

# Development Consent

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

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

These Conditions are required to:

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



Chris Ritchie

**Director**

**Industry Assessments**

Sydney

29 July 2022

File: EF21/8099

### SCHEDULE 1

**Application Number:**

SSD-21190804

**Applicant:**

**Jalco Australia Pty Ltd**

**Consent Authority:**

Minister for Planning

**Site:**

Lots 201 DP12445393

Horsley Park NSW 2175

**Development:**

Fit-out and use of an industrial building as a soap and detergent manufacturing facility with capacity to produce up to 180,000,000 litres per year.

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## DEFINITIONS

<b>Additional Information</b>	The Applicant's addendum response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the letter from Urbis Pty Ltd dated 26 May 2022
<b>Applicant</b>	Jalco Australia Pty Ltd or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Carrier</b>	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
<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>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 bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
<b>Council</b>	Fairfield City Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Decommissioning</b>	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations.
<b>Department</b>	NSW Department of Planning and Environment (DPE)
<b>Development</b>	The development described in Schedule 1, the EIS and Response to Submissions and Additional Information including the works and activities comprising the fit-out and use of an industrial building as a soap and detergent manufacturing facility with a production capacity of 180,000,000 litres per year and the construction of external Dangerous Goods (DG) storage sheds, liquid truck filling bays and a wastewater treatment plant, as modified by the conditions of this consent
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>DG</b>	Dangerous Goods
<b>DPE</b>	Department of Planning and Environment
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EHG</b>	Environment and Heritage Group of the Department
<b>EIS</b>	The Environmental Impact Statement titled <i>SSD-21190804 – Jalco Manufacturing Facility Environmental Impact Statement</i> , prepared by Urbis Pty Ltd and dated 8 November 2021, submitted with the application for consent for the development
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>FRNSW</b>	Fire & Rescue New South Wales
<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> , 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>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
<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>	Is harm that: involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
<b>Minister</b>	NSW Minister for Planning (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, 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 operation of the development for the production of soaps and detergents as described in the EIS and RtS
<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
<b>Planning Secretary</b>	Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<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>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>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to Submissions (RtS)</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Response to Submissions: SSD-21190804 – Jalco Manufacturing Facility</i> prepared by Urbis Pty Ltd and dated 25 February 2022
<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>Site</b>	The land defined in Schedule 1
<b>State Significant Development consent SSD-10436 and Modification Applications</b>	The development consent granted by the then Minister for Planning and Public Spaces on 31 March 2021 for the construction, fit-out and operation of eight warehouse and distribution tenancies in four buildings with a total gross floor area (GFA) of 112,819 m <sup>2</sup> including offices, loading docks, hardstand areas, truck and car parking areas, landscaping, associated infrastructure and signage (SSD-10436) and development consents granted for modification applications (SSD-10436-Mod 1, Mod 2, Mod 4, Mod 5 and Mod 6).

<b>Supplementary Response to Submissions (RtS)</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Response to Agency Comments, SSD-21190804, Jalco Manufacturing Facility</i> , prepared by Urbis Pty Ltd and dated 26 May 2022
<b>TfNSW</b>	Transport for New South Wales
<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>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 and Response to Submissions and the Additional Information;
  - (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). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), 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.

##### **Production Limits**

- A6. The development must not produce more than 180,000,000 litres of soap or detergents per year.

#### **NOTIFICATION OF COMMENCEMENT**

- A7. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
  - (b) operation;
  - (c) cessation of operations; and
  - (d) decommissioning.
- A8. If the construction or operation or decommissioning 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**

- A9. 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**

- A10. 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).
- A11. 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.
- A12. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

#### **PROTECTION OF PUBLIC INFRASTRUCTURE**

- A13. Before the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
- A14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

#### **DEMOLITION**

- A15. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

#### **STRUCTURAL ADEQUACY**

- A16. 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.

#### **COMPLIANCE**

- A17. 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.

#### **CONTRIBUTIONS TO COUNCIL**

- A18. Before the issuing of an occupation certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.

**Note:** There are approval requirements for imposing a condition under section 7.12 in respect of land within a special contributions area.

#### **OPERATION OF PLANT AND EQUIPMENT**

- A19. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

#### **EXTERNAL WALLS AND CLADDING**

- A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A21. Prior to the issuing of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and

(b) an Occupation Certificate,

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

- A22. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

#### **UTILITIES AND SERVICES**

- A23. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A24. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

#### **WORK AS EXECUTED PLANS**

- A25. Before the issuing of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

#### **APPLICABILITY OF GUIDELINES**

- A26. 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.
- A27. 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

#### Loading Area Management Plan

- B1. Prior to the commencement of operation, the Applicant must prepare a Loading Area Management Plan (LAMP) for the development to the satisfaction of the Planning Secretary. The LAMP must form part of the OEMP required by Condition C2 and must:
- (a) be prepared in consultation with Council;
  - (b) provide a detailed breakdown of the types and number of commercial vehicles servicing the site on a daily basis;
  - (c) detail the measures that are to be implemented to ensure conflict between heavy vehicles loading, unloading, parking and manoeuvring, including the movement of Dangerous Goods (DG's) via forklift in the loading area is avoided; and
  - (d) detail measures to reduce noise emissions from the operation of the loading area at night including:
    - (i) avoiding the use of waste areas;
    - (ii) limiting the use of forklifts; and
    - (iii) ensuring non-tonal reversing beepers (or equivalent mechanism) are fitted to forklifts.
- B2. The Applicant must:
- (a) not commence occupation of the development until the LAMP required by B1 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the LAMP approved by the Planning Secretary.

#### Parking

- B3. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

#### Operating Conditions

- B4. 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;
  - (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
  - (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

#### Operational Traffic Management Plan

- B5. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s), whose appointment has been endorsed by the Planning Secretary;
  - (b) be consistent with the OTMP prepared for Lot 201 in accordance with condition B27A of SSD 10436;
  - (c) be prepared in consultation with Council and TfNSW;
  - (d) detail the measures that are to be implemented to ensure road safety and network efficiency;
  - (e) detail heavy vehicle routes, access, and parking arrangements; and

- (f) include an Operational Driver Code of Conduct to:
  - (i) minimise the impacts on the local and regional road network;
  - (ii) minimise conflicts with other road users;
  - (iii) minimise road traffic noise; and
  - (iv) include a program to monitor the effectiveness of these measures.

B6. The Applicant must:

- (a) not commence occupation of the development until the OTMP required by B5 is approved by the Planning Secretary; and
- (b) implement the most recent version of the OTMP approved by the Planning Secretary.

#### **Green Travel Plan**

B7. Prior to the commencement of operation of any part of the development, the Green Travel Plan (GTP) required by condition B28 of SSD 10436 must be prepared to the satisfaction of the Planning Secretary.

B8. The Applicant must implement the most recent version of the GTP provided to the Planning Secretary for the duration of the development.

B9. The Applicant must ensure copies of the GTP are available to their employees.

#### **SOILS, WATER QUALITY AND HYDROLOGY**

##### **Imported Soil**

B10. The Applicant must:

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

##### **Erosion and Sediment Control**

B11. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline.

##### **Discharge Limits**

B12. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

##### **Water Management Plan**

B13. Prior to the commencement of operation, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
- (b) provide details of:
  - (i) water use, metering, disposal and management on-site;
  - (ii) a detailed site water balance;
  - (iii) the management of wastewater streams on-site including the operation of the wastewater treatment plant (WWTP); and
  - (iv) contingencies measures to be implemented if the WWTP is out of operation.
- (c) contain a **Contaminated Water Retention Plan**, including:
  - (i) description of secondary containment including bunding;
  - (ii) protocols for the operation of the pollution control valve during pollution incidents;
  - (iii) disposal locations which are licenced to accept the contaminated water;
  - (iv) stormwater impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and
  - (v) a protocol for the investigation and mitigation of identified exceedances of the stormwater impact assessment criteria; and
  - (vi) contain a Pollution Incident Response Management Plan.

B14. The Applicant must:

- (a) not commence operation until the Water Management Plan required by condition B13 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

## **AIR QUALITY**

### **Dust Minimisation**

B15. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B16. During construction of the development, the Applicant must ensure that:

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

### **Air Quality Discharges**

B17. 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 EPL applicable to the site.

### **Air Quality Management Plan**

B18. Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C2. The AQMP must:

- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
- (b) detail and rank all emissions (including odour) from all sources of the development, including particulate emissions;
- (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
- (d) identify the control measures that will be implemented for each emission source; and
- (e) nominate the following for each of the proposed controls:
  - (i) key performance indicator;
  - (ii) monitoring method;
  - (iii) location, frequency and duration of monitoring;
  - (iv) record keeping;
  - (v) complaints register;
  - (vi) response procedures; and
  - (vii) compliance monitoring.

B19. The Applicant must:

- (a) not commence operation until the AQMP required by condition B18 is approved by the Planning Secretary; and
- (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.

### **Odour Management**

B20. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

### **Odour Audit**

B21. The Applicant must carry out an Odour Audit of the development no later than six months after the commencement of operation of the development. Division 9.4 of Part 9 of the EP&A Act applies to this audit which is for the purpose of ensuring the development operates in a manner which does not cause exceedances of the 2 odour units (ou) criteria at sensitive receptors. The audit must:

- (a) be carried out by a suitably qualified, experienced and independent person(s), whose appointment has been endorsed by the Planning Secretary;
- (b) audit the development in full operation;
- (c) include a summary of odour complaints and any actions that were carried out to address the complaints;
- (d) assess the operation against odour impact predictions in the EIS;
- (e) review design and management practices in the development against industry best practice for odour management; and
- (f) include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions.

**Note:** *The Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the development.*

B22. Within six months of commissioning of the Odour Audit required by condition B21, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.

## NOISE

### Hours of Work

B23. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

#### 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

B24. Works outside of the hours identified in condition B23 may be undertaken in the following circumstances:

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

### Operational Noise Limits

B25. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

#### Noise Limits dB(A)

Location	Day	Evening	Night	Night
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>AFmax</sub>
NCA01	44	43	38	52
NCA02	40	40	38	52
NCA03	44	43	38	52

**Note:** *Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.*

### Post-Commissioning Noise Verification Report

B26. Within three months of the commencement of operation of the development, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:

- (a) be prepared to the satisfaction of the Planning Secretary;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
  - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and

- (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022).
- (c) include:
  - (i) an analysis of compliance with noise limits specified in condition B25 undertaken in accordance with the NSW Noise Policy for Industry (EPA, 2017) and Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Australian Standard 2018);
  - (ii) a detailed maximum noise level event assessment undertaken in accordance with the NSW Noise Policy for Industry (EPA, 2017);
  - (iii) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, re-assessment of mitigation measures identified; and
  - (iv) identification of additional noise control measures, excluding at-receiver controls, to be implemented to address any exceedances of the limits specified in B25 condition and when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary.

## Road Traffic Noise

- B27. Prior to the commencement of construction of the development, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.

## ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B28. 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.
- B29. 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*.

## HAZARDS AND RISK

### Pre-construction

- B30. The Applicant must prepare the studies set out under subsections (a) and (b) (the preconstruction studies). Construction, other than of preliminary works that are outside the scope of the hazard studies, must not commence until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the studies to the Planning Secretary no later than one month prior to the commencement of construction of the development (other than preliminary works), or within such further period as the Planning Secretary may agree.
- (a) **Fire Safety Study (FSS)** for the development. This study must cover the relevant aspects of the Department's *Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*. The FSS must be prepared in consultation with Fire and Rescue NSW (FRNSW), taking into consideration the *Fire Safety Strategy* dated 30 August 2021.
  - (b) A **Final Hazard Analysis** of the development, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'*.

### Pre-commissioning

- B31. Prior to commissioning, the Applicant must develop and implement the plans and systems set in (a) and (b) below. The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the development, or within such further period as the Planning Secretary may agree.
- (a) **Emergency Plan** for the development including detailed emergency procedures. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the *Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*.
  - (b) **Safety Management system** covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*.

## Ongoing

### B32. Hazard Audit

Twelve months after the commencement of operation of the development and every five years thereafter, the Applicant must carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development and approved by the Planning Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'*. The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

B33. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B30 to B32, within such time as the Planning Secretary may agree.

## Dangerous Goods

B34. The storage of Dangerous Goods (DG's) and combustible liquids within the development must not exceed the amounts listed in Table 3-1 of the Preliminary Hazard Analysis, prepared by Riskon Engineering and dated 23 September 2021.

B35. Any DG's, 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:
  - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - (ii) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.

B36. In the event of an inconsistency between the requirements of conditions B35(a) and B35(b), the most stringent requirement must prevail to the extent of the inconsistency.

## Bunding

B37. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

## Fire Safety

B38. Prior to the commencement of operation of the development, the Applicant must prepare an Emergency Response Plan (ERP). The ERP must form part of the OEMP and be prepared in accordance with condition C2. The Plan must:

- (a) be prepared in consultation with FRNSW;
- (b) specifically address foreseeable on-site and off-site fire events and other emergency incidents, (e.g. LPG unloading incident ignition and fire, flammable liquid store fire or potential hazmat incidents);
- (c) detail the appropriate risk control measures that would need to be implemented in order to safely mitigate potential risks to the health and safety of firefighters and other first responders (including electrical hazards). Such measures would include the level of personal protective clothing required to be worn, the minimum level of respiratory protection required, decontamination procedures, minimum evacuation zone distances and a safe method of shutting down the automated storage system (either in its entirety or partially, as determined by risk assessment);
- (d) detail other risk control measures that may need to be implemented in a fire emergency due to any unique hazards specific to the site; and
- (e) include an Emergency Services Information Package (ESIP) to be developed in accordance with FRNSW guideline: *Emergency Services Information Package and Tactical Fire Plans* for use by responding firefighters.

B39. Two copies of the ERP and ESIP are to be stored in a prominent 'Emergency Information Cabinet' which is located in a position directly adjacent to the site's main entry point/s.

## WASTE MANAGEMENT

### Waste Monitoring Program

B40. From the commencement of operation of the development, the Applicant must implement a Waste Monitoring Program for the development. The program must:

- (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;

- (b) include suitable provision to monitor the:
  - (i) quantity, type and source of waste received on site; and
  - (ii) quantity, type and quality of the outputs produced on site.
- (c) ensure that:
  - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
  - (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.

#### **Waste Management Plan**

- B41. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Waste Management Plan must form part of the OEMP and be prepared in accordance with condition C2. The Plan must:
- (a) detail the type and quantity of waste to be generated during construction and operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Environment Protection Authority, 2014);
  - (c) include measures to ensure all wastes are contained within enclosed and lockable containers;
  - (d) detail the materials to be reused or recycled, either on or off site; and
  - (e) include the Management and Mitigation Measures included in Appendix 2.
- B42. The Applicant must:
- (a) not commence operation until the Waste Management Plan is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary.

#### **Statutory Requirements**

- B43. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.
- B44. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B45. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.
- B46. The collection of waste generated during operation of the development must be undertaken between 7am to 10pm Monday to Friday.

#### **VISUAL AMENITY**

##### **Lighting**

- B47. 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.

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

#### OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the OEMP required under condition C2 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; and
    - (v) respond to emergencies.
  - (c) include the following environmental management plans:
    - (i) Loading Area (see condition B1);
    - (ii) Operational Traffic (see condition B5);
    - (iii) Water (see condition B13);
    - (iv) Air Quality (see condition B18);
    - (v) Emergency Response (see condition B38); and
    - (vi) Waste (see condition B41).
- C4. The Applicant must:
- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
  - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).



## REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Within three months of:
- (a) the submission of a Compliance Report under condition C11;
  - (b) the submission of an incident report under condition C7;
  - (c) the submission of an Independent Audit under condition C13;
  - (d) the approval of any modification of the conditions of this consent; or
  - (e) 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.
- C6. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

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

## REPORTING AND AUDITING

### Incident Notification, Reporting and Response

- C7. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

### Non-Compliance Notification

- C8. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C9. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

### Compliance Reporting

- C11. Within six months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:
- (a) identify any trends in the monitoring data over the life of the development;
  - (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.
- C12. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

### Independent Audit

- C13. Within one year of the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:
- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)
  - (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
  - (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).

- C14. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition C13 of this consent;
  - (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
  - (c) implement the recommendations to the satisfaction of the Planning Secretary; and
  - (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

### **Monitoring and Environmental Audits**

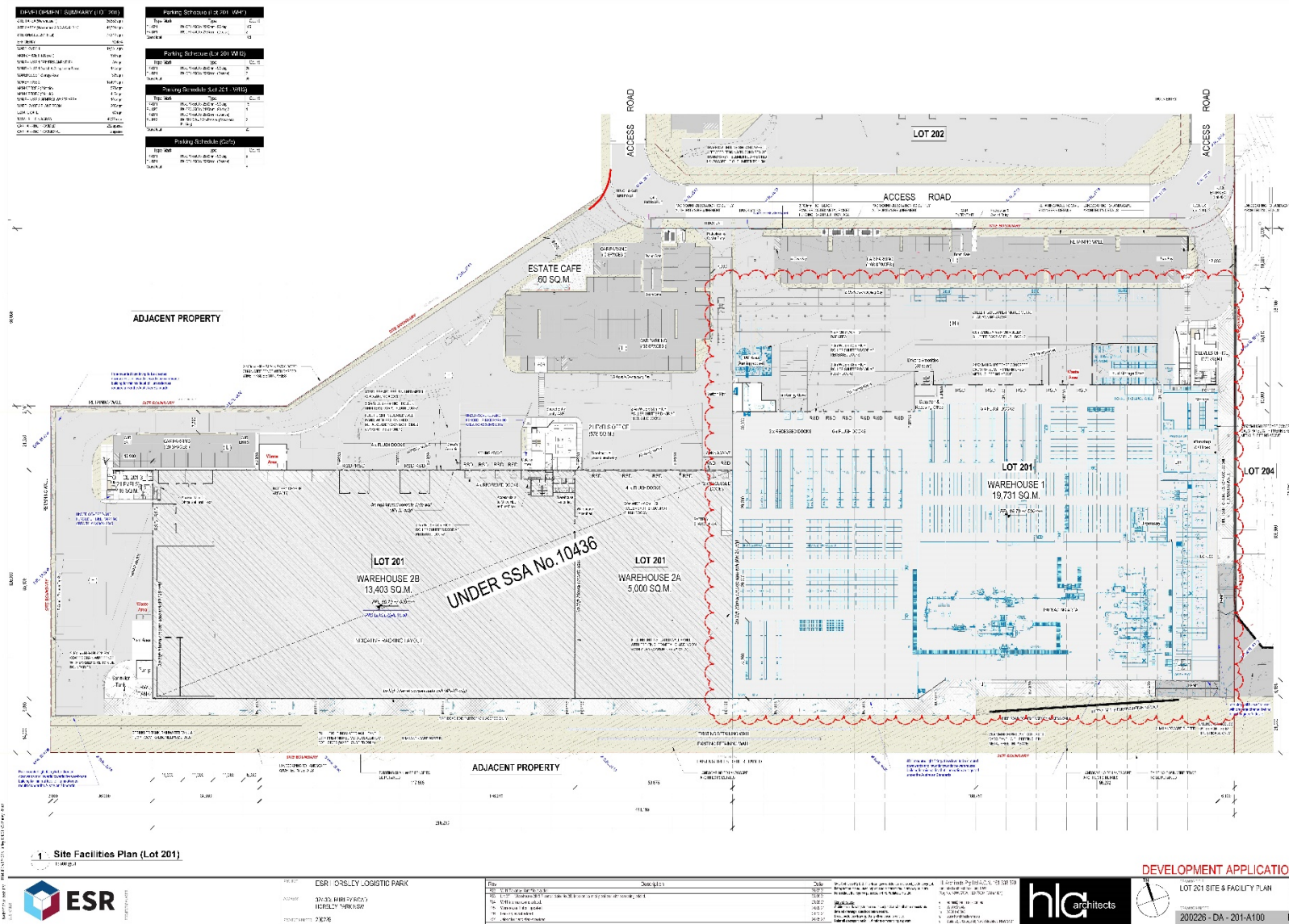
- C15. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes 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**

- C16. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in condition A2 of this consent;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent;
    - (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
    - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
    - (vi) a summary of the current stage and progress of the development;
    - (vii) contact details to enquire about the development or to make a complaint;
    - (viii) a complaints register, updated monthly;
    - (ix) the Compliance Report of the development;
    - (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; and
    - (xi) any other matter required by the Planning Secretary.
  - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

## DEVELOPMENT LAYOUT PLANS



## Site Plan

## APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

### Mitigation Measures

The mitigation measures identified for incorporation into the project fit-out and operation are grouped by issue below. □

#### Traffic Impact Mitigation

Similarly as required by SSD-10436:

- Traffic control would be required to manage and regulate traffic movements into and out of the site during construction.
- Disruption to road users would be kept to a minimum by scheduling intensive delivery activities outside of peak network hours.
- Construction and delivery vehicles would be restricted to using Old Wallgrove Road, Lenore Drive, M7 Motorway and Mamre Road.

#### Noise & Vibration

- 18mm marine plywood internal lining fixed to inside of purlins to the Southern elevation of Liquid Packaging Area. The plywood lining is required have a minimum surface density of 10 kg/m<sup>2</sup> and form a continuous layer to the full height of the 0.48m steel external wall.
- Four-sided enclosure to rooftop fans, minimum enclosure height 1.0m above fan height.
- Acoustic louvres to the Southern elevation of Liquid Packaging Area, specified as NAP 300 H-line, Fantech SBL1 or equivalent.

#### Fire & Safety

- Preparation of a fire safety strategy to address the specific hazards identified in the development

#### Hazard & Risk

- The warehouse and/ or site boundaries are capable of containing 702m<sup>3</sup> of water storage required to meet the needed 7.8m<sup>3</sup>/min of discharge for the warehouse fire, sprinkler activation and contaminated water release.
- A storm water isolation point (i.e. penstock isolation valve) is to be incorporated into the design. The penstock shall automatically isolate the storm water system upon detection of a fire (smoke or sprinkler activation) to prevent potentially contaminated liquids from entering the water course.

#### Stormwater & Drainage

- Jalco operation management procedures including fixed purge amounts, re-use of cleaning water as well as waste water flow rate and treatment management. This is to appropriately respond to managing water quality and quantity generated by the Jalco operations.
- Rainwater effect management to manage the cumulative impacts of trade waste and rainwater flow.
- Containment water retention to minimize the potential impacts for holding contaminated water and DGs at the site.

#### Air Quality

- Ensure all equipment are maintained in good condition and serviced as per manufacturer's recommendations.
- Inspect the site daily and apply good housekeeping in general. General measures will include ensuring the timely clean-up of any spills as well as identifying and rectifying any leaks that could contribute to fugitive emissions.
- Any modifications to the proposed design should consider positioning emission sources as far as practicable from neighbouring receptors.
- Manage vehicle emissions by minimising idling times and installing signage to instruct drivers to turn off engines while loading/unloading etc.
- Complaints should be investigated as soon as possible so that effective appraisal of the complaint can be carried out by subjective assessment.

#### Bushfire

- No additional mitigation measures required beyond those adopted for SSD-10436.

## **Waste Management**

- The detail contained in the Waste Management Plan will inform the location and specifications for a dedicated waste storage area within the Jalco tenancy, to be detailed for Construction Certificate stage. Additional waste management measures, including waste servicing, waste avoidance, re-use and recycling, communication strategies, signage, monitoring, and reporting are discussed in the WMP and should be implemented in the operational phase of the development.

## **ESD**

- Water management - in accordance with the existing procedures established in existing Jalco sites, the appropriate water flow management will be established for the relevant cleaning, waste-water treatment and rainwater flow. Additionally, the appropriate containment measures will be established for the hazardous water containment.
- Achievement of BCA Section J Energy Efficiency for the base building, as approved under SSD10436.
- Requirement to ensure additional fit-out works for the proposed Jalco operation, including air conditioning, light & power, hot water supply achieve the requirements of BCA Section J.

## **Greenhouse Gas and Energy Efficiency**

- It is recommended that the building be verified against a reference building using the Verification Method JV3. This will determine if the proposed development and its services has an equal or less annual energy consumption of the reference building. Compliance and how it is achieved should be documented in a report by an appropriately qualified engineer for certification.

## **Environmental Management**

- The operation will require the issue of an Environmental Protection Licence to inform its daily operations.



## CONCLUSIONS



## **INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

### **WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - (a) identify the development and application number;
  - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - (c) identify how the incident was detected;
  - (d) identify when the applicant became aware of the incident;
  - (e) identify any actual or potential non-compliance with conditions of consent;
  - (f) describe what immediate steps were taken in relation to the incident;
  - (g) identify further action(s) that will be taken in relation to the incident; and
  - (h) identify a project contact for further communication regarding the incident.

### **INCIDENT REPORT REQUIREMENTS**

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