - (e) review community concerns or complaints with respect to environmental management;
  - (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
  - (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.
- A45. 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 A44. The Applicant must:
- (a) consult with the Planning Secretary;
  - (b) provide confirmation that all components of the development are operational; and
  - (c) advise on the date of the proposed exit.

## **APPLICABILITY OF GUIDELINES**

- A46. 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.
- A47. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## **ADVISORY NOTES**

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

## PART B SPECIFIC ENVIRONMENTAL CONDITIONS

### TRAFFIC AND ACCESS

#### Construction Traffic Management Plan

- B1. Prior to the commencement of 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:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with Council and TfNSW;
  - (c) incorporate any traffic safety outcomes and actions from the MRP working group;
  - (d) outline traffic management and contingency measures to be implemented for the site to:
    - (i) ensure access and road safety and network efficiency is maintained;
    - (ii) manage cumulative construction traffic from other concurrent construction works and traffic associated with operational facilities within the Mamre Road Precinct;
  - (e) detail heavy vehicle routes, access and parking arrangements including any temporary construction access on Aldington Road constructed under condition B3;
  - (f) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise;
    - (iv) ensure truck drivers use specified routes;
  - (g) include a program to monitor the effectiveness of these measures; and
  - (h) detail procedures for notifying residents and the community (including local schools and places of worship), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence earthworks and construction of each warehouse building until the CTMP required by condition B1 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of earthworks and construction of the development.

#### Temporary Construction Access

- B3. Prior to the commencement of earthworks, the Applicant must obtain approval under section 138 of the *Roads Act 1993* from Council and construct one temporary left-in/right-out driveway on Aldington Road to be used by construction vehicles.
- B4. The Applicant must:
- (a) ensure the temporary left-in/right-out construction driveway is constructed and maintained at no cost to Council; and
  - (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.

#### Collector Road

- B5. Prior to the issue of an Occupation Certificate for the first warehouse building in the development, the Applicant must:
- (a) subdivide the site to create lot(s) for the east-west collector road (collector road) including the roundabout at the collector road/local industrial road intersection and the eastern leg of the roundabout straddling between 884-928 Mamre Road, Kemps Creek (Lots 52-53 DP 259135) and the development (collectively as the roundabouts), shown in **Figure 1: in Appendix 1**;
  - (b) register the newly created collector road lot(s) on the land title(s); and
  - (c) construct the collector road including the roundabouts to the satisfaction of the relevant roads authority in accordance with conditions B8 and B9.
- B6. Land to be dedicated to Council for the purposes of a collector road and roundabout, in accordance with the works schedule of the Mamre Road Precinct Development Contributions Plan 2022, is to be dedicated to Council free of cost.
- B7. Prior to the commencement of construction of the collector road, the Applicant must prepare and submit the following details in writing in consultation with landowner(s) of 884-928 Mamre Road, Kemps Creek (Lots 52-53 DP 259135) to the west of the site and to the satisfaction of the Planning Secretary and Council:

- (a) the scope of works required to connect the collector road to the access road approved under SSD-17647189 both on the site and at 884-928 Mamre Road, Kemps Creek (Lots 52-53 DP 259135) shown on **Figure 9**: in **Appendix 1**;
  - (b) how the works described under condition B7(a) will be coordinated and delivered; and
  - (c) arrangements on timing and funding of the works described under condition B7(a).
- B8. Prior to the commencement of construction of the collector road, the Applicant must prepare detailed design plans of the collector road including its connection to the access road approved under SSD-17647189 required by condition B7 in accordance with the design requirements under the MRP DCP and any relevant standards, specifications, or alike to the satisfaction of the relevant roads authority.
- B9. The Applicant must construct a central splitter island or a median on the collector road between the collector road/local industrial road roundabout and Aldington Road shown in **Figure 12**: and **Figure 13**: in **Appendix 1**.

#### Local Industrial Road

- B10. Prior to the issue of an Occupation Certificate for the first warehouse building in the development, the Applicant must:
- (a) subdivide the site to create lot(s) for the local industrial road shown in **Figure 1**: in **Appendix 1**;
  - (b) ensure the created lot(s) includes portions of the local industrial road required to connect to properties to the north at 113-153 Aldington Road, Kemps Creek (Lots 134-136 DP 258949) and to the south at 253-267 Aldington Road, Kemps Creek (Lot 9 DP 253503) between the temporary turning heads shown in **Figure 10**: and **Figure 11**: in **Appendix 1** and the northern and southern boundaries of the site;
  - (c) register the newly created local industrial road lot(s) on the land title(s); and
  - (d) construct the local industrial road including temporary turning heads (if required) to the satisfaction of the relevant roads authority.
- B11. Prior to the commencement of construction of the local industrial road including the temporary turning heads, the Applicant must prepare detailed design plans of the local industrial road in accordance with the design requirements under the MRP DCP and any relevant standards, specifications, or alike to the satisfaction of the relevant roads authority.

#### Local Industrial Road Connection Strategy

- B12. Within 12 months of the date of this consent, or as otherwise agreed by the Planning Secretary, the Applicant must prepare and submit a Local Industrial Road Connection Strategy (the strategy) to facilitate construction of the local industrial road connections to the properties at 113-153 Aldington Road, Kemps Creek and 253-267 Aldington Road, Kemps Creek, to the satisfaction of the Planning Secretary. The design, sequencing and delivery of the local industrial road connections outlined in the strategy must be undertaken in consultation with Council and the landowners of 113-153 Aldington Road, Kemps Creek and 253-267 Aldington Road, Kemps Creek prior to submission to the Planning Secretary. The strategy must include:
- (a) a delivery plan for the local industrial road connections to the adjoining properties, including:
    - (i) details of the scope of works to be undertaken on the site and adjoining properties at 113-151 and 253-267 Aldington Road, Kemps Creek as shown on **Figure 10**: and **Figure 11**: in Appendix 1, including but not limited to removal of the temporary turning heads and batters, construction of road infrastructure, and installation of services and utilities;
    - (ii) details of how the works described under condition B12(a)(i) will be coordinated and carried out by a single contractor for each local road connection;
    - (iii) an arrangement on timing and funding of the works described under condition B12(a)(i); and
  - (b) a detailed design plan of the local industrial road connections prepared in accordance with the design requirements under the MRP DCP, specifications, or alike to the satisfaction of the relevant roads authority.
- B13. The Applicant must ensure the local industrial road connections located on the site are constructed and operational in accordance with the design plans required under Condition B12.
- B14. Following the completion of construction of the works required under condition B13 the local industrial road must be dedicated as a public road to the relevant roads authority.

**Note:** *Public road and roads authority have the same meanings of the terms defined in Dictionary of the Roads Act 1993 (NSW). Refer to Section 2.3.2 of the Mamre Road Precinct Development Contributions Plan 2022 (s7.11) (Penrith City Council, 2022) for details of land dedication and local development contributions.*

#### Parking

- B15. 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.

- B16. Within six months of the temporary turning head of the local industrial road adjacent to Warehouse 1 being removed, the Applicant must construct 29 parking spaces in Warehouse 1 to ensure a total of 70 parking spaces are available at that building.
- B17. Bicycle parking and end-of-trip facilities must be provided with suitable pedestrian connections linking these facilities with the offices and warehouse buildings in accordance with relevant guidelines and standards and the MRP DCP.
- B18. The Applicant must provide a minimum of two parking bays for electric vehicle charging at each warehouse building of the development, with a further 5% constructed as readily adaptable.

### **Operating Conditions**

- B19. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009);
  - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
  - (c) the development does not result in any vehicles queuing on the public road network;
  - (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
  - (e) all vehicles are wholly contained on-site before being required to stop;
  - (f) all loading and unloading of materials is carried out on-site; and
  - (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

### **Operational Traffic Monitoring Program**

- B20. Prior to the commencement of operation of each warehouse building in the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program. The program must verify light and heavy vehicle traffic numbers against the prediction in the Transport and Accessibility Management Plan prepared by Ason Group, dated 3 November 2023. The Program must be included in the OEMP (see condition C8) and monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:
- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes, and hours of operation;
  - (b) queue monitoring at the Mamre Road/Abbotts Road intersection and background travel counts on Mamre Road and Aldington Road;
  - (c) verify the predicted traffic numbers and level of service against the actual impacts of the development, and analyse the potential cause of any significant discrepancies;
  - (d) consider the current capacity and efficiency of the existing road network including Aldington Road and Abbotts Road; and
  - (e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development.

### **Workplace Travel Plan**

- B21. Prior to the commencement of operation of each warehouse building in the development, the Applicant must prepare a Workplace Travel Plan to be included in the OEMP required by condition C8. The Workplace Travel Plan must:
- (a) be prepared in consultation with TfNSW;
  - (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
  - (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.
- B22. The Applicant must implement the most recent version of the Workplace Travel Plan for the duration of the development.

## **EARTHWORKS**

### **Imported Soil**

- B23. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by the Environment Protection Authority is brought onto the site for use as fill;
- (b) where possible, source fill material from within the MRP;
- (c) keep accurate records of the volume and type of fill to be used; and
- (d) make these records available to the Planning Secretary upon request.

## **WATER QUALITY AND HYDROLOGY**

### **Erosion and Sediment Control**

- B24. 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:
- (a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary;
  - (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;
  - (c) be independently reviewed and verified by the ER prior to submission to the Planning Secretary;
  - (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;
  - (e) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed; and
  - (f) be included in the CEMP required by conditions C2 and C5.
- B25. The Applicant must:
- (a) not commence earthworks until the ESCP required by condition B24 is approved by the Planning Secretary;
  - (b) ensure installation and operation of the erosion and sediment controls are supervised and certified by the CPESC appointed under condition B24(a);
  - (c) implement the ESCP approved by the Planning Secretary for the duration of earthworks and construction; and
  - (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.
- B26. The Environmental Representative (ER) appointed in accordance with condition A41, 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.

### **Discharge Limits**

- B27. The development must comply with section 120 of the *Protection of Environment Operations Act 1997* (NSW) (POEO Act), which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.

### **Stormwater Management System Design**

- B28. Prior to the commencement of earthworks, the Applicant must design the stormwater management system to the satisfaction of the Planning Secretary. The stormwater management system design must:
- (a) be prepared in consultation with the CPHR, Sydney Water and Transgrid;
  - (b) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems
  - (c) be peer-reviewed and certified by an independent and suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, and include written evidence that they are satisfied that the civil drawings, construction staging plan and DRAINS model for the stormwater management system are consistent;
  - (d) be consistent with the plans titled Construction Staging Plan – Stages 1 to 5 prepared by AT&L (Drawing # 20-776-C1401, Issue D, #20-776-C1402, Issue D, #20-776-C1403, Issue D, #20-776-C1404, Issue E 20-776-C1404A, Issue D, #20-776-C1405, Issue E);
  - (e) demonstrate that the DRAINS model for the stormwater management system is consistent with the civil drawings and construction staging plan specified in condition B28(d);

- (f) describe the staging (including implementation of hold points) and interaction of the stormwater management system with the erosion and sediment control measures outlined in the ESCP required by condition B24;
- (g) confirm that the peak flows for each construction stage are the same or less than existing conditions at each discharge point;
- (h) detail:
  - (i) all drainage infrastructure within the site including any connections to adjacent landholdings;
  - (ii) interim stormwater measures (such as the temporary diversion channel) required to maintain existing discharge locations within the site until the site is connected to the Regional Stormwater Scheme or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development can be connected to an alternative stormwater management system that has been installed and is operational;
  - (iii) how the development will ultimately connect to the Regional Stormwater Scheme as shown on **Figure 4:** and how the interim stormwater measures outlined in condition B28(h)(ii) will be decommissioned once the development is connected to the Regional Stormwater Scheme;
- (i) be designed in accordance with the Technical Guidance and demonstrate through MUSIC modelling, how the waterway health objectives and targets set out in the MRP DCP and Technical Guidance will be achieved;
- (j) ensure proprietary devices are located on private land and only include sediment and nutrient removal if certified under Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP);
- (k) ensure gross pollutant traps are appropriately sized and designed in accordance with the Infrastructure Design Guidelines;
- (l) demonstrate maintenance access driveways to water storage or bio-retention basins are designed in accordance with Council's specifications;
- (m) until such time the site is connected to the Regional Stormwater Scheme or another approved stormwater system (see condition A10), demonstrate that sufficient land is reserved on-site for stormwater management purposes (such as irrigation areas and undeveloped areas) as shown on **Figure 3:** in **Appendix 1**, to ensure the development meets the requirements of (e); and
- (n) include landscape drawings that include planting details of the WSUD systems.

B29. The Applicant must:

- (a) not commence earthworks until the design required by Condition B28 is approved by the Planning Secretary;
- (b) ensure construction of the stormwater management system is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems;
- (c) implement the stormwater management system approved by the Planning Secretary **(as modified by SSD-17552047-Mod-1)** prior to the commencement of operation of the first warehouse building; and
- (d) ensure the stormwater management system remains in place in accordance with the terms of condition A10.

**B29A. Prior to the installation of the temporary stormwater diversion connecting Lots 1-8 to the interim retention pond on Lot 11 (as shown in Figure 15), the Applicant must prepare detailed design plans for this drainage line, in consultation with CPHR, and submit a copy to the Planning Secretary.**

#### **Trunk Drainage Detailed Design**

B30. Prior to commencement of construction of the trunk drainage infrastructure, the Applicant must complete detailed design of the trunk drainage infrastructure on the site, to the satisfaction of the Planning Secretary. The trunk drainage infrastructure must:

- (a) be designed in consultation with and to the satisfaction of the Regional Stormwater Authority and Transgrid;
- (b) be integrated into the Stormwater Management System Design required under Condition B28;
- (c) be consistent with the plans shown on **Figure 5:** to **Figure 8:** in **Appendix 1** and the latest version of the *Stormwater Scheme Infrastructure Design Guidelines* (Sydney Water 2022), unless otherwise agreed with the Regional Stormwater Authority;
- (d) be designed so that the naturalised trunk drainage channel conveys, as a minimum, critical 1% AEP overland flows where the catchment area upstream of the commencement of the trunk drainage exceeds 15 ha or where overland flows are unsafe to pedestrians and vehicles, whichever occurs first;
- (e) be supported by hydraulic modelling that addresses the latest version of the *Stormwater Scheme Infrastructure Design Guidelines* (Sydney Water 2022) and the requirements outlined in Sydney Water's letter dated 13 July 2023;
- (f) ensure external catchments are drained to the trunk drainage channel;
- (g) demonstrate alignment with the upstream neighbouring stormwater drainage channel;

- (h) include appropriate connections from the trunk drainage channel on-site to the trunk drainage infrastructure downstream of the site at 884-928 Mamre Road, Kemps Creek (Lots 52-53 DP 259135) and 253-267 Aldington Road, Kemps Creek (Lot 9 DP 253503);
- (i) include landscape drawings showing planting details; and
- (j) include adequate access for maintenance by the Regional Stormwater Authority, in accordance with the *Stormwater Scheme Infrastructure Design Guidelines* (Sydney Water 2022), including provision of an easement as required by Condition B35.

B31. The Applicant must:

- (a) not commence earthworks until the design required by Condition B30 is approved by the Planning Secretary;
- (b) ensure construction of the trunk drainage infrastructure is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
- (c) implement the trunk drainage infrastructure approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.

#### **Water and Stormwater Management Plan**

B32. Prior to commencement of operation of the first warehouse building in the development, the Applicant must prepare a Water and Stormwater Management Plan to the satisfaction of the Planning Secretary. The Water and Stormwater Management Plan must form part of the OEMP required by condition C8 and must:

- (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the CPHR, Sydney Water, Council and the Department;
- (c) comply with the requirements of the Technical Guidance for the preparation of a Water and Stormwater Management Plan;
- (d) demonstrate how the development will comply with the stormwater quality and quantity targets in the Technical Guidance;
- (e) be consistent with the design approved under Condition B28 **and the Modification Assessments**;
- (f) include:
  - (i) detailed engineering drawings for all WSUD elements including plan views, cross-sections and long sections;
  - (ii) detailed landscape drawings with topsoil requirements, planting schedules and hardscape (maintenance access) details;
  - (iii) an operation and maintenance plan for the WSUD measures;
- (g) include a protocol for investigating any non-compliances with the IWCM controls in the MRP DCP and the waterway health objectives and targets in the Technical Guidance and detail the contingency measures that would be implemented to address non-compliances;
- (h) detail triggers for a review of the plan, including, but not limited to a review of the plan within 6 months of the Regional Stormwater Scheme being available for the site to connect to; and
- (i) include certification (and appropriate designed checklists) for the WSUD measures by the chartered professional engineer appointed under Condition B32(a), that the detailed design complies with the Technical Guidance.

B33. The Applicant must:

- (a) not commence operation of the first warehouse building until the Water and Stormwater Management Plan required by Condition B32 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water and Stormwater Management Plan approved by the Planning Secretary for the duration of the development.

#### **Water Reuse**

B34. The Applicant must ensure any stormwater that is harvested for reuse during the interim stormwater management phases is first treated and disinfected in accordance with Australian Guidelines for Water Recycling: Managing Health and Environmental Risks: Stormwater harvesting and reuse (NRMCC, EPHC and NHMRC 2009).

#### **Easements and Maintenance**

B35. Prior to the issue of a Compliance Certificate under Section 73 of the *Sydney Water Act 1994* (NSW), an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* (NSW) naming the Regional Stormwater Authority (i.e. Sydney Water) as the prescribed authority, which can only be revoked, varied or modified with the consent of the Regional Stormwater Authority and which provides for appropriate

access to all trunk drainage land for maintenance at no cost to the Regional Stormwater Authority must be registered on the title of the land.

- B36. The permanent stormwater management system must continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

**Note:** *This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*

- B37. All stormwater infrastructure (excluding the trunk drainage corridor), including bio-retention basins, shall remain under the ownership, control and care of the registered proprietor of the lots.

**Note:** *This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*

- B38. Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the permanent stormwater management systems (including on-site stormwater detention and water sensitive urban design measures), shall be registered on the title of the property. The restriction on the use of land and positive covenant shall be in Council's standard wording as detailed in Council's Stormwater Drainage Specification for Building Developments – Appendix F.

### Dam Decommissioning Plan

- B39. 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.

### NOISE

#### Hours of Work

- B40. The Applicant must comply with the hours detailed in Table 2.

**Table 2** Hours of Work

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

B41. Works outside of the hours identified in condition B40 may be undertaken in the following circumstances:

- works that are inaudible at the nearest sensitive receivers;
- works agreed to in writing by the Planning Secretary;
- for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

#### Construction Noise Limits

- B42. 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**.

#### Construction Noise Management Plan

- B43. 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:

- be prepared by a suitably qualified and experienced noise expert;
- be approved by the Planning Secretary prior to the commencement of earthworks and construction;
- describe procedures for achieving the noise management levels in the ICNG (DECC, 2009) (as may be updated or replaced from time to time);

- (d) describe the measures to be implemented to manage high noise generating works such as rock breaking and piling, in close proximity to sensitive receivers;
- (e) include strategies that have been developed with the community for managing high noise generating works;
- (f) describe the community consultation undertaken to develop the strategies in condition B43(e);
- (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
- (h) include a complaints management system that would be implemented for the duration of earthworks and construction.

B44. The Applicant must:

- (a) not commence earthworks or construction of the development until the Construction Noise Management Plan required by condition B43 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of earthworks and construction.

### Operational Noise Limits

B45. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in **Table 3**.

**Table 3** Noise Limits (dB(A))

Location <sup>a</sup>	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)
Residents in Mount Vernon (Receiver J)	31	26	21
BAPS Temple (Receiver 7A)	43 (when in use)		

a. Refer to **Figure 15**: in **Appendix 4** for the location of residential sensitive receivers

**Note** Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

B46. The Applicant must implement reasonable and feasible measures (in accordance with Fact Sheet F of the Noise Policy for Industry (EPA 2017)) to minimise noise generated by operation of the development on Sunday afternoons and evenings (1pm – 8pm). These measures should aim, so far as is reasonably practicable, to achieve a noise level of 37 dBA L<sub>Aeq</sub> (15 minute) in the day and 35 dBA L<sub>Aeq</sub> (15 minute) in the evening at the BAPS Temple site outdoor areas of worship or congregation (excluding car parking areas and internal roads) during this period.

### Noise Trigger Action Response Plan

B47. The Applicant must prepare an Noise Trigger Action Response Plan (TARP) for the noise limits and goals in conditions B45 and B46, to the satisfaction of the Planning Secretary. The Noise TARP must form part of an OEMP in accordance with condition C8 and must:

- (a) details of on-site noise monitoring instrumentation to function as a real-time monitoring feedback tool for the Noise TARP;
- (b) the applicable on-site noise trigger levels at the real-time monitoring locations to ensure noise is minimised in accordance with condition B46;
- (c) details of warning systems for when on-site noise trigger levels are exceeded and operational;
- (d) responses to be carried out by the Applicant or tenants to minimise and mitigate events exceeding the on-site noise trigger levels; and
- (e) a system for recording all exceedances of the on-site noise trigger levels and the responses taken to minimise those exceedances.

### Noise Verification Report

B48. Within three months of the commencement of operation of each warehouse building in the development, the Applicant must prepare and submit a noise verification report. The noise verification report must:

- (a) be prepared by suitably qualified, experienced, and independent experts to the satisfaction of the Planning Secretary;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:

- (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
  - (ii) the EPA Approved Method for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
  - (iii) the monitoring and reporting requirements detailed in section 7 of the Noise Policy for Industry (EPA, 2017)
- (c) verify the noise levels against the predictions in the Acoustic Report prepared by Acoustic Works dated 29 June 2024 and clearly identify any variances from the assumptions and the predicted noise levels at sensitive receivers;
- (d) include:
- (i) an analysis of compliance with noise limits specified in conditions B45 and B48(c);
  - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in conditions B45 and B48(c); and
  - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

## **AIR QUALITY**

### **Dust Minimisation**

- B49. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B50. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on-site to minimise exposed surfaces.

### **Construction Air Quality Management Plan**

- 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 16: 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 A41;
    - (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 PM<sub>10</sub> 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
- (i) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.

B52. The Applicant must:

- (a) not commence earthworks until the CAQMP required by condition B51 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of earthworks and construction.

### Independent Air Quality Audit

B53. 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 (IAQA) to review the air quality performance of the development. The IAQA must, and:

- (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;
- (b) analyse the performance of the CAQMP, including the TARP;
- (c) audit the performance of the CAQMP, including the TARP in achieving its objectives;
- (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;
- (e) review the air quality monitoring and mitigation requirements and air quality monitoring data for the audit period;
- (f) analyse any incidents, non-compliances and complaints that occurred or were made during the audit period; and
- (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.

B54. 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.

### Air Quality Discharges

B55. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the *Protection of the Environment Operations (Clean Air) Regulation 2022 (NSW)*.

## VISUAL AMENITY

### Landscaping

B56. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by condition C8 and must:

- (a) detail the species to be planted on-site that:
  - (i) are consistent with the plant list in Appendix C of the MRP DCP; and
  - (ii) are suitable in relation to wildlife management in proximity to the Western Sydney Airport.
- (b) be consistent with:
  - (i) the Landscape Plans included in the Additional Information;
  - (ii) the Applicant's Management and Mitigation Measures (see **Appendix 2** of this consent); and
  - (iii) Appendix 4 of *Planning for Bush Fire Protection (RFS, 2019)*;
- (c) ensure sufficient deep soil is provided in all areas where tree planting is required;

- (d) demonstrate that the minimum tree canopy targets are achieved in accordance with the MRP DCP;
- (e) include a Street Tree Plan including details of selected street tree species, root protection barriers and soil specifications;
- (f) provide detailed plans of passively irrigated street trees within the relevant stage of works demonstrating consistency with the MRP DCP
- (g) describe the ongoing monitoring and maintenance measures to manage the landscaping works.

B57. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary and the landscaping is implemented;
- (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B56 for the life of the development.

B58. Prior to the issue of an Occupation Certificate for each warehouse building, the Applicant must provide the Certifier with written evidence in the form of plans and a report prepared by the project landscape architect confirming that trees identified in the approved document package as contributing to the site's canopy target have been planted and that the trees are capable of reaching maturity in their locations. Where the canopy cover target (in accordance with the MRP DCP) is identified as not being achievable through those trees planted, the report is to detail what measures have been undertaken to address the tree canopy shortfall and a rectification plan is to be provided.

### Lighting

B59. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### Signage and Fencing

B60. Prior to the commencement of construction of each warehouse building in the development, the Applicant must submit a Signage Strategy, for each warehouse building, to the satisfaction of the Planning Secretary. The Signage Strategy must demonstrate the proposed signage is consistent with Chapter 3 of *State Environmental Planning Policy (Industry and Employment) 2021*. The Signage Strategy must:

- (a) ensure there is only up to one building identification sign installed per elevation;
- (b) ensure there is only up to one illuminated building identification sign per warehouse building; and
- (c) includes measures to control lighting impacts from illuminated signage including use of backlit signs.

B61. All signage and fencing must be erected in accordance with the approved Signage Strategy required by condition B60.

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

### ABORIGINAL HERITAGE

B62. 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.

### Unexpected Finds Protocol

B63. If any item or object of Aboriginal heritage significance is identified on-site:

- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
- (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
- (c) Heritage NSW must be contacted immediately.

B64. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974* (NSW).

## HISTORIC HERITAGE

### Unexpected Finds Protocol

- 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.

## CONTAMINATION AND REMEDIATION

### Remedial Works

- 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 *Contaminated Land Management Act 1997* (NSW). Remediation works must be undertaken by a suitably qualified and experienced consultant(s).

### Validation Report

- B67. 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 *Contaminated Land Management Act 1997* and must:
- (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
  - (b) demonstrate that:
    - (i) the site is suitable for its intended industrial land use, or
    - (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.

### Asbestos Management Plan

- B68. 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:
- (a) be prepared by a suitably experienced person(s) or a SafeWork NSW licenced asbestos assessor; and
  - (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&G Australia Pty Ltd, dated 16 March 2022.

### Unexpected Finds Procedure

- 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.

### Hazardous Building Materials Survey

- B70. Prior to the commencement of earthworks, the Applicant undertake a hazardous building materials survey 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&G Australia Pty Ltd, dated 16 March 2022.

## HAZARDS AND RISK

### Dangerous Goods

- B71. The quantities of dangerous goods stored and handled within Warehouses 1 to 8 must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times. In particular, the storage quantities and location of Class 3 dangerous goods must be consistent with those presented in the Appendix EE – Resilience and Hazards SEPP Assessment Report of the EIS.
- B72. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards; and
  - (b) for liquids, the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual.'

In the event of an inconsistency between the requirements of condition B72(a) and condition B72(b), the most stringent requirement must prevail to the extent of the inconsistency.

### **Emergency Services Information Package**

B73. From the commencement of operation and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

### **BUSHFIRE PROTECTION**

B74. The Applicant shall ensure the development complies with:

- (a) the relevant provisions of *Planning for Bushfire Protection* (NSW RFS, 2019);
- (b) the construction standards and asset protection zone requirements recommended in the report titled *Bush Fire Assessment*, prepared by Peterson Bushfire and dated 25 August 2023; and
- (c) Australian Standard AS2419.1-2005 *Fire hydrant installations System design, installation, and commissioning*.

### **WASTE MANAGEMENT**

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).

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.

B77. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

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.

### **Pest, Vermin and Priority Weed Management**

B79. The Applicant must:

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

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

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

#### Earthworks and Infrastructure Works

- 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.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
  - (b) Erosion and Sediment Control Plan (see condition B24);
  - (c) Dam Decommissioning Plan (see condition B39);
  - (d) Construction Noise Management Plan (see condition B43);
  - (e) Construction Air Quality Management Plan (see condition B51);
  - (f) Asbestos Management Plan (see condition B68);
  - (g) Unexpected Finds Procedure (see condition B69); and
  - (h) Community Consultation and Complaints Handling Procedure.
- C4. The Applicant must:
- (a) not commence earthworks until the CEMP is approved by the Planning Secretary; and
  - (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).

#### Construction of Warehouse Buildings

- C5. 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.

- C6. As part of the CEMP required by condition C5 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
  - (b) Erosion and Sediment Control Plan (see condition B24);
  - (c) Construction Noise Management Plan (see condition B43);
  - (d) Construction Air Quality Management Plan (see condition B51); and
  - (e) Community Consultation and Complaints Handling Procedure.
- C7. The Applicant must:
- (a) not commence construction of each warehouse building in the development until the CEMP is approved by the Planning Secretary; and
  - (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).

#### **OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN**

- C8. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for each warehouse building in the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C9. As part of the OEMP required under condition C8 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (b) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - (ii) receive, handle, respond to, and record complaints;
    - (iii) resolve any disputes that may arise;
    - (iv) respond to any non-compliance;
    - (v) respond to emergencies;
  - (c) include the following environmental management plans:
    - (i) Operational Traffic Monitoring (see condition B20);
    - (ii) Workplace Travel Plan (see condition B21);
    - (iii) Water and Stormwater Management Plan (see condition B32);
    - (iv) Noise Trigger Action Response Plan (see condition B47); and
    - (v) Landscape Management Plan (see condition B56).
- C10. The Applicant must:
- (a) not commence operation of each warehouse building in the development until the OEMP is approved by the Planning Secretary; and
  - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

#### **REVISION OF STRATEGIES, PLANS AND PROGRAMS**

- C11. Within three months of:
- (a) the submission of a Compliance Report under condition C18;
  - (b) the submission of an incident report under condition C13;
  - (c) the approval of any modification of the conditions of this consent and prior to the commencement of construction of any works associated with that modification or
  - (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.
- C12. 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 in the case of condition C11(c), prior to the commencement of construction of any works approved under a modification, or such other timing as agreed by the Planning Secretary.

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

## REPORTING AND AUDITING

### Incident Notification, Reporting and Response

- C13. 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:
- (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; and
  - (d) identifying a contact person for further communication regarding the incident.
- C14. The Applicant must provide the Department with a subsequent incident report in accordance with **Appendix 6**.

### Non-Compliance Notification

- C15. 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.
- C16. 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.
- C17. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

### Compliance Reporting

- C18. 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 having regard to the Compliance Reporting Post Approval Requirements (Department 2020) and must also:
- (a) identify any trends in the monitoring data;
  - (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
  - (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- C19. 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.

### Monitoring and Environmental Audits

- C20. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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

### ACCESS TO INFORMATION

- C21. At least 48 hours before the commencement of earthworks of the development and for the life of the development, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in condition A2 of this consent;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent, with the exception of the document described under condition B73;

- (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) the Compliance Report of the development;
  - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

FOR INFORMATION

## APPENDIX 1 DEVELOPMENT LAYOUT PLANS

**Table 4** Schedule of Approved Plans

Drawing No	Title	Issue	Date
<b>Architectural Plans prepared by Frasers Property Industrial</b>			
SP1-AE-DA-A101	Estate Plan	C	24/06/24
<b>SP2-ES-DA 003</b>	<b>Lot Subdivision Plan</b>	<b>A</b>	<b>01/11/24</b>
SP1-AE-DA-A105	Signage Plan	B	18/06/24
SP1-ES-DA-B100	Site/Warehouse Plan (Warehouse 1)	C	25/06/24
SP1-ES-DA-B102	Warehouse Elevations (Warehouse 1)	C	25/06/24
SP1-ES-DA-B104	Ultimate Site/Warehouse Plan (Warehouse 1)	C	25/06/24
SP1-ES-DA-C100	Site/Warehouse Plan (Warehouse 2)	C	25/06/24
SP1-ES-DA-C102	Warehouse Elevations (Warehouse 2)	C	25/06/24
SP1-ES-DA-D100	Site/Warehouse & Undercroft Parking Plans (Warehouse 3)	C	18/06/24
SP1-ES-DA-D102	Warehouse Elevations (Warehouse 3)	B	22/03/24
SP1-ES-DA-E100	Site/Warehouse & Undercroft Parking Plans (Warehouse 4)	C	22/03/24
SP1-ES-DA-E102	Warehouse Elevations (Warehouse 4)	B	22/03/24
SP1-ES-DA-F100	Site/Warehouse & Undercroft Parking Plans (Warehouse 5)	C	25/06/24
SP1-ES-DA-F102	Warehouse Elevations (Warehouse 5)	C	18/06/24
SP1-ES-DA-G100	Site/Warehouse & Undercroft Parking Plans (Warehouse 6)	C	18/06/24
SP1-ES-DA-G102	Warehouse Elevations (Warehouse 6)	B	22/03/24
SP1-ES-DA-H100	Site/Warehouse & Undercroft Parking Plans (Warehouse 7)	C	25/06/24
SP1-ES-DA-H102	Warehouse Elevations (Warehouse 7)	B	22/03/24
SP1-ES-DA-I100	Site/Warehouse & Undercroft Parking Plans (Warehouse 8)	C	22/03/24
SP1-ES-DA-I102	Warehouse Elevations (Warehouse 8)	B	22/03/24
<b>Civil Drawings prepared by AT&amp;L</b>			
20-776-C1006	General Arrangement Plan	K	28-06-24
20-776-C1030	Bulk Earthworks Plan	M	28-06-24
20-776-C1078	Stormwater Trunk Drainage Plan	B	28-06-24
<b>Landscape Plans prepared by Habit8 Pty Ltd</b>			
L05	Landscape Masterplan	X	03.07.2024
L06	Landscape Calculations	X	03.07.2024
L26	Tree Planting Strategy	X	03.07.2024
<b>Collector Road Connection to Access Logistics Park prepared by AT&amp;L</b>			
20-776-C1044	Roadworks and Drainage Plan Sheet 5	J	28-06-24
<b>Temporary Local Industrial Road Turning Heads and Future Connections prepared by AT&amp;L</b>			
20-776-C1053	Future Road Connection South to Icon	B	28-06-24
20-776-C1054	Future Road Connection North to Dexus	B	28-06-24
<b>Construction Staging Plan prepared by AT&amp;L</b>			
<b>20-776-C1401</b>	<b>Construction Staging Plan Phase 1 – Month 1</b>	<b>F</b>	<b>15/10/25</b>
<b>20-776-C1402</b>	<b>Construction Staging Plan Phase 2 – Month 1-8</b>	<b>F</b>	<b>15/10/25</b>
<b>20-776-C1403</b>	<b>Construction Staging Plan Phase 3 – Month 6-12</b>	<b>F</b>	<b>09/04/26</b>
<b>20-776-C1404</b>	<b>Construction Staging Plan Phase 4 – Month 10-18</b>	<b>G</b>	<b>09/04/26</b>
<b>20-776-C1404A</b>	<b>Construction Staging Plan Phase 4A – 18 Months Post Commencement</b>	<b>F</b>	<b>09/04/26</b>
<b>20-776-C1405</b>	<b>Construction Staging Plan Phase 5 – Month 16-24</b>	<b>G</b>	<b>09/04/26</b>

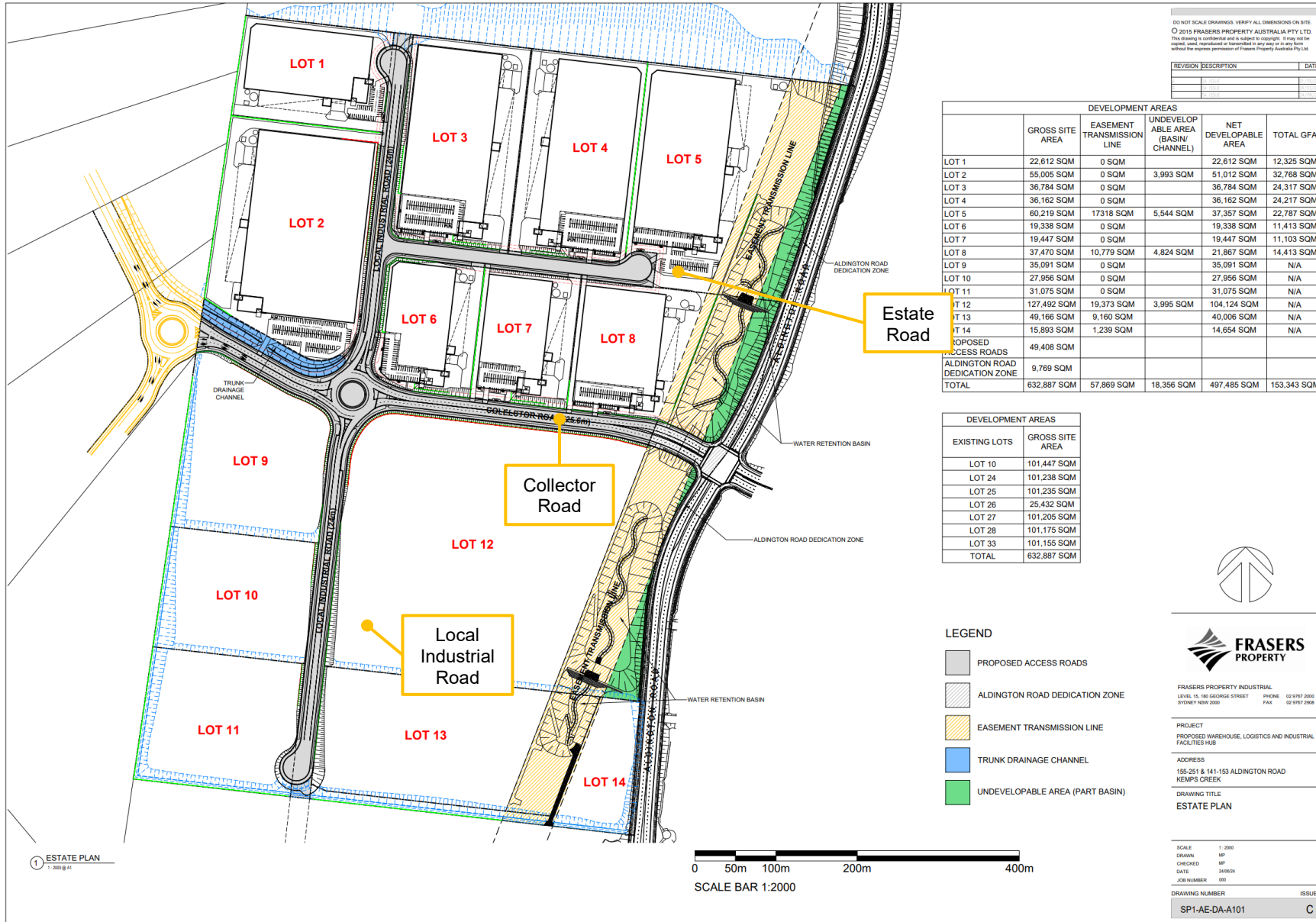


Figure 1: Site Plan

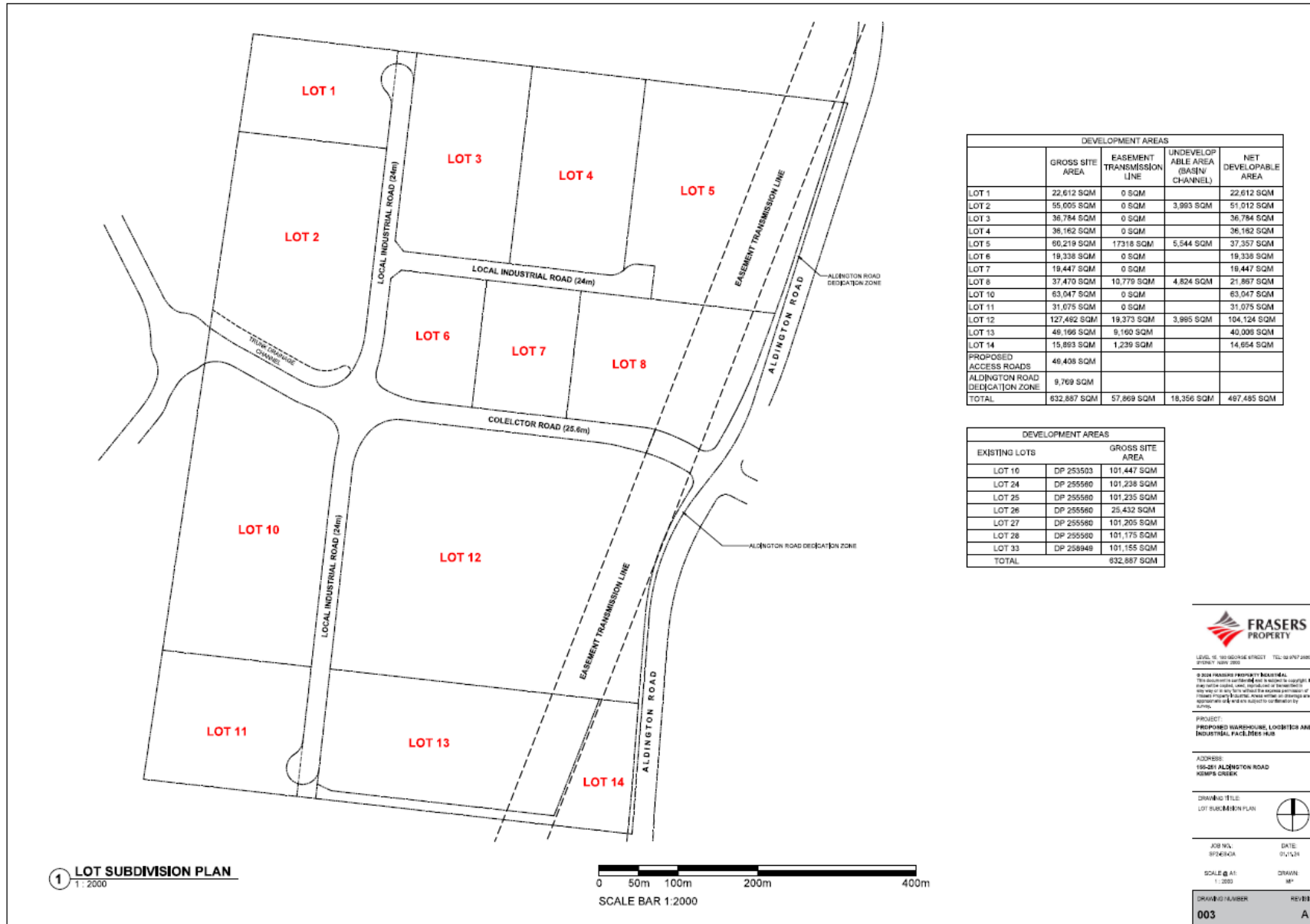


Figure 2: Subdivision Plan

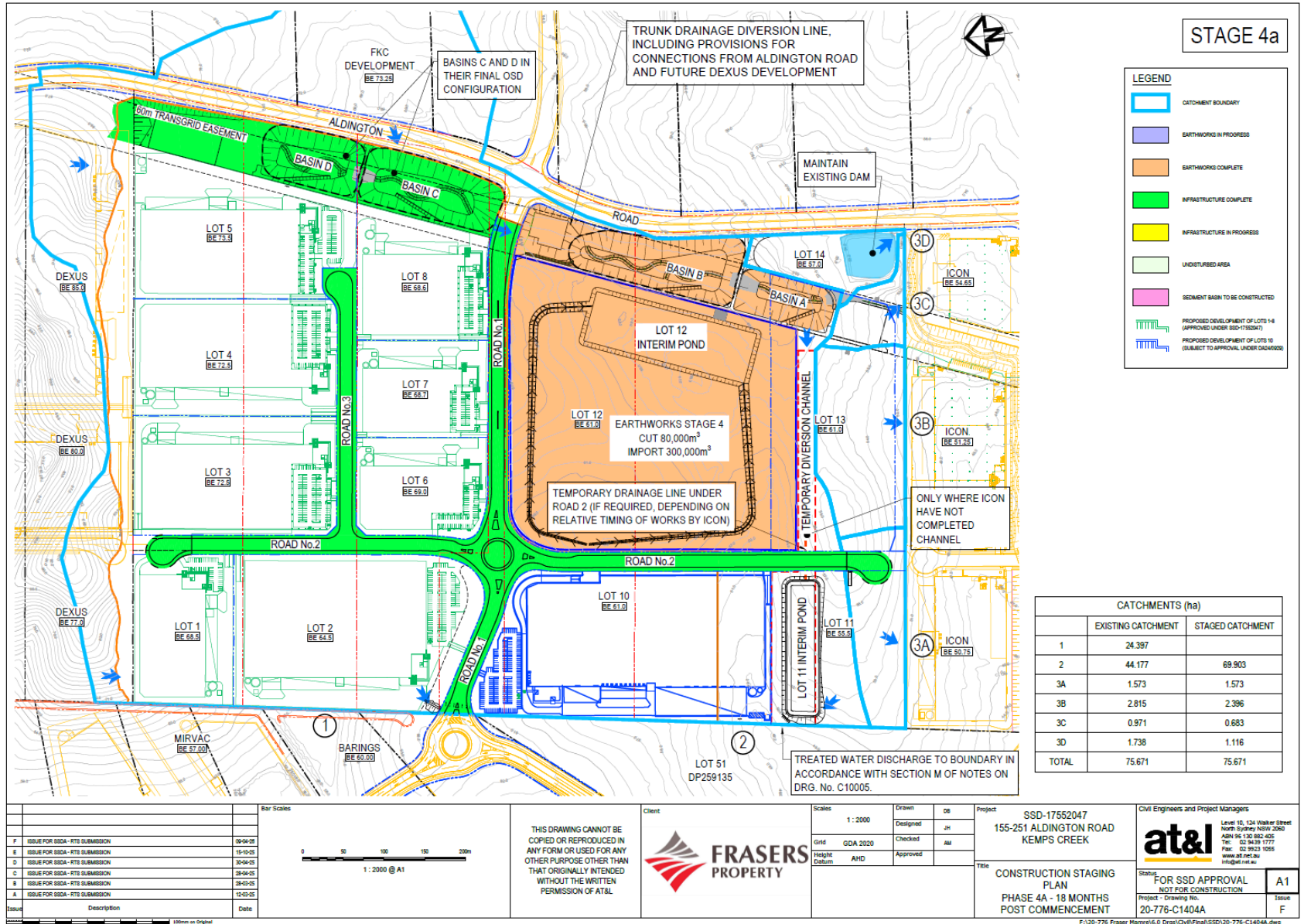


Figure 3: Stormwater Management System - Stage 4A (Interim)

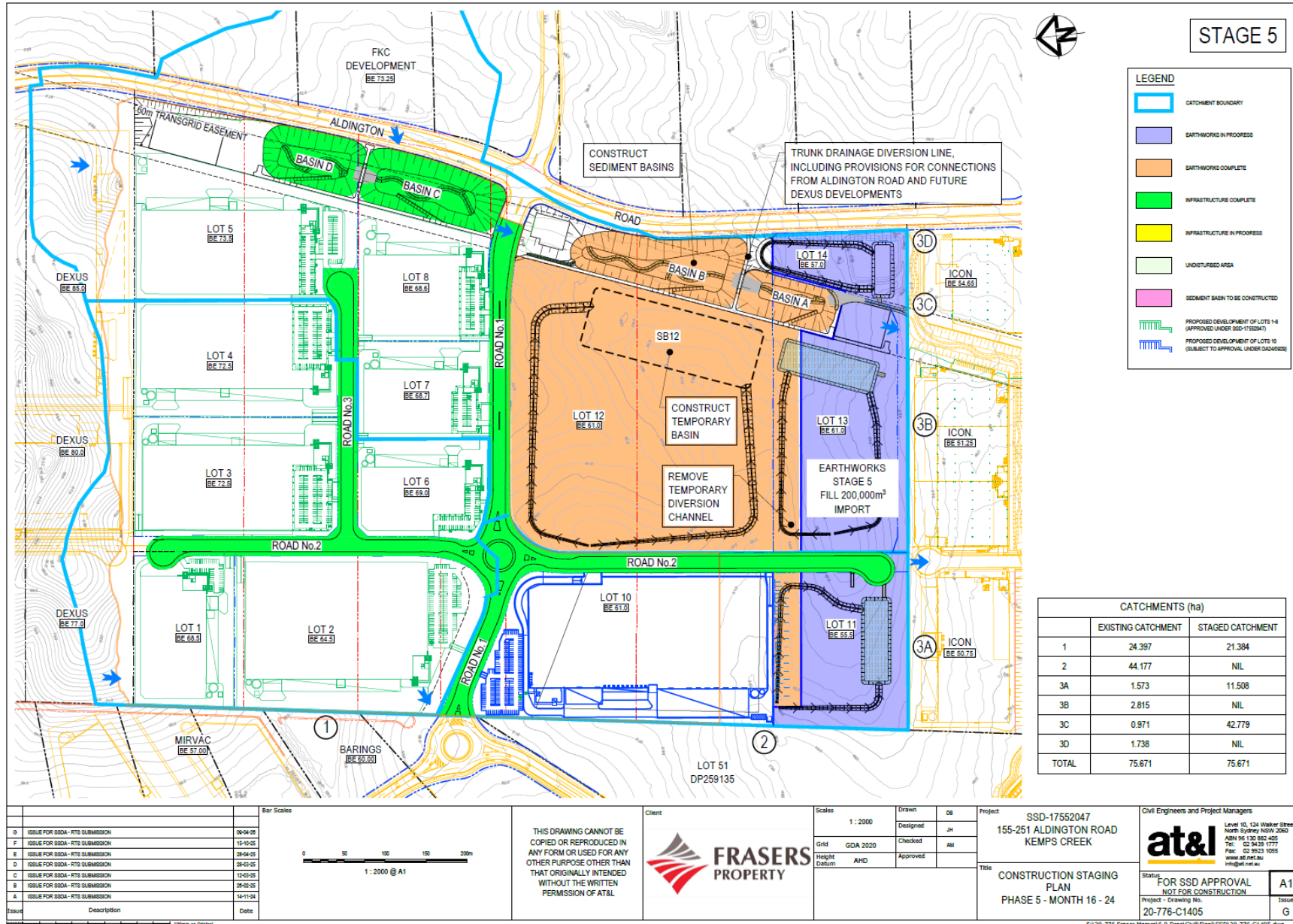


Figure 4: Stormwater Management System – Stage 5 (Ultimate)

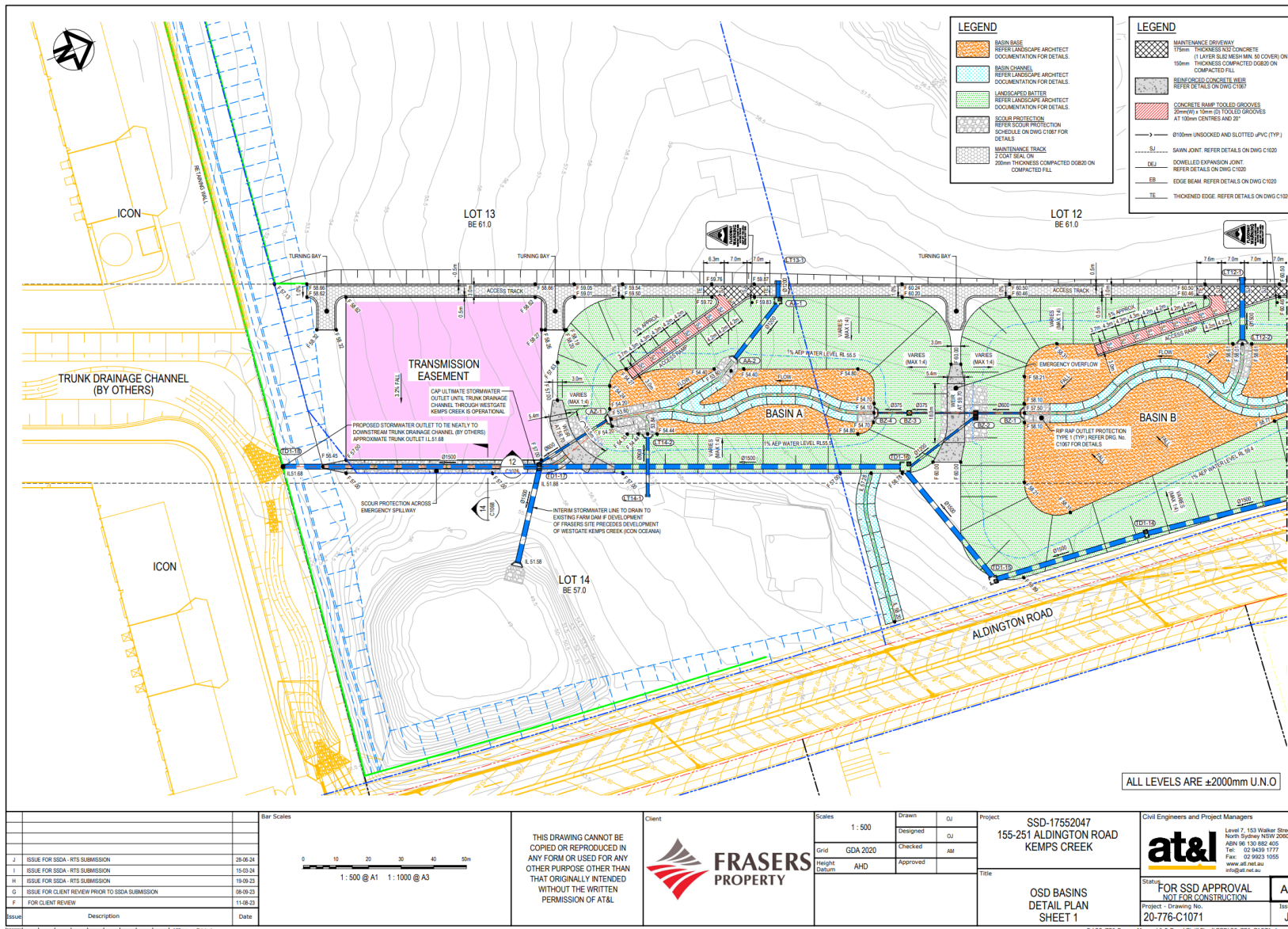


Figure 5: Proposed Stormwater Basins in Transgrid Easement

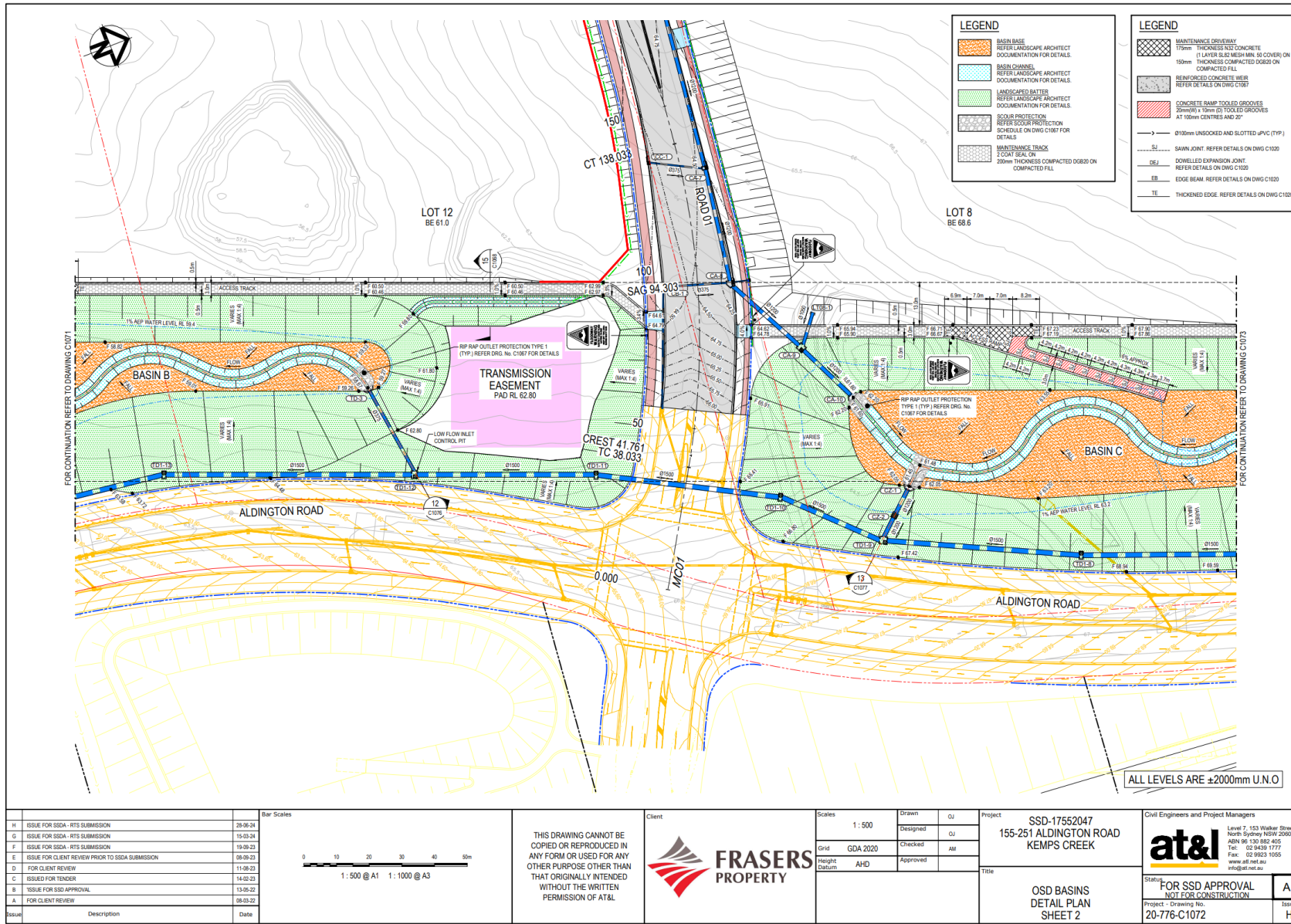


Figure 6: Proposed Stormwater Basins in Transgrid Easement

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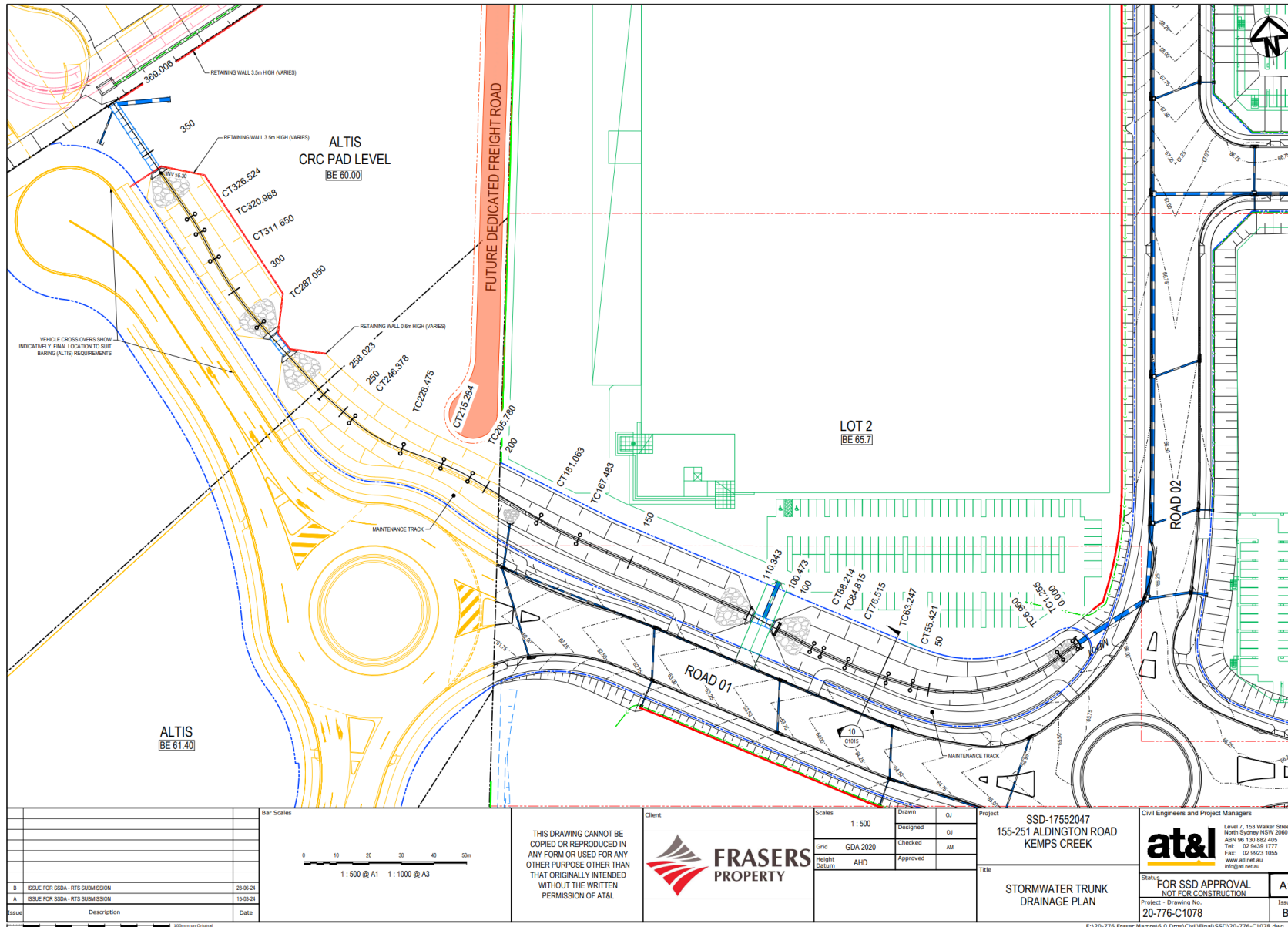


Figure 8: Proposed Naturalised Trunk Drainage Channel to the south of Warehouse 2

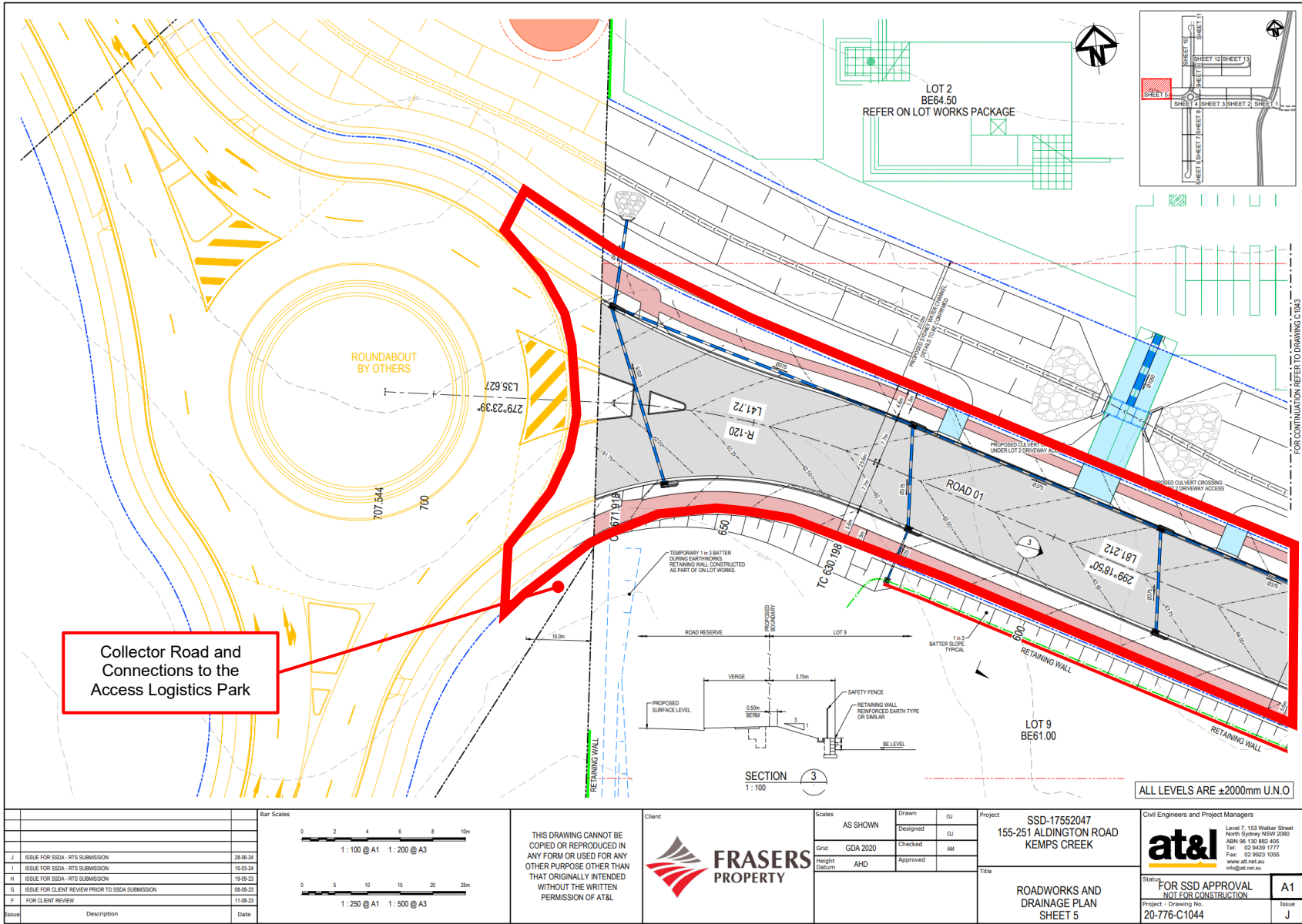
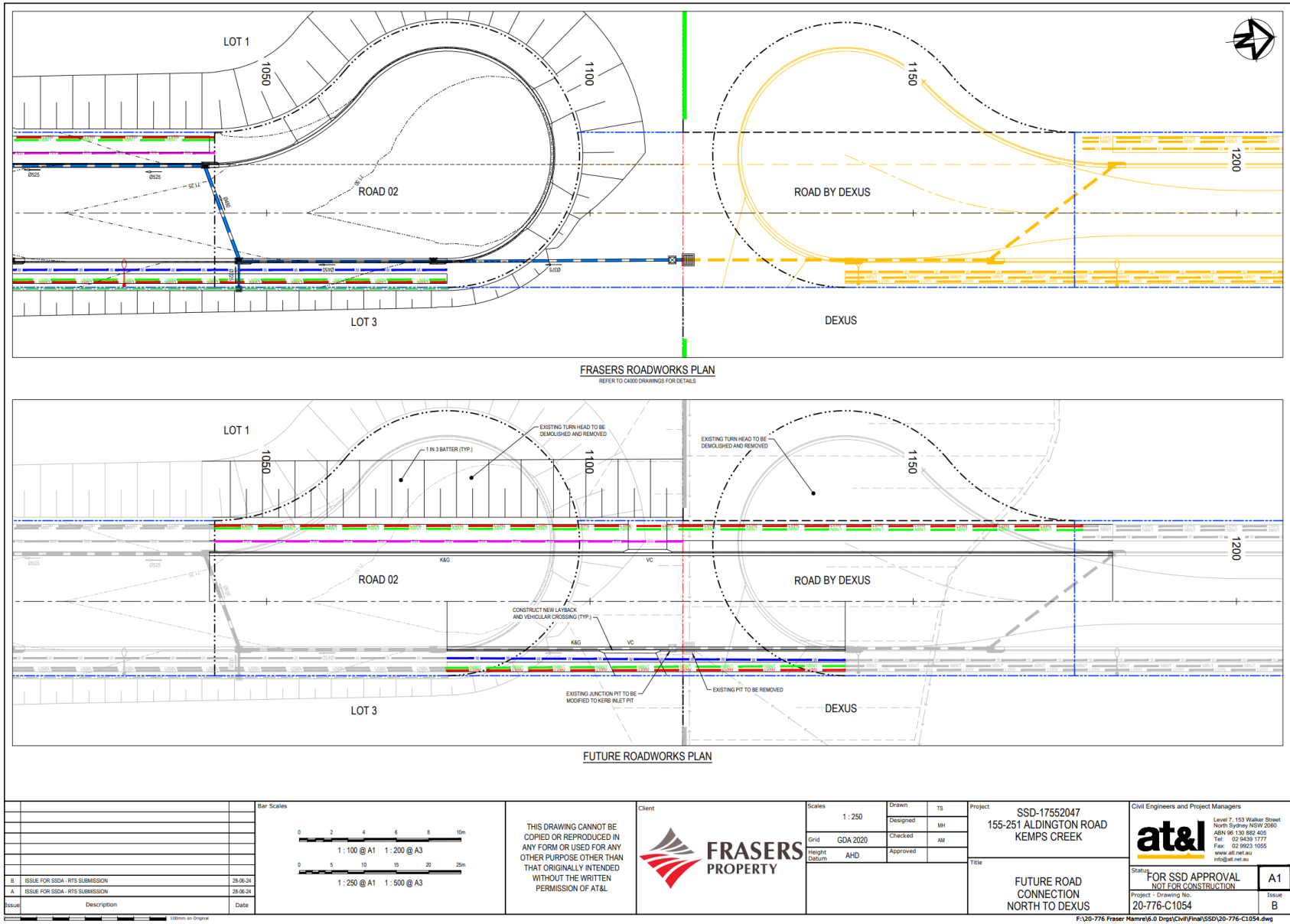
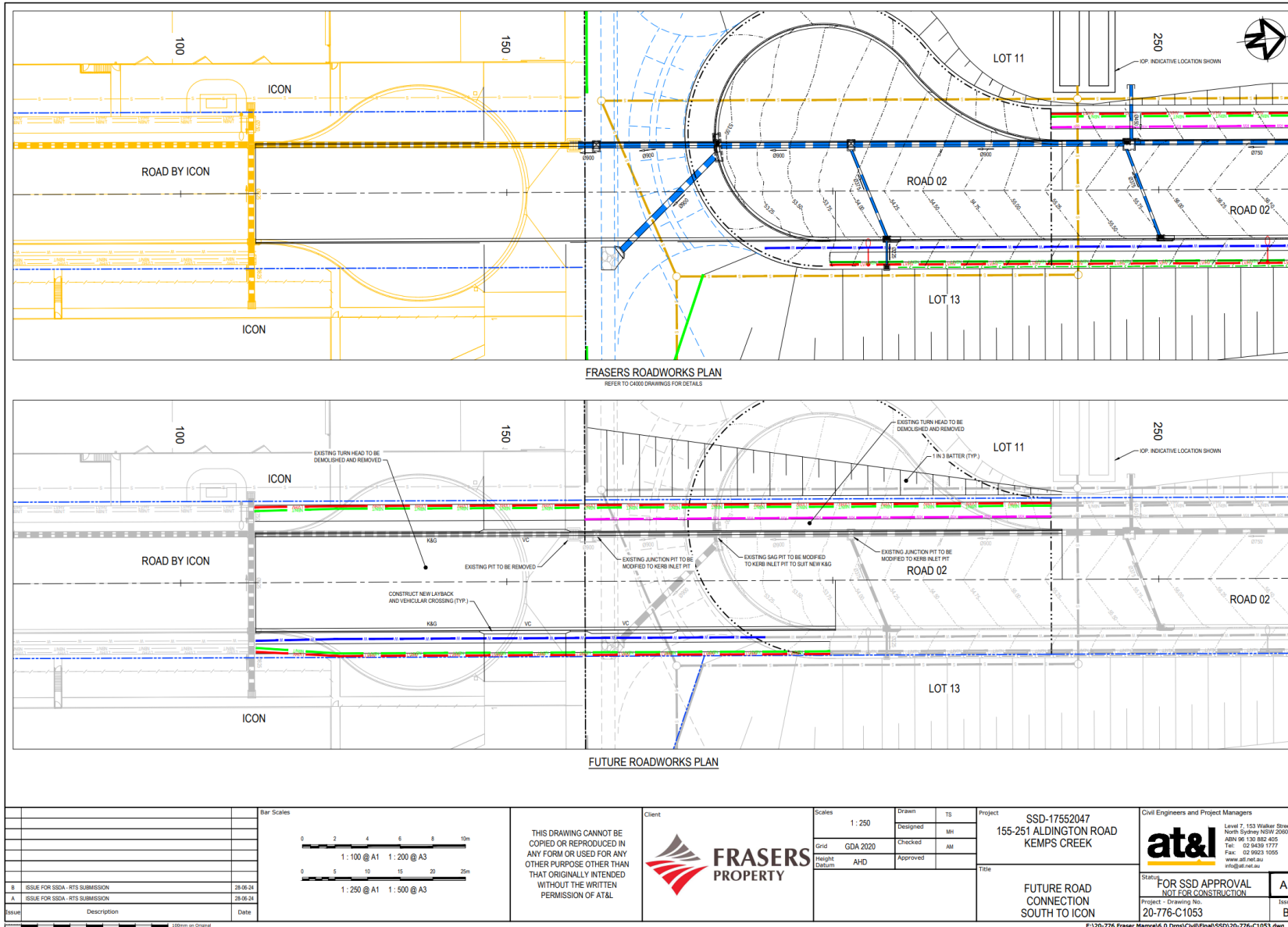


Figure 9: Proposed Eastern Leg of the Roundabout straddling between the Access Logistics Park and the Edge Estate



**Figure 10:** Temporary Local Industrial Road Turning Heads and Future Connections to the 113-153 Aldington Road Estate



**Figure 11:** Temporary Local Industrial Road Turning Heads and Future Connections to the Westgate Estate

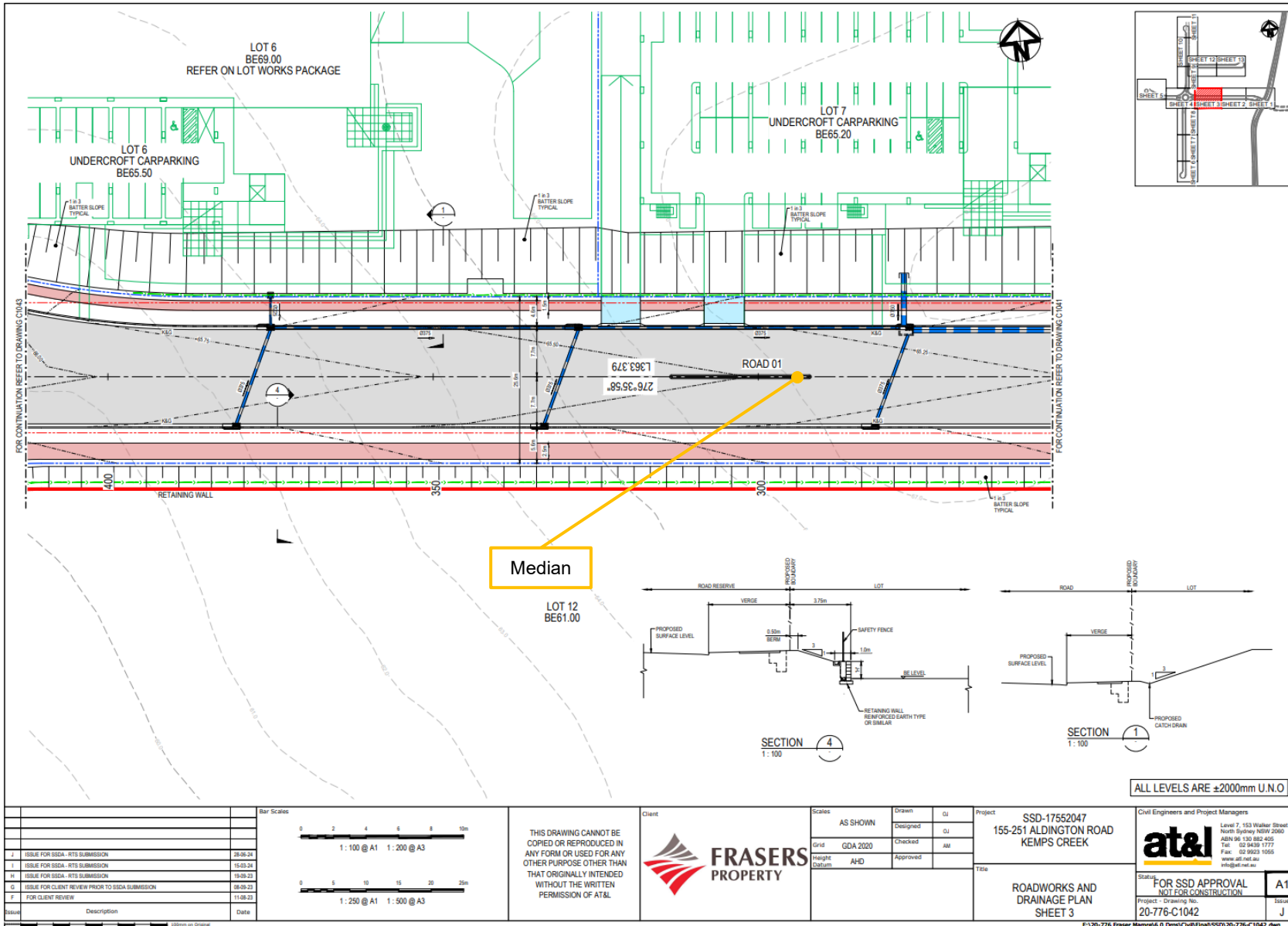


Figure 12: Median on Collector Road near Lot 7 Car Park

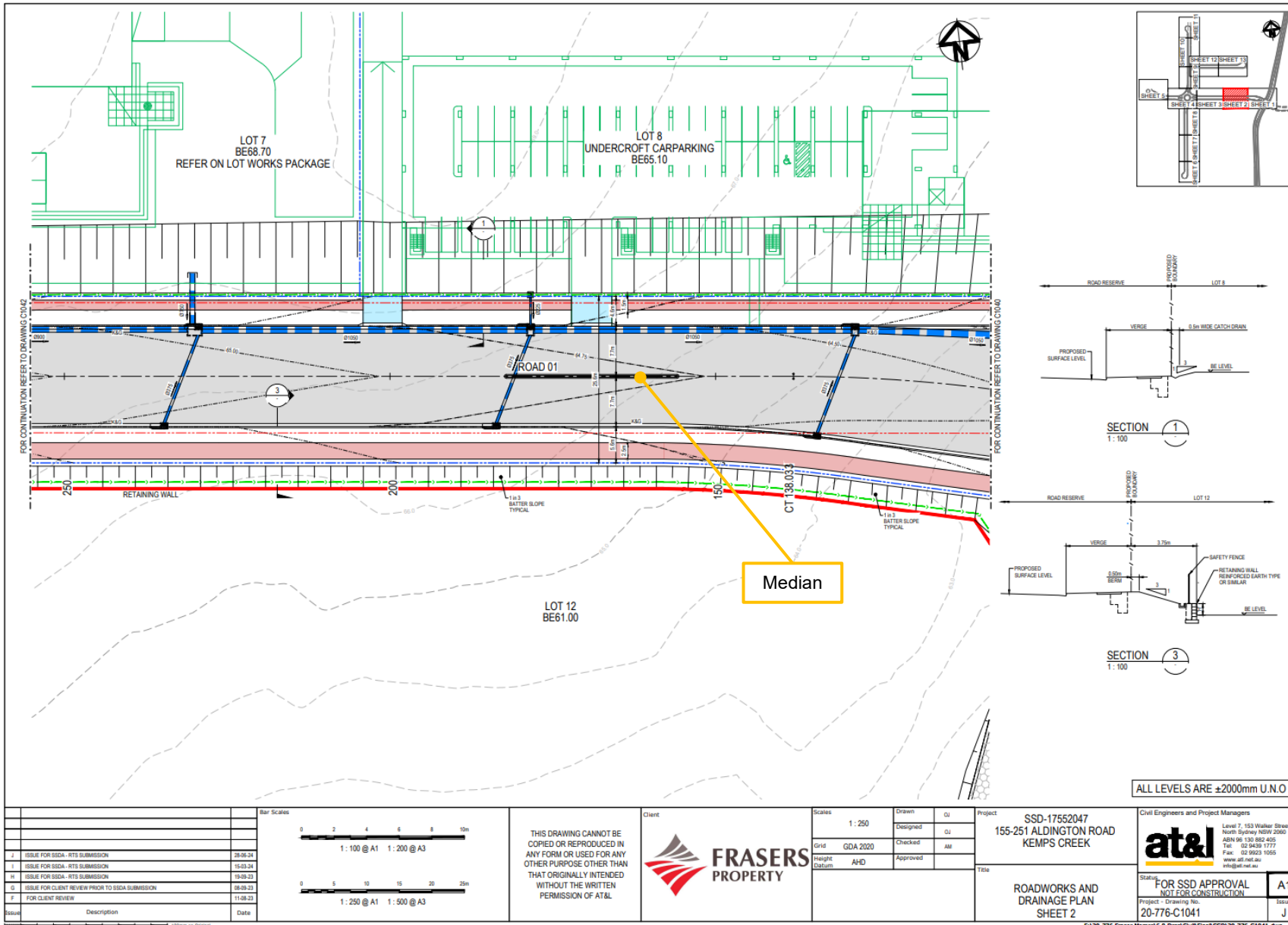


Figure 13: Median on Collector Road near Lot 8 Car Park

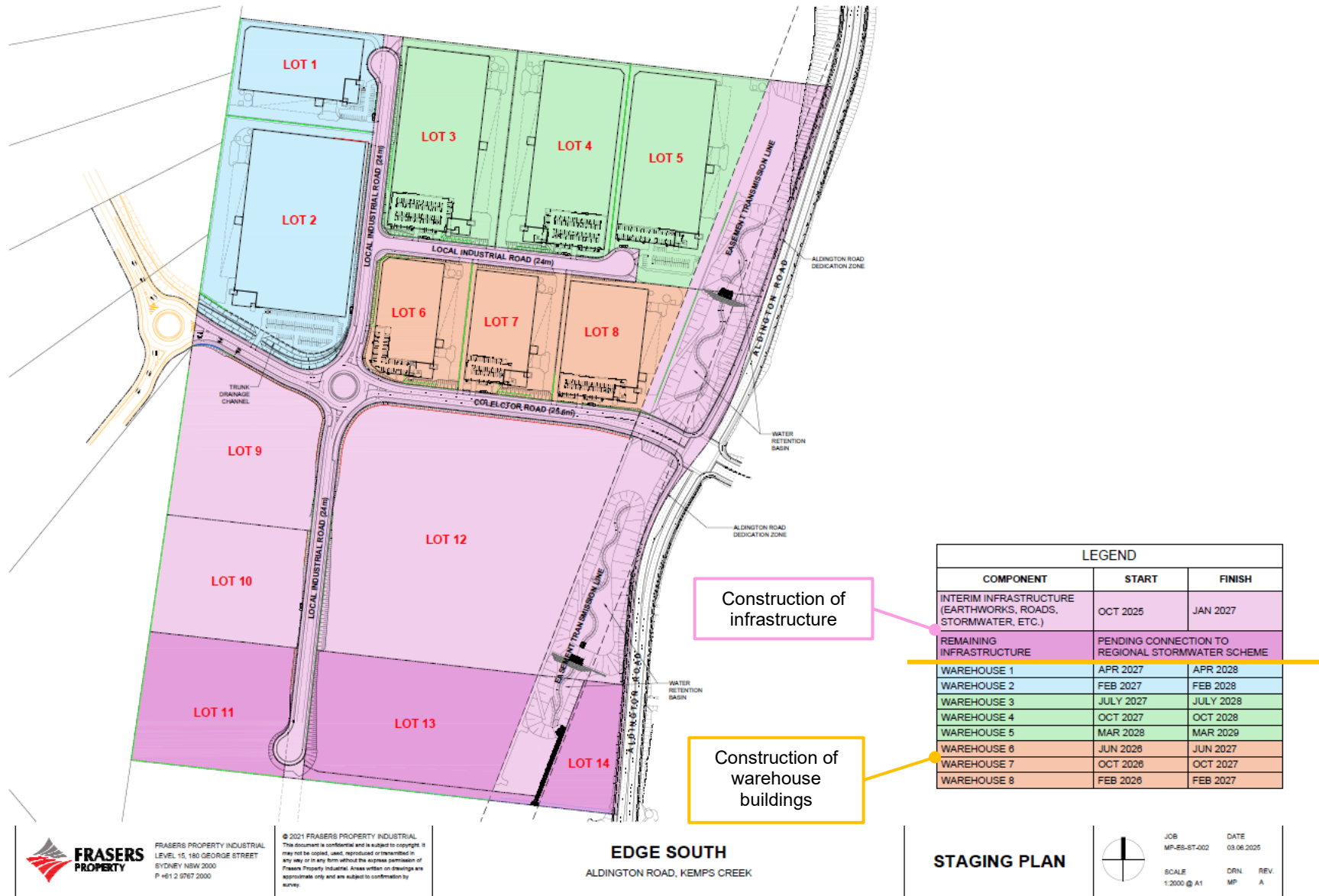


Figure 14: Construction Staging Plan

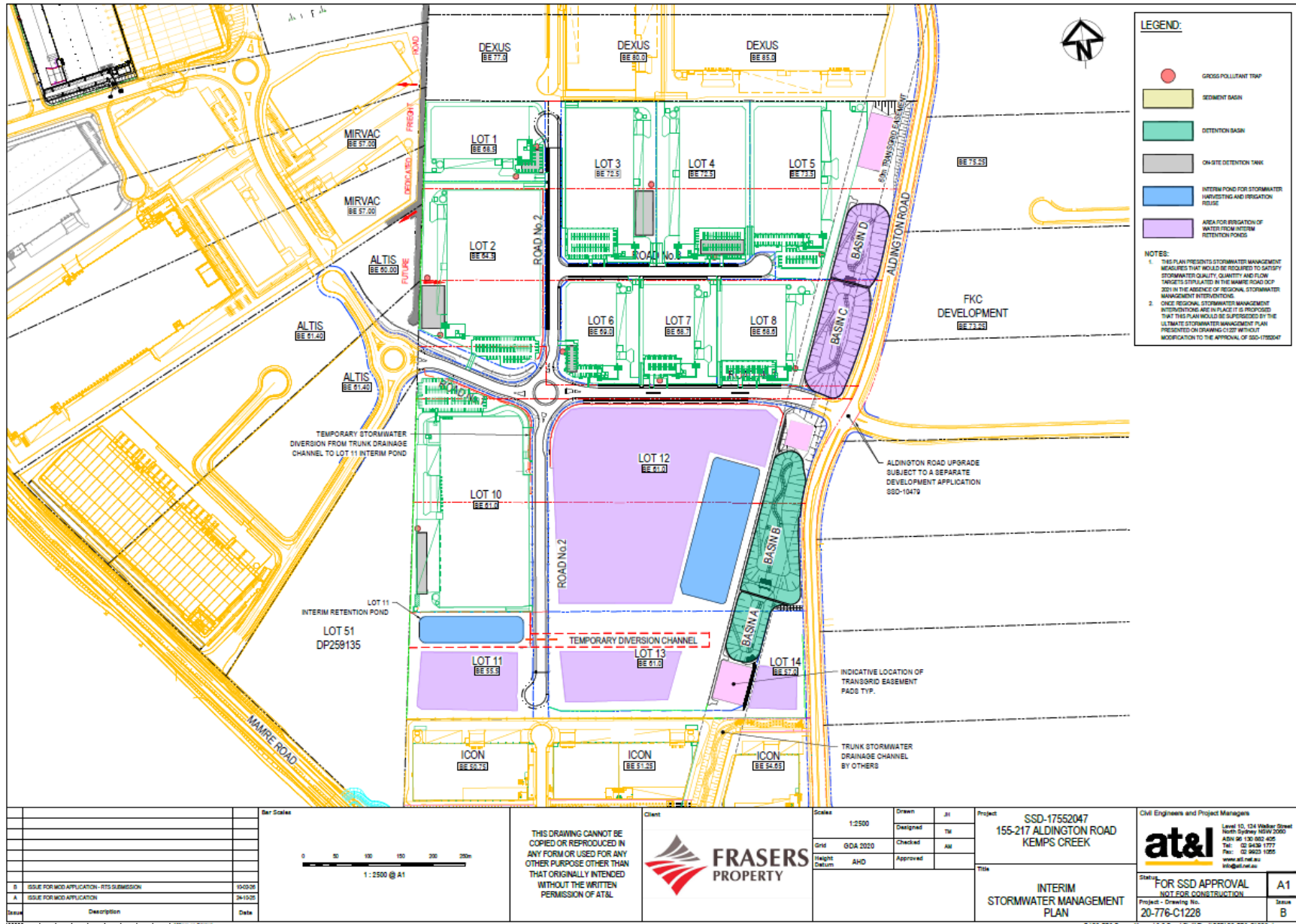


Figure 15: Interim Stormwater Management Plan

## APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

### Revised Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed below. These measures have been derived from the assessment in Section 6.0 of the EIS and those detailed in appended consultants' reports.

Ref No.	Potential Impact	Stage of Project	Mitigation Measure
<b>Safety, Security and Crime Prevention</b>			
SSCP-1	Crime Risk	Operation	<ul style="list-style-type: none"> <li>The Applicant will ensure the recommendations of the Crime Risk Assessment Report provided in Appendix L of the Amendment Report are incorporated into the development.</li> </ul>
<b>Contamination</b>			
C-1	Asbestos Management	Construction	<ul style="list-style-type: none"> <li>An AMP/ARCP with an asbestos register to document the location, condition and relevant applicable controls required to be implemented during works involving asbestos;</li> </ul>
C-2	Unexpected Finds	Construction	<ul style="list-style-type: none"> <li>An unexpected finds protocol (UFP) will be developed and implemented prior to commencement of works. The UFP will provide a protocol for management of any unexpected finds encountered during the remediation/redevelopment of the site; and</li> </ul>
C-3	Work Health and Safety	Construction	<ul style="list-style-type: none"> <li>A WHSP to document the procedures to be followed to manage the risks posed to the health of the remediation workforce.</li> </ul>
<b>Soil and Water</b>			
SW-1	Stormwater Maintenance		<p>An Inspection and Maintenance Plan will be prepared and lodged with the construction certificate for the subdivision works once final design details and the extent and layout of all proposed water management measures is confirmed. It is anticipated that the Inspection and Maintenance Plan would be prepared using current best practice guidance such as Water sensitive urban design inspection and maintenance guidelines (Penrith City Council, 2022) and would describe:</p> <ul style="list-style-type: none"> <li>The functional components of each water management measure.</li> <li>Expertise required to inspect, maintain and (where necessary) repair or replace components.</li> <li>Minimum required frequency of inspection, repair or replacement activities.</li> </ul>
			<ul style="list-style-type: none"> <li>Inspection and maintenance forms that list all necessary activities and contain a record of activities completed.</li> </ul>
SW-2	Erosion and Sediment Control Maintenance		<p>The Contractor will be required to inspect the Site after every rainfall event and at least weekly, and will:</p> <ul style="list-style-type: none"> <li>Inspect and assess the effectiveness of the ESCP and identify any inadequacies that may arise during normal work activities or from a revised construction methodology.</li> <li>Construct additional erosion and sediment control works as necessary to ensure the desired protection is given to downstream lands and waterways.</li> <li>Ensure that drains operate properly and to affect any repairs.</li> <li>Remove spilled sand or other materials from hazard areas, including lands closer than 5 metres from areas of likely concentrated or high velocity flows especially waterways and paved areas.</li> <li>Remove trapped sediment whenever less than design capacity remains within the structure.</li> <li>Ensure rehabilitated lands have affectively reduced the erosion hazard and to initiate upgrading or repair as appropriate.</li> <li>Maintain erosion and sediment control measures in a fully functioning condition until all construction activity is completed and the Site has been rehabilitated.</li> <li>Remove temporary soil conservation structures as the last activity in the rehabilitation.</li> <li>Inspect the sediment basin during the following periods: 4 During construction to determine whether machinery, falling trees, or construction activity has damaged and components of the sediment basin. If damage has occurred, repair it. 4 After each runoff event, inspect the erosion damage at flow entry and exit points. If damage has occurred, make the necessary repairs. 4 At least weekly during the nominated wet season (if any), otherwise at least fortnightly; and 4 Prior to, and immediately after, periods of 'stop work' or Site shutdown.</li> <li>Clean out accumulated sediment when it reaches the marker board/post and restore the original volume. Place sediment in a disposal area or, if appropriate, mix with dry soil on the Site.</li> <li>Do not dispose of sediment in a manner that will create an erosion or pollution hazard.</li> <li>Check all visible pipe connections for leaks, and repair as necessary.</li> <li>Check all embankments for excessive settlement, slumping of the slopes or piping between the conduit and the embankment, make all necessary repairs.</li> <li>Remove the trash and other debris from the basin and riser; and</li> <li>Submerged inflow pipes must be inspected and de-silted (as required) after each inflow event.</li> </ul>
SW-3	Sediment Basin Maintenance		<ul style="list-style-type: none"> <li>The proposed development site contains 'Type F' soils, or soils that contain a significant proportion of fine grained (33% or more of finer than 0.02mm) and require a much longer residence time to settle. Stormwater within the settling zone is to be drained or pumped out within 5 days (design time), if the nominated water quality targets can be met, to the satisfaction of the superintendent. Flocculation should be employed where extended settling is likely to fail to meet the objectives within the 5-day period. Flocculation is when flocculating agents are applied to the sediment basins causing the colloidal particles to clump into larger units or 'floc' that can either settle in a reasonable time or be filtered.</li> </ul>
SW-4	Erosion and Sediment Control Performance Assessment		<ul style="list-style-type: none"> <li>As required by IECA Appendix B (2018), ongoing review of sediment basin performance will need be carried out throughout the construction phase of the development. As noted in IECA Appendix B, 'sediment basins are not designed to achieve a specific water quality; rather, they are designed to either</li> </ul>

capture and treat a specific volume of runoff, or to treat discharges up to a specified peak flow'. Considering this, site specific water quality management practices such as those suggested in IECA Appendix B will need to be implemented by the Contractor responsible for implementation of the ESCP. Demonstration of adaptive management practices and decision-making processes will provide greater certainty that all reasonable and practicable actions are being undertaken to minimise potential impacts associated with release of sediment laden water from the site.

Waste Management			
WM-1	Demolition and Construction Waste Reduction	Demolition and Construction	<p>Waste-type-specific reduction measures will be employed during demolition and construction stages, with the following specific procedures:</p> <ul style="list-style-type: none"> <li>• Applying practical building designs and construction techniques;</li> <li>• Appropriate sorting and segregation of demolition and construction wastes to ensure efficient recycling of wastes;</li> <li>• Selecting construction materials taking into consideration to their long lifespan and potential for reuse;</li> <li>• Ordering materials to size and ordering pre-cut and prefabricated materials;</li> <li>• Reuse of formwork (where possible);</li> <li>• Planned work staging;</li> <li>• Reducing packaging waste on-site by returning packaging to suppliers where possible, purchasing in bulk, requesting cardboard or metal drums rather than plastics, requesting metal straps rather than shrink wrap and using returnable packaging such as pallets and reels;</li> <li>• Careful on-site storage and source separation;</li> <li>• Subcontractors informed of site waste management procedures; and</li> <li>• Coordination and sequencing of various trades.</li> </ul>
WM-2	Demolition and Construction Waste Reuse	Demolition and Construction	<p>The anticipated beneficial reuses of demolition and construction waste are summarised as follows:</p> <ul style="list-style-type: none"> <li>• All solid waste timber, concrete, tiles and rock that cannot be reused or recycled will be taken to an appropriate facility for treatment to recover further resources or for disposal to landfill in an approved manner;</li> <li>• All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with SafeWork Authority and EPA requirements;</li> <li>• Portable, self-contained toilet and washroom facilities will be provided at the site and will be regularly emptied and serviced by a suitably qualified contractor;</li> <li>• Provision for the collection of batteries, fluorescent tubes and other recyclable resources will be provided onsite to enable off-site recycling;</li> <li>• Drink container recycling should be provided onsite or these items sorted offsite for recycling at an appropriately licensed facility;</li> <li>• All garbage will be disposed of via a council approved system; and</li> <li>• Opportunities for materials exportation and reuse with other local construction operations will be investigated.</li> </ul>
WM-3	Operational Waste Reduction	Operation	<p>Waste-type-specific reduction measures will be employed during development operation, with the following specific procedures:</p> <ul style="list-style-type: none"> <li>• Provision of take back services to clients to reduce waste further along the supply chain;</li> <li>• Re-work/re-packaging of products prior to local distribution to reduce waste arising;</li> <li>• Review of packaging design to reduce waste but maintain 'fit for purpose';</li> <li>• Investigating leased office equipment and machinery rather than purchase and disposal;</li> <li>• Establish systems with in-house and with supply chain stakeholders to transport products in re-useable packaging where possible;</li> <li>• Development of 'buy recycled' purchasing policy;</li> <li>• Flatten or bale cardboard to reduce number of bin lifts required; and</li> <li>• Providing recycling collections within each of the offices and tearooms (e.g. plastics, cans and glass).</li> </ul>
WM-4	Operational Waste Reuse	Operation	<p>The anticipated beneficial reuses of operational waste are summarised as follows:</p> <ul style="list-style-type: none"> <li>• Cardboard, paper, plastic, glass, cans and pallets and containers will be reused/recycled offsite;</li> <li>• Provision for the collection of batteries, fluorescent tubes and other recyclable resources will be provided on site to enable off-site recycling;</li> <li>• All waste materials that cannot be reused or recycled will be taken to an appropriate facility for treatment to recover further resources or for disposal to landfill in an approved manner;</li> <li>• Waste oil (if any) used in equipment maintenance will be recycled or disposed of in an appropriate manner; and</li> <li>• Opportunities for materials exportation and reuse with other local industrial operations will be investigated. This will have two benefits: minimising energy through reduction of material reprocessing, encouraging material reuse.</li> </ul>
WM-5	Waste Classification	Operation	<p>All liquid and non-liquid wastes generated during development construction works (if any) shall be classified in accordance with the requirements of NSW EPA (2014) Waste Classification Guidelines, Part 1: Classifying Waste.</p>
WM-6	Waste Transporting	Operation	<p>All wastes removed from the site shall be transported in accordance with relevant road and transportation regulatory requirements. Where required (depending on the classification of the wastes), appropriately licensed transport contractors shall be used. The appointed transporters shall be responsible for ensuring they are appropriately licensed to:</p> <ul style="list-style-type: none"> <li>• Carry the particular type of waste; and</li> <li>• Transport the materials to an appropriately licensed facility.</li> </ul>

Noise and Vibration			
NV-1	Construction Noise Control	Construction	<p>The following general acoustic treatments and management principles are to be implemented:</p> <ul style="list-style-type: none"> <li>• The conditioned construction hours would be as follows: Monday to Friday 7 am to 6 pm Saturday 8 am to 1 pm No work on Sundays or public holidays</li> <li>• If further noise mitigation is required, acoustic barriers around the perimeter of the site can be installed during the works. If further noise reductions are required, install additional screening around noise sensitive areas.</li> <li>• Workers or delivery trucks do not congregate at or outside the site before 7am. This is an important factor in managing noise from the site.</li> </ul>

			<ul style="list-style-type: none"> <li>Assign the task of managing noise emissions to a person (the 'responsible person') that is likely to be present on-site most of the time that activity is occurring (usually the Site Manager). This person would be responsible for handling noise complaints, and ensuring that work does not commence before the specified allowable times. The name and contact details of the 'responsible person' should be displayed outside the principal construction office.</li> <li>If complaints arise regarding noise, the complaint will be directed to the 'responsible person', who will determine the source of the noise, and take immediate steps to investigate further or mitigate the noise as required. This may involve moving the noise source further away from affected premises, replacing the equipment, installing high performance silencers, or in some cases, engaging a qualified acoustic consultant to provide specialist control advice.</li> <li>The Responsible Person should notify the adjacent residential premises of the intention to commence work that may cause adverse impacts on surrounding residents. If plant is to be operated in close proximity to residential premises, the Responsible Person should advise the occupants of the premises the length of time that the plant will be in operation proximate to the property boundary.</li> <li>Any moveable plant (e.g. compressors) should be located as far as practical from the residential premises.</li> <li>The Responsible Person maintain a record of complaints, which records the following details (refer to the example complaint record sheet in the appendix to this plan): <ul style="list-style-type: none"> <li>The time and date of lodgement of the complaint;</li> <li>The name and telephone number of the complainant;</li> <li>The nature of the complaint, including a description of the noise (e.g. likely noise source, duration of the noise event - is the noise continuous, or of a short duration);</li> <li>The outcome of the investigation.</li> </ul> </li> <li>If a complaint is raised regarding a particular piece of plant, the plant shall be inspected for working condition, with particular attention given to the condition of engine covers or enclosures, and exhaust system. If machinery is in good condition, a high performance silencer should be installed.</li> </ul>
NV-2	Construction Noise Monitoring	Construction	<ul style="list-style-type: none"> <li>If required, short-term operator-attended noise measurements will be suitable for investigating 'spot-checks' of noise complaints in most situations. The methodology must establish the difference between the ambient noise level and the noise source being investigated and check for compliance. For ongoing noise complaints, we recommend long term noise monitoring at the nearest receiver locations with fortnightly reporting.</li> <li>Equipment, parameters and procedures for measuring noise should be conducted in reference to the recommendations of the Construction Noise and Vibration Assessment.</li> </ul>
NV-3	Vibration Dilapidation Assessments	Construction	The following numbered locations in the below image must have a dilapidation assessment before works proceed.



NV-4	Vibration Control	Construction	<ul style="list-style-type: none"> <li>To minimise exceedances, monitoring equipment shall include SMS alert to the site manager and project staff including the acoustic consultant. Where an alert indicates exceedance of the criteria, use of the onsite plant responsible for the vibration shall cease until the cause is identified and mitigated. Alternative construction methods may be required if problems are identified onsite.</li> </ul>
NV-5	Vibration Management	Construction	<ul style="list-style-type: none"> <li>Allowable construction hours as follows: Monday to Friday 7 am to 6 pm Saturday 8 am to 1 pm No work on Sundays or public holidays</li> <li>Assign the task of managing vibration complaints or recorded exceedance of the criteria to a person (the 'responsible person') that is likely to be present on-site most of the time that activity is occurring (usually the Site Manager). This person would be responsible for handling vibration complaints and ensuring that work does not commence before the specified allowable times. The name and contact details of the 'responsible person' should be displayed outside the principal construction office.</li> <li>If complaints arise regarding vibration, the complaint will be directed to the 'responsible person', who will determine the source of the vibration or engage the acoustic consultant to investigate immediately. This may involve moving the vibration source further away from affected premises, replacing the equipment, operating at a reduced speed, or excavating a ditch 0.5 metre wide and 1 metre deep between the receiver and the site.</li> <li>The Responsible Person should notify the adjacent residential premises of the intention to commence work that may cause adverse impacts on surrounding residents. If plant is to be operated in close proximity to residential premises, the Responsible Person should advise the occupants of the premises the length of time that the plant will be in operation proximate to the property boundary.</li> </ul>

			<ul style="list-style-type: none"> <li>Any moveable vibrating plant (e.g. compressors) should be located as far as practical from the adjacent residential premises.</li> <li>The Responsible Person maintain a record of complaints, which records the following details (refer to the example complaint record sheet in the appendix to this plan): <ul style="list-style-type: none"> <li>The time and date of lodgement of the complaint;</li> <li>The name and telephone number of the complainant;</li> <li>The nature of the complaint, including a description of the vibration (e.g. likely vibration source, duration of the event - is the vibration continuous, or of a short duration);</li> <li>The outcome of the investigation.</li> </ul> </li> <li>If a complaint is raised regarding a particular piece of plant, the plant shall be inspected for working condition, with particular attention given to the condition of equipment operating components. If machinery is in good condition, attended vibration measurements shall be undertaken to determine the cause with recommendations provided by a qualified acoustic consultant to rectify the situation.</li> </ul>
NV-6	Maximum Vibration Levels	Construction	<ul style="list-style-type: none"> <li>Based on inspection of the surrounding buildings, the maximum allowable levels would be a peak particle velocity of 6mm/s. If monitors are installed onsite they shall be set to a maximum limit of 3mm/s to provide adequate warning and to avoid exceedances of the maximum noise limits.</li> </ul>
NV-7	Vibration Monitoring Procedure	Construction	<p>To ensure the vibration monitoring is effective, the following is to be implemented for any vibration modelling:</p> <ul style="list-style-type: none"> <li>All vibration monitors will be set to a maximum measurement interval of 5 minutes and record over the construction period commencing at 6am to 7pm every day.</li> <li>The client shall provide a list of relevant construction staff (including mobile phone numbers) working on the project to be notified of exceedance of the nominated vibration levels.</li> <li>All vibration monitors will be fitted with an internal SMS warning system (allow the unit to send SMS notification of vibration levels when the nominated level is exceeded). The SMS warning from the vibration monitors will go out to all staff who have provided their mobile numbers for use for notifications from the vibration monitor.</li> <li>The vibration monitor will be set to provide vibration impact warnings at 2/3 of the criteria (10mm/s), this will allow staff to be notified of vibration levels and take a proactive approach before the criteria is exceeded. The Acoustic consultant will also have a minimum of 2 staff nominated on the warning system.</li> <li>The vibration monitors will be installed with additional battery packs to extend the operation of the monitor to a minimum of 6 weeks with recharge.</li> <li>Regardless of warning or notification, the vibration monitor will be downloaded on a monthly basis with a monthly report provided to the client, the report will be suitable for submission to council.</li> </ul>
NV-8	Procedure for measuring Vibration	Construction	<ul style="list-style-type: none"> <li>Vibration is required to be measured at any complainants property with the geophone located at the nearest point of the dwelling to the site. The geophone can be fixed to the ground using mounting spikes in line with the nearest point of the development or fixed directly to dwelling, note that relocation of the geophone may be required to be representative of the nearest location of works being conducted onsite. Note multiple vibration monitors (two) are recommended to avoid the need for relocating the geophone multiple times.</li> <li>Measurements of construction vibration should be undertaken at the time(s) when the site is operating during the approved construction hours. If attended vibration measurements are required, they should be</li> </ul>
			<p>representative of the current maximum level of activity from the site, or at times when complaint has been received.</p> <ul style="list-style-type: none"> <li>Any reporting should be concise. The minimum requirements to be included in a report are; <ul style="list-style-type: none"> <li>Date and duration of measurements.</li> <li>Time of measurements or measurement period.</li> <li>Person(s) performing measurements or placing equipment used for long term monitoring.</li> <li>Equipment used for measurements.</li> <li>Location of measurements including photos.</li> <li>Measured values including graphed PPV for the period of monitoring.</li> <li>Corrected values (where applicable).</li> <li>Notes regarding vibrating sources.</li> <li>Notes regarding any extraneous sources that may have influenced measurements.</li> <li>Detail of instrumentation and calibration.</li> <li>Meteorological conditions.</li> <li>Explanation of any high levels below the criteria including exceedances</li> <li>Action taken for any exceedance including changes to site operations</li> </ul> </li> </ul>
NV-9	Interim Noise Impact	Operation	<ul style="list-style-type: none"> <li>Acoustic barriers shall be constructed to the height and extent shown below. The barriers will vary for each stage of the project. The acoustic barriers should be constructed using either masonry, 9mm fibre cement sheet, Hebel, or other materials with a minimum surface density of 9kg/m<sup>2</sup> and shall be free of gaps and holes.</li> <li>All acoustic barriers walls are only required while the residential dwellings adjacent the site boundaries are occupied. As the surrounding dwellings are confirmed to have been purchased for future industrial development with SSDAs lodged over the land, the barriers may be of temporary construction on the condition the requirements outlined in the points above are met. When a given residential dwelling has been purchased for a further industrial development and is no longer occupied by residents, the corresponding acoustic barrier/retaining wall may be removed. Note that all receivers with the exception of Receivers 3 and 5 are predicted to satisfy the criteria without the need for acoustic barriers.</li> </ul>



- Interim Acoustic Barrier 3m above existing boundary RL (required under the assumption Receiver 3 remains residential)
- Interim Acoustic barrier 2.1m above adjacent concrete pad RL (required under the assumption Receiver 5 remains residential).

<b>NV-10</b>	Minimum Building Construction	Operation	<ul style="list-style-type: none"> <li>• Warehouses shall be constructed using concrete tilt walls to a height of 2.4m above pad level RL, with the remainder of the construction to use standard sheet metal construction.</li> </ul>
<b>NV-11</b>	Noise Allocation for Lots	Operation	<ul style="list-style-type: none"> <li>• To determine the criteria for assessing an individual proposed use, we recommend applying the below formula at each receiver and for each time period.               <ul style="list-style-type: none"> <li>- Criteria = <math>PNTL_{period} + 10 \log (A_{lot} / A_{total})</math></li> <li>- Where:                   <ul style="list-style-type: none"> <li>- <math>PNTL_{period}</math> is the project noise trigger level as nominated in the ONA</li> <li>- <math>A_{lot}</math> is the lot area of the individual use being assessed</li> <li>- <math>A_{total}</math> is the total site area of the overall development</li> </ul> </li> </ul> </li> <li>• Once mechanical plant selection is finalised, an assessment by qualified acoustic consultant be conducted prior to installation to determine any requirements for acoustic treatments.</li> </ul>
<b>NV-12</b>	Noise Complaints	Operation	<ul style="list-style-type: none"> <li>• If noise complaints are received from nearby receivers, noise monitoring with audio shall be conducted for a period of 7 weeks, with a monitor placed onsite and at the receiver from which the complaint was received. The monitors shall record simultaneously, with attended measurements also conducted onsite and at the complaining receiver. The monitoring data and audio shall be examined by a suitably qualified person to verify that the offending noise originated at the site. If noise generated by the site has resulted in complaints, an acoustic assessment is conducted to determine suitable mitigation strategies and/or acoustic treatments.</li> </ul>
<b>Air Quality</b>			
<b>AQ-1</b>	Communications	Construction	<ul style="list-style-type: none"> <li>• Develop and implement a stakeholder communications plan that includes community engagement before work commences on site.</li> <li>• Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager.</li> <li>• Display the head or regional office contact information.</li> <li>• Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the relevant regulatory bodies</li> </ul>
<b>AQ-2</b>	Site Management	Construction	<ul style="list-style-type: none"> <li>• Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.</li> <li>• Make the complaints log available to the local authority when asked.</li> <li>• Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the log book.</li> <li>• Hold regular liaison meetings with other high-risk construction sites within 500 m of the site boundary, to ensure plans are coordinated and dust and particulate matter emissions are minimised. It is important to understand the interactions of the off-site transport/ deliveries which might be using the same strategic road network routes.</li> </ul>
<b>AQ-3</b>	Monitoring	Construction	<ul style="list-style-type: none"> <li>• Undertake daily on-site and off-site inspections where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked. This will include regular dust soiling checks of surfaces such as street furniture, cars and window sills within 100m of site boundary.</li> <li>• Carry out regular site inspections to monitor compliance with the dust management plan / CEMP, record inspection results, and make an inspection log available to the local authority when asked.</li> <li>• Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.</li> </ul>
<b>AQ-4</b>	Preparing and Maintaining the Site	Construction	<ul style="list-style-type: none"> <li>• Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.</li> <li>• Erect solid screens or barriers around dusty activities or the site boundary that they are at least as high as any stockpiles on site.</li> <li>• Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period.</li> </ul>

			<ul style="list-style-type: none"> <li>• Avoid site runoff of water or mud.</li> <li>• Keep site fencing, barriers and scaffolding clean using wet methods.</li> <li>• Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below.</li> <li>• Cover, seed or fence stockpiles to prevent wind erosion.</li> </ul>
AQ-5	Operating Vehicle/Machinery and Sustainable Travel	Construction	<ul style="list-style-type: none"> <li>• Ensure all on-road vehicles comply with relevant vehicle emission standards, where applicable.</li> <li>• Ensure all vehicles switch off engines when stationary - no idling vehicles</li> <li>• Avoid the use of diesel or petrol-powered generators and use mains electricity or battery powered equipment where practicable.</li> <li>• Impose and signpost a maximum-speed-limit of 25 km-h-1 on surfaced and 15 km-h-1 on unsurfaced haul roads and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided, subject to the approval of the nominated undertaker and with the agreement of the local authority, where appropriate.</li> <li>• Produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials.</li> <li>• Implement a Travel Plan that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing).</li> </ul>
AQ-6	Operations	Construction	<ul style="list-style-type: none"> <li>• Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.</li> <li>• Ensure an adequate water supply on the site for effective dust/particulate matter suppression/ mitigation, using non-potable water where possible and appropriate.</li> <li>• Use enclosed chutes and conveyors and covered skips.</li> <li>• Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.</li> <li>• Ensure equipment is readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.</li> </ul>
AQ-7	Waste Management	Construction	<ul style="list-style-type: none"> <li>• Avoid bonfires and burning of waste materials.</li> </ul>
AQ-8	Measures Specific to Demolition	Construction	<ul style="list-style-type: none"> <li>• Soft strip inside buildings before demolition (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).</li> <li>• Ensure effective water suppression is used during demolition operations. Hand held sprays are more effective than hoses attached to equipment as the water can be directed to where it is needed. In addition, high volume water suppression systems, manually controlled, can produce fine water droplets that effectively bring the dust particles to the ground.</li> <li>• Avoid explosive blasting, using appropriate manual or mechanical alternatives.</li> <li>• Bag and remove any biological debris or damp down such material before demolition.</li> <li>• Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.</li> </ul>
AQ-9	Measures Specific to Construction	Construction	<ul style="list-style-type: none"> <li>• Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place</li> </ul>
AQ-10	Measures Specific to Track-Out	Construction	<ul style="list-style-type: none"> <li>• Use water-assisted dust sweeper(s) on the access and local roads to remove, as necessary, any material tracked out of the site.</li> <li>• Avoid dry sweeping of large areas.</li> <li>• Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.</li> <li>• Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.</li> <li>• Record all inspections of haul routes and any subsequent action in a site log book.</li> <li>• Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers and regularly cleaned.</li> <li>• Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</li> <li>• Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits</li> <li>• Access gates to be located at least 10 m from receptors where possible.</li> </ul>
<b>Biodiversity</b>			
B-1	Pre-Clearance Process		<p><b>Pre-clearance Surveys</b></p> <p>Pre-clearing surveys are undertaken to provide a final check for presence of flora and fauna species and habitat on a site immediately before clearing begins. Pre-clearing surveys are required to:</p> <ul style="list-style-type: none"> <li>• Identify habitat features suitable for native fauna that will require clear felling supervision and which will require a two-stage clearance procedure;</li> <li>• Identify any threatened flora or fauna that may have moved into the subject site since ecological surveys were conducted;</li> <li>• Provide input into determining appropriate clearance process, including: <ul style="list-style-type: none"> <li>- Recording the details for all habitat features found in vegetation to be cleared (including where applicable: GPS location; species or type of habitat features),</li> <li>- Clearly marking habitat features that will require a two-staged clearing process,</li> </ul> </li> <li>• Locate nearby habitat suitable for the release of fauna that may be encountered during the preclearing process;</li> <li>• Prepare constraints mapping and relevant induction materials;</li> <li>• Determine any additional management measures that may need to be incorporated into the Project's CEMP.</li> </ul> <p><b>Marking habitat features</b></p> <p>Generally, to minimise confusion over growing amounts of flagging tape generated by different surveys and the marking of habitat features that require a two-staged clearing process, certain colours will be used for specific purposes. The following colour coding system shall be used:</p> <ul style="list-style-type: none"> <li>• Red spray-painted X or red flagging tape = non-habitat trees to be cleared; and</li> <li>• Yellow or green spray-painted X or yellow or green flagging tape = habitat features to be cleared that require fauna spotting and staged clearing.</li> </ul>
B-2	Clearance Process		<p><b>Single staged clearing</b></p>

Where no areas of habitat have been identified in vegetation to be cleared, clearing can be undertaken in a single-stage process, and includes the under-scrubbing of non-habitat trees, shrubs and other vegetation using a combination of forestry harvester and excavator. Vegetation cleared during single-stage clearance shall not be stockpiled on-site as it may provide temporary habitat

#### Two-staged clearing

A two-stage clearing process is designed to enable fauna to feel secure whilst clearing occurs around their tree, and to allow them a chance to self-relocate at night to coincide with typical foraging behaviours of arboreal animals. During clearing, an experienced ecologist must be present for the clearing of any habitat features. Before the commencement of clearing works, local vets and or wildlife carers are to be notified.

- Stage 1 – Firstly, vegetation not identified during pre-clearance surveys as fauna habitat will be cleared. All vegetation around the habitat item will be cleared so that the fauna habitat item is isolated (as per single staged clearing).
- Stage 2 – Secondly, identified habitat trees are left to stand overnight to allow resident fauna to voluntarily move from the area. Habitat trees are then cleared using the following protocols:
  - Trees will be gently agitated by machinery prior to clearing to encourage any animals remaining to leave the hollows;
  - An excavator will be used to start pushing the tree over. The excavator should have a grab mechanism that allows for the habitat tree to be lowered to the ground slowly, thus minimising the risk of injury or mortality to fauna;
  - The ecologist onsite will inspect all visible hollows for the presence of fauna following felling of the tree;
  - If fauna is present, the fauna rescue and release procedure is to be implemented; and
  - If salvageable, sections of the tree containing hollows are to be relocated to nearby bushland (as agreed to in consultation with Council).

#### Post-Clearance

Following clearing, a post-clearing assessment will be prepared and must include at minimum the following results:

- Details of native fauna captured and relocated, injured, or deceased;
- Photos of rescued fauna;
- Number of habitat features felled and relocated; and
- Analysis of the effectiveness of clearing and fauna rescue methods.

<b>B-3</b>	Fauna Rescue and Release Procedure	<p>Fauna handling is to be only undertaken by the experienced ecologist on site or licenced wildlife carer. All fauna that are encountered during clearance works are to be identified and assessed by an ecologist with records of their health status detailed (e.g., released, self-relocated, transported to vet or WIRES). The acting ecologists must operate under the Scientific Licence under Part 2 of the BC Act and compliance with the PCA Act.</p> <p>The following procedure is relevant to the rescue/relocation and transport of fauna, instances where fauna is shocked, trapped, injured, or if eggs or juvenile fauna are discovered.</p> <ul style="list-style-type: none"> <li>• If fauna does not move out of the work area due to injury or other reasons, the health of the animal must be determined, and the decision based on the welfare of the animal and whether it is likely to survive on release.</li> <li>• Stress would be minimised through:           <ul style="list-style-type: none"> <li>- The use of soft containment and placement in a pet carrier or similar,</li> </ul> </li> </ul>
<b>B-4</b>	Dam Decommissioning Management Plan (DDMP)	<ul style="list-style-type: none"> <li>• A DDMP has been prepared to guide the decommissioning of eight farm dams within the site. The DDMP details procedures that must be undertaken in the planning, preparation and implementation and addresses relevant legislation, permits and approvals.</li> </ul>
<b>B-5</b>	Weed Eradication Management Plan (WEMP)	<ul style="list-style-type: none"> <li>• A WEMP has been prepared which details the procedure to identify, manage and control the potential for introduction and/or spread of weeds during the construction of the proposal and addresses the landowners General Biosecurity Duty (GBD) along with the MRP DCP controls with the respect to management of Weeds of National Significance.</li> </ul>
<b>B-6</b>	Ameliorative Measures – Indirect Impacts	<p>The proposal will ensure any indirect impacts are avoided, minimised and mitigated through the implementation of best management practices, which would include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Staging of construction to minimise material stockpiling, cleaning (water suppression) of access roads and speed restrictions for management of potential dust impacts;</li> <li>• Preparation and adherence to the following Construction Environmental Management Plan (CEMP) specialist sub-plans:           <ul style="list-style-type: none"> <li>- Erosion and Sediment Control Plan;</li> <li>- Dam Decommissioning Management Plan; and</li> <li>- Weed Eradication Management Plan.</li> </ul> </li> </ul>
<b>Aboriginal Cultural Heritage</b>		
<b>ACH-1</b>	Discovery of unanticipated Aboriginal objects	<p>Construction</p> <ul style="list-style-type: none"> <li>• All Aboriginal objects and Places are protected under the NPW Act. It is an offence to disturb an Aboriginal site without a consent permit issued by Heritage NSW, DPE (Heritage NSW) or SSD approval issued by DPE where the project is an SSD or a State Significant Infrastructure (SSI) project. If any unexpected Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the 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 Heritage NSW and RAPs.</li> </ul>
<b>ACH-2</b>	Long-term care agreement	<p>Construction</p> <ul style="list-style-type: none"> <li>• The establishment of a long term care agreement in consultation with RAPs will be developed in order to ensure the artefacts identified as part of this assessment are adequately cared for. RAPs have requested that artefacts be reburied on site. Frasers Property Industrial have recommended a location for reburial which will be provided to RAPs. The reburial will occur after the proposed works have been completed on site. This approach considers the principles of ESD and intergenerational equity and more importantly ensures that recovered artefacts are managed according to the wishes of RAPs.</li> </ul>
<b>ACH-3</b>	Consultation with RAPs	<p>Construction and Operation</p> <ul style="list-style-type: none"> <li>• As per the consultation requirements, the Applicant will continue to inform RAPs about the management of Aboriginal cultural heritage sites within the study area throughout the life of the project.</li> </ul>

Historical Heritage			
HH-1	Discovery of unanticipated historical relics	Construction	<ul style="list-style-type: none"> <li>Relics are historical archaeological resources of local or State significance and are protected in NSW under the Heritage Act. Relics cannot be disturbed except with a permit or exception/exemption notification or SSD approval issued by DPE where the project is an SSD or SSI project. If unanticipated relics are discovered during the course of the project, work in the vicinity must cease and an archaeologist contacted to make a preliminary assessment of the find. Heritage NSW will require notification if the find is assessed as a relic.</li> </ul>
HH-2	Discovery of Human Remains	Construction	<ul style="list-style-type: none"> <li>Human remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must: <ul style="list-style-type: none"> <li>Immediately cease all work at that location and not further move or disturb the remains.</li> <li>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>Not recommence work at that location unless authorised in writing by Heritage NSW.</li> </ul> </li> </ul>
Hazards and Risk			
HR-1	Increased Dangerous Goods Storage	Operation	<ul style="list-style-type: none"> <li>If a tenant requires to store and handle additional dangerous goods to those listed for the specific warehouse in this study, it is recommended that a review of the application of SEPP33 will be conducted and where required a Preliminary Hazard Analysis (PHA) study be performed if it is identified that the RH SEPP applies to the specific warehouse.</li> </ul>
HR-2	Dangerous Goods Storage	Operation	<ul style="list-style-type: none"> <li>Tenants storing dangerous goods are to comply with the requirements of the NSW Work Health and Safety Regulation 2017 and that based on the specific site category, the documentation requirements of this regulation be completed prior to occupancy of the site.</li> </ul>
Bushfire			
BF-1	Public Road Design	Operation	<ul style="list-style-type: none"> <li>Public road design and construction is to comply with Table 5.3b of PBP. An exception is that the roads may be in excess of 200 m long as a temporary arrangement until development of adjoining lands allow through road access.</li> </ul>
BF-2	Landscape Maintenance	Operation	<p>The site is to be maintained to achieve the performance requirement of an Inner Protection Area (IPA) as described in Appendix 4 of PBP. The following landscape specifications will achieve an IPA standard for the protection against grassfires at this site:</p> <ul style="list-style-type: none"> <li>Trees: <ul style="list-style-type: none"> <li>Trees at maturity should not touch or overhang the building.</li> <li>Tree canopies should not be connected when at maturity. Gaps between crowns or groups of crowns are to be maintained at distances of 2 to 5m.</li> </ul> </li> <li>Shrubs: <ul style="list-style-type: none"> <li>Ensure gaps in the vegetation, such as between garden beds, to prevent the spread of fire towards the building.</li> <li>Clumps of shrubs should be separated from glazing and doors by a distance of at least twice the height of the vegetation.</li> </ul> </li> </ul>
			<ul style="list-style-type: none"> <li>Groundcovers: <ul style="list-style-type: none"> <li>Grass should be kept mown (i.e. at no more than 100mm in height).</li> <li>Leaves and vegetation debris should be regularly removed.</li> <li>Organic mulch is not to be used within 1m of a building.</li> </ul> </li> </ul>
BF-3	Fire Hydrant Availability	Operation	<ul style="list-style-type: none"> <li>The proposed public roads require fire hydrants to be installed to comply with AS 2419.1 – 2021 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419).</li> <li>The warehouse will require fire hydrants to be installed to comply with AS 2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419) so that all sides of the building are within 70 m of a hydrant by lay of the hose (or 90 m with a tanker parked in-line maximum 20 m from the hydrant).</li> </ul>
BF-4	Hazardous Materials	Operation	<ul style="list-style-type: none"> <li>Any gas services shall be installed and maintained in accordance with AS/NZS 1596-2014 <i>The storage and handling of LP gas</i>.</li> <li>Hazardous or combustible materials are not to be stored outside of the warehouse buildings.</li> </ul>
Infrastructure Requirements			
IR-1	Water Supply	Construction	<ul style="list-style-type: none"> <li>To minimise the risk of the issue reoccurring, the Applicant's appointed earthworks contractor will install water tanks on-site that can be charged at "low usage" times for use to fill the water carts. This may require a number of tanks depending on the extent of civil works being undertaken. The low use times are recommended to be between 10:00am – 3:00pm OR 10:00pm – 6:00am.</li> </ul>

### APPENDIX 3 EROSION AND SEDIMENT CONTROL – PERFORMANCE CRITERIA

The erosion and sediment control plan prepared in accordance with condition B24 must include measures to:

1. Minimise erosion
  - (a) minimise the duration of soil exposure by undertaking land clearing and stabilisation according to the 'Blue Book' Section 7.1.2 and Table 7.1;
  - (b) effectively stabilise all site surfaces using methods that will continue to achieve effective stabilisation in the medium to long term. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation, or lead to water contamination;
2. Manage concentrated stormwater flows
  - (a) implement drainage and erosion control measures (including contingency measures), prior to rainfall, which prevent or minimise rill erosion and gully erosion;
  - (b) ensure clean stormwater is diverted/managed around or through the site without increasing the concentration of total suspended solids or other contaminants in the flow and without causing erosion (on-site or off-site). If it is not feasible to divert all areas discharging clean stormwater around or through the site, the clean stormwater runoff is managed in the same manner as contaminated stormwater runoff and ensures that sediment basins are sized to accommodate the additional volume of runoff;
  - (c) prior to each rainfall event ensure concentrated stormwater flow paths are provided with capacity for the 10% AEP critical duration event and do not cause water contamination, rill or gully erosion, sedimentation or damage to structures or property for at least that event frequency;
3. Minimise sediment released from the site
  - (a) all site sub-catchments greater than 2,500m<sup>2</sup> in area, are to be provided with sediment controls which are designed, implemented and maintained to a standard which would achieve at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L Total Suspended Solids (TSS) or less, and pH in the range 6.5–8.5. Where this is proposed to be achieved through the use of sediment basins, the following applies:
    - (i) each basin is sized and operated in accordance with either a Type-A or Type-B sediment basin as documented in IECA BPESC Appendix B (June 2018), based on the contributing catchment area including undisturbed catchments which cannot be diverted;
    - (ii) each basin is to be provided with an automated system of flocculant dosing and a suitable supply of flocculant/coagulant, with the type of flocculant/coagulant determined based on jar testing and reference to the Chemical Coagulants and Flocculants Fact Sheet (IECA BPESC 2018). The proposed coagulant/flocculant must have regard to the downstream receiving environment and water quality;
    - (iii) each basin must have suitable access to allow for maintenance immediately following a rainfall event, including for sediment removal, dewatering and water treatment;
    - (iv) markers are provided within each basin indicating the maximum sediment storage level and any additional water storage capacity for water reuse;
    - (v) during discharge from the primary outlet system, the concentration of total suspended solids (TSS) discharged does not exceed 50mg/L and that pH is within the range of 6.5-8.5. These discharge standards apply equally to any intentional release of any water captured or stored within the site;
    - (vi) hydraulic structures such as inlets, outlets, spillways must be provided with the capacity, and be structurally sound, for the design events as specified in IECA BPESC Appendix B (June 2018);
    - (vii) the sediment basin is to be constructed and operational before any disturbance occurs in the catchment upslope of the basin;
    - (viii) accumulated sediment from basins and other controls is to be removed and disposed of appropriately without causing water contamination;
  - (b) for site sub-catchments less than 2,500m<sup>2</sup> in area and where it is not feasible to divert runoff from these small disturbed areas of the site to a sediment basin, compensatory erosion and sediment controls are implemented and maintained prior to rainfall to ensure that erosion of those areas is minimised and sediment controls are provided in accordance with the 'Blue Book'.
4. Manage works within waterways
  - (a) work within waterways and drainage lines with catchments exceeding 15ha is to be:
    - (i) scheduled to occur between June–October, where possible;
    - (ii) rescheduled if rainfall is forecast, where possible;
    - (iii) promptly rehabilitated conforming to the natural channel form, substrates and riparian vegetation as far as possible;

- (iv) provided with flow diversion works and temporary bank and channel stabilisation works such that the works are stable during at least the 39% AEP stream flow event;
- (b) temporary vehicular crossings of waterways are to be designed and constructed to convey flows for the 63% AEP and remain stable for all rainfall events up to the 10% AEP event of critical duration;
- (c) erosion and sediment controls are not to be constructed within the riparian buffer zone, unless it is not feasible to site them elsewhere, and then only within cleared areas.

5. Manage other contaminants

- (a) any release of captured or contained stormwater or groundwater from the site or to stormwater drainage or waterways within the site (for example pumping or releasing water from trenches, excavations or water impoundments) is to achieve a concentration of total suspended solids (TSS) which does not exceed 50mg/L and pH within the range of 6.5-8.5;
- (b) there are to be no visible oils, sheens, anthropogenic litter or discolouration in any release from the site or to stormwater drainage or waterways within the site. Facilities are to be provided for litter collection and designated concrete washout areas to assist in meeting this requirement. Storage areas for site materials and waste are to be kept covered;
- (c) erosion and sediment controls are to be constructed with UV stabilised materials that will not become a pollutant source and are to be promptly removed once the contributing catchment has been permanently stabilised.

APPENDIX 4 NOISE RECEIVERS

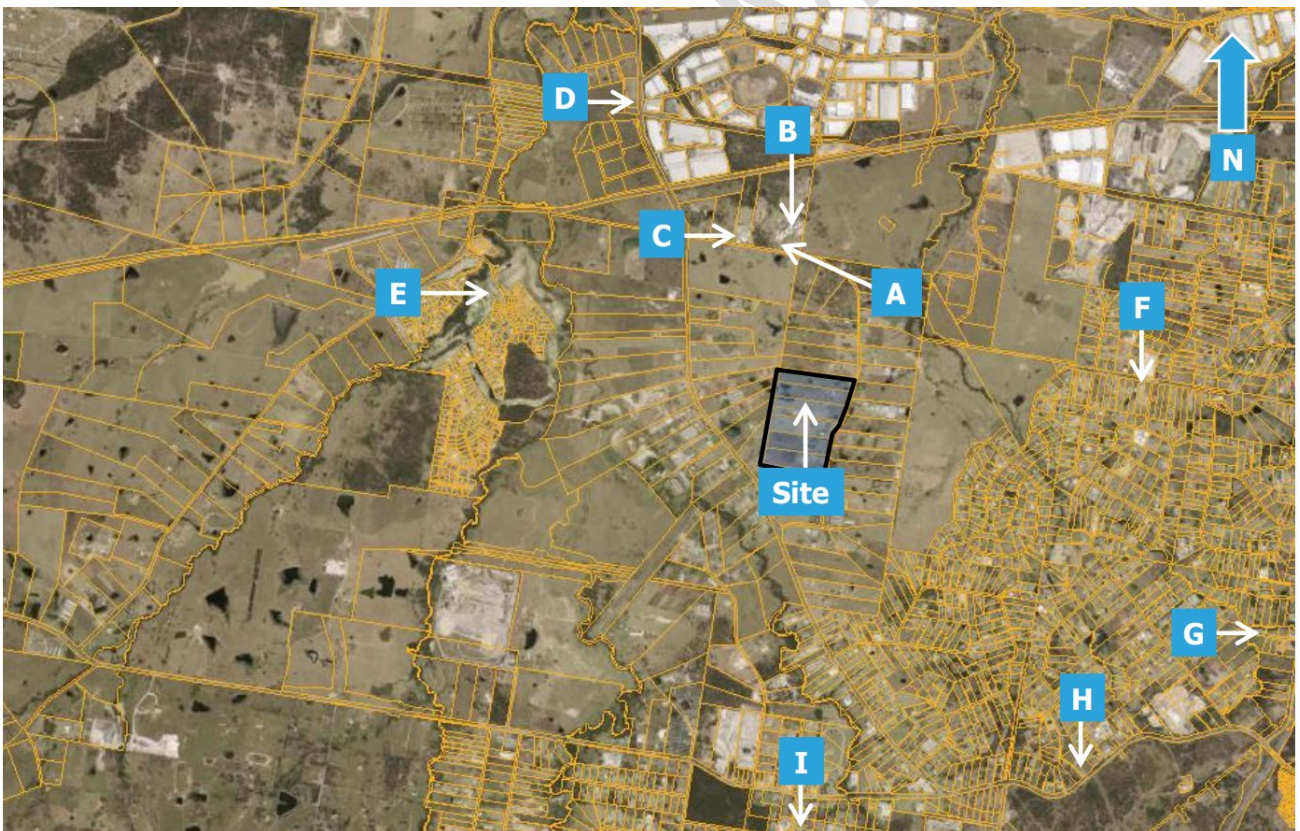
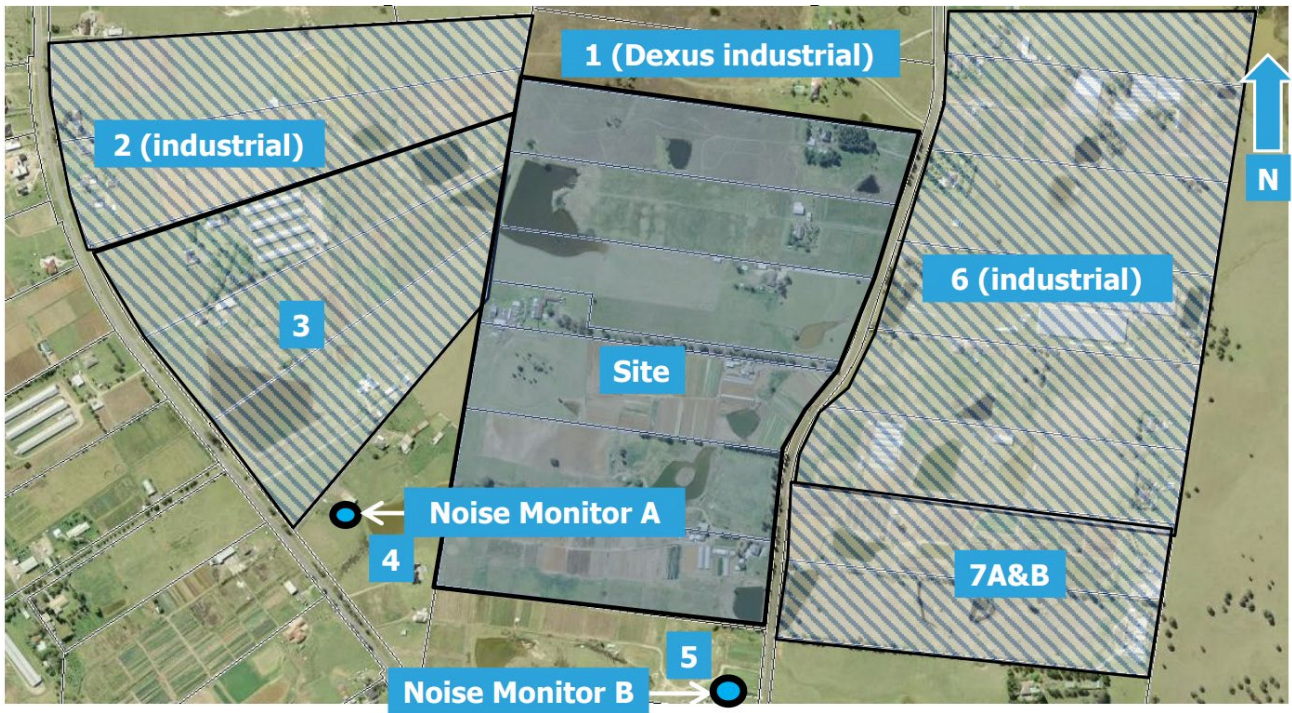


Figure 16: Noise Sensitive Receivers

APPENDIX 5 AIR QUALITY SENSITIVE RECEIVERS



Figure 17: Air Quality Sensitive Receivers

## APPENDIX 6 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### INCIDENT NOTIFICATION REQUIREMENTS

- 1 All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
- 2 The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition X, or, having given such notification, subsequently forms the view that an incident has not occurred.
- 3 Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition X), the Applicant is required to submit a subsequent incident report that:
  - (a) identifies how the incident was detected;
  - (b) identifies when the Applicant became aware of the incident;
  - (c) identifies any actual or potential non-compliance with conditions of consent;
  - (d) identifies further action(s) that will be taken in relation to the incident;
  - (e) a summary of the incident;
  - (f) outcomes of an incident investigation, including identification of the cause of the incident;
  - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
  - (h) details of any communication with other stakeholders regarding the incident.
- 4 The Applicant must submit any further reports as directed by the Planning Secretary.