

# 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

9 September 2022

File: EF21/11721

### SCHEDULE 1

<b>Application Number:</b>	SSD- 25452459
<b>Applicant:</b>	Western Parkland City Authority
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	Part Lot 101 DP 1282948, 215 Badgerys Creek Road, Bringelly
<b>Development:</b>	Construction and operation of an advanced manufacturing and research facility including site preparation works, site access, car parking and landscaping.

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## DEFINITIONS

<b>Applicant</b>	Western Parkland City Authority, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<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>Certification of Crown building work</b>	Certification under section 6.28(2) of the EP&A Act
<b>Certifier</b>	Means a council or accredited certifier or in the case of Crown development, a person qualified to conduct a certification of Crown building work
<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 demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including earthworks, and erection of buildings and other infrastructure permitted by this consent.
<b>Council</b>	Liverpool City Council
<b>Crown Building Work</b>	As defined in section 6.1 of the EP&A Act
<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>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in Schedule 1, the EIS and Response to Submissions (RTS), including the works and activities comprising the construction and operation of an advanced manufacturing and research facility including site preparation works, site access, car parking and landscaping, as modified by the conditions of this consent.
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EHG</b>	Environment and Heritage Group of the Department
<b>EIS</b>	The Environmental Impact Statement titled ' <i>First Building – Bradfield City Centre Advanced Manufacturing Research Facility, 215 Badgerys Creek Road, Bringelly</i> ', prepared by KEYLAN Consulting Pty Ltd dated 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>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPL</b>	Environment Protection Licence under the POEO Act
<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>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>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>MIC SEPP</b>	State Environmental Planning Policy (Major Infrastructure Corridors) 2020
<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>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>Operation</b>	The use of the advanced manufacturing and research facility as described in the EIS and RTS
<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>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>Submissions Report - State Significant Development Application (SSD 25452459)</i> , prepared by KEYLAN Consulting Pty Ltd and dated September 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>Sydney Metro project</b>	Metro project approved under Infrastructure Approval SSI-10051
<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>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 and Response to Submissions;
  - (d) in accordance with the Development Layout in Appendix 1; and
  - (e) in accordance with the management and mitigation measures in Appendix 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.

#### **NOTIFICATION OF COMMENCEMENT**

- A6. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
  - (b) operation; and
  - (c) cessation of operations.
- A7. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

#### **EVIDENCE OF CONSULTATION**

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

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

- A9. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);

- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A10. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A11. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

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

- A12. Prior to the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of utility 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.
- A13. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
  - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the particular utility works.
- A14. 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*.
- A15. Within six months of the commencement of construction, 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.
- A16. Prior to the commencement of operation of 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**

- A17. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

## **STRUCTURAL ADEQUACY**

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

### **Note:**

- Section 6.28(2) of the EP&A Act sets out the requirements for certification of Crown building work.

## **COMPLIANCE**

- A19. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## **DEVELOPMENT CONTRIBUTIONS**

- A20. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (2022 Determination) as in force when this development consent takes effect.

A person may not apply for a subdivision certificate or construction certificate (as the case may require, having regard to the 2022 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).
- Under section 6.28 of the EP&A Act, Crown building work cannot commence unless it has been certified as complying with the BCA. Accordingly, if the development comprises Crown building work, the special infrastructure contribution should be paid before that certification has occurred.

**OPERATION OF PLANT AND EQUIPMENT**

A21. 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**

A22. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A23. Prior to:

- (a) the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- (b) commencement of operation

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.

A24. 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.

**APPLICABILITY OF GUIDELINES**

A25. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

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

**ADVISORY NOTES**

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

## **PART B SPECIFIC ENVIRONMENTAL CONDITIONS**

### **TRAFFIC AND ACCESS**

#### **Construction Traffic Management Plan**

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with TfNSW, Council and Sydney Metro;
  - (c) be endorsed by TfNSW and Sydney Metro;
  - (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
  - (e) detail specific measures to ensure the arrival of construction vehicles to the site does not cause queuing on the public road network;
  - (f) detail any work required within the future rail corridor identified in the MIC SEPP;
  - (g) detail heavy vehicle routes, work zones, access, construction vehicle numbers and parking arrangements;
  - (h) detail consultation measures and/or formal agreements with Sydney Metro to be undertaken throughout the construction period of the Sydney Metro Project;
  - (i) details of crane arrangements including their locations, and plans of any proposed hoarding and/or scaffolding in proximity to the Sydney Metro Project;
  - (j) include a Driver Code of Conduct to:
    - (i) minimise the impacts of construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (k) include a program to monitor the effectiveness of these measures;
  - (l) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

#### **Sydney Metro – Security Risk**

- B3. Prior to commencement of construction, the Applicant must liaise with Sydney Metro on security risk requirements for the Sydney Metro Project. Evidence of consultation with Sydney Metro must be provided to the Planning Secretary.

#### **Operational Traffic Management Plan**

- B4. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with TfNSW;
  - (c) include a Green Travel Plan detailing measures to promote car sharing and public transport usage and describing pedestrian and bicycle linkages and end of trip facilities available on-site; and
  - (d) include a car parking strategy. The strategy must:
    - (i) detail the number and location of car parking spaces to be provided prior to and following the opening of the Sydney Metro Project; and
    - (ii) provide justification and reasoning for car parking spaces in (d)(i) above, giving consideration to available public transport access and active transport links;
  - (e) include a program to monitor the effectiveness of these measures;
  - (f) detail triggers for review of the plan, including, but not limited to a review of the plan within 12 months of opening of the Sydney Metro Project (see also condition B6).



*Note: Any updates to the Operational Traffic Management Plan (including those occurring to reduce car parking spaces) are required to be approved by the Planning Secretary in accordance with condition B5.*

- B5. The Applicant must:
- (a) not commence operation until the Operational Traffic Management Plan required by condition B4 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the life of the development, or as otherwise agreed to in writing by the Planning Secretary.
- B6. Within 12 months of the commencement of operation of the Sydney Metro Project, the Applicant must review and update the Operational Transport Management Plan required under condition B4 to the satisfaction of the Planning Secretary. The updated plan must be prepared in accordance with the requirements of condition B4 and must incorporate the following:
- (a) review and update the car parking strategy, taking into consideration any reduction in private vehicle usage, including reduction in car parking spaces; and
  - (b) description of any additional measures that would be implemented for the development.

### **Operating Conditions**

- B7. 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.

### **BUSHFIRE**

- B8. The development must comply with the recommendations of bushfire report prepared by Eco Logical Australia (dated 12 November 2021, Ref. 21STU\_19533).

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

#### **Imported Soil**

- B9. 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**

- B10. Prior to the commencement of any construction or other surface disturbance, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase stormwater management target are achieved. These sediment and control measures must be detailed in an Erosion and Sediment Control Plan and must:
- (a) be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist;
  - (b) be prepared in accordance with *Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book* (Landcom, 2004) and with the WSUD design principles set out in the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022);
  - (c) demonstrate the construction approach and timing so that the construction phase stormwater quality targets are met; and
  - (d) be included in the CEMP required by Condition C2.

- B11. The Applicant must ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC. Monthly audits are to be completed by CPESC and kept on site for the duration of the construction and for a further 12 months following completion of construction works.

#### **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.

#### **Stormwater Management System**

- B13. Prior to the commencement of operation of the development, the Applicant must implement the Stormwater Management System described in the Appendix R of the RTS. The design and subsequent construction and establishment of the WSUD systems must be supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems.

#### **Stormwater Management Plan**

- B14. Within six months of the commencement of construction, the Applicant must prepare a Stormwater Management Plan (SMP) to the satisfaction of the Planning Secretary. The SMP 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 EHG and Sydney Water;
  - (c) describe the baseline soil, surface water and groundwater conditions at the site;
  - (d) detail a monitoring program to demonstrate how the system will meet the waterway health objectives and targets as set out in the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022), including:
    - (i) surface water flows and quality;
    - (ii) surface water storage and use;
    - (iii) bio-retention basins;
    - (iv) wetlands;
    - (v) triggers for installing the additional infrastructure described in the MUSIC model in Appendix R of the RTS;
  - (e) include a protocol for investigation of any non-compliances should the water quality targets not be met and contingency measures that would be implemented should issues arise;
  - (f) include a maintenance plan for WSUD measures; and
  - (g) detail triggers for review of the plan, including, but not limited to a review of the plan within 6 months of the regional stormwater infrastructure being available for the site to connect to.
- B15. The Applicant must:
- (a) not commence operation of the development until the SMP required by condition B14 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the SMP approved by the Planning Secretary for the duration of the development.

#### **BIODIVERSITY**

##### **Tree Protection**

- B16. Prior to the commencement of construction, a Project Arborist (AQF Level 5 in arboriculture and a practicing member of an industry association such as Arboriculture Australia or Institute of Australian Consulting Arboriculturists) is to be appointed for the duration of the works.
- B17. Prior to the commencement of construction, the Applicant is to prepare and submit for the approval of the Planning Secretary, a Tree Retention Plan to identify the existing trees on the site that are to be retained and/ or relocated on the site. The plan must:
- (a) be prepared by the Project Arborist identified in condition B16 and in consultation with a qualified ecologist;
  - (b) identify the trees that are to be retained on site. Where possible, this includes those trees identified as of high retention value and medium retention value, in the *Preliminary Aboricultural Report* prepared by Active Green Services, Ref: JN 81236 (Appendix P of the RTS); and
  - (c) identify those trees on site that are capable of being relocated within the site.
- B18. All trees identified for retention within the site (as described in the Tree Retention Plan at condition B17) are to be:
- (a) retained and protected throughout the life of the development; and

- (b) protected in accordance with the recommendations in the *Preliminary Aboricultural Report* prepared by Active Green Services, Ref: JN 81236 (Appendix P of the RTS) and the latest version of Australian Standard 4970:2009 – Protection of Trees on Development Sites.
- B19. Prior to the commencement of construction of the development, the Project Arborist is to certify the installation of tree protection measures at the site are in place. A copy of the certification is to be provided to the Planning Secretary.
- B20. A tree maintenance schedule is to be prepared to ensure all replacement and/ or relocated trees are maintained for a minimum period of two years following planting. Any trees that do not survive are to be replenished with a replacement tree from the species list within the approved Landscape Management Plan (see condition B21).

## **VISUAL AMENITY**

### **Landscaping**

- B21. Prior to the commencement of construction of the development, the Applicant must, in consultation with a qualified ecologist:
- (a) identify and salvage existing juvenile native plants on the site that are capable of being re-used in landscaping of the site;
  - (b) collect local native seeds from the site that are capable of being used in landscaping of the site;
  - (c) identify and salvage any native trees to be removed from the site (including tree hollows, tree trunks and root balls) that can be used on site for habitat enhancement (including those identified for retention or relocation in the Tree Retention Plan at condition B16); and
  - (d) provide evidence to the Planning Secretary, detailing how the plant material described in (a) to (c) will be protected and maintained to maximise its reuse in landscaping at the site (see condition B22).
- B22. Within six months of the commencement of construction of the development, or as otherwise agreed with the Planning Secretary, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works associated with the development, to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared in consultation with Western Sydney Airport Corporation and Council;
  - (b) detail the locations, species, pot sizes, tree canopy cover targets, planting densities of plantings to ensure no net-loss of trees, prioritising:
    - (i) the reuse of existing juvenile native plants on site in proposed landscaping areas;
    - (ii) the collection and use of local native seed from site and reuse opportunities of these seeds in proposed landscaping areas;
    - (iii) the reuse of any native trees to be removed (including tree hollows, tree trunks and root balls) on site for habitat enhancement (including those identified for retention or relocation in the Tree Retention Plan at condition B17);
    - (iv) incorporation of a diversity of local provenance native trees, shrubs and groundcover species taking into consideration those species listed in Appendix B of the draft Western Sydney Aerotropolis Development Control Plan 2021 (as may be finalised, updated or replaced); and
    - (v) avoidance of nursery hybrids of locally occurring native species;
    - (vi) species that minimise the potential for wildlife strikes on Western Sydney Airport;
  - (c) detail the provision of nesting boxes if any hollow-bearing trees are removed;
  - (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works;
  - (e) detail how the landscaping will align with recommendations of the Bushfire Protection Assessment (Ecological, dated 12 November 2021);
  - (f) details of how the landscaping intends to integrate with the public domain works for the broader Bradfield City Centre; and
  - (g) be consistent with conditions B17, B18, and B20 and the Applicant's Management and Mitigation Measures at Appendix 2.
- B23. The Applicant must:
- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary;
  - (b) must ensure the most recent version of the Landscape Management Plan approved by the Planning Secretary is fully implemented prior to the commencement of operation; and
  - (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B22 for the life of the development.

## AIR QUALITY

### Dust Minimisation

- B24. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B25. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative dust 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

- B26. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2010.

### Odour Management

- B27. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

## NOISE

### Hours of Work

- B28. The Applicant must comply with the hours detailed in Table 1.

**Table 1** Hours of Work

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

- B29. Works outside of the hours identified in condition B28 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
  - (b) works agreed to in writing by the Planning Secretary;
  - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
  - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### Construction Noise Limits

- B30. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.

### Construction Noise Management Plan

- B31. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must
- (a) be prepared by a suitably qualified and experienced noise expert(s);
  - (b) be approved by the Planning Secretary prior to the commencement of construction the development;
  - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
  - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (e) include strategies that have been developed with the community for managing high noise generating works; and
  - (f) describe the community consultation undertaken to develop the strategies in condition B31(e).

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

B32. The Applicant must:

- (a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B31 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

### Operational Noise Limits

B33. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

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

Location	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)	Night L <sub>AMax</sub>
All residential receivers	43	40	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).

### ABORIGINAL HERITAGE

#### Unexpected Finds Protocol

B34. If any item or object of Aboriginal heritage significance is identified on site:

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

B35. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

### HISTORIC HERITAGE

#### Unexpected Finds Protocol

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

### HAZARDS AND RISK

#### Dangerous Goods

B37. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

#### Bunding

B38. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (DECC, 2007).

### WASTE MANAGEMENT

#### Waste Management

B39. Waste must be secured and maintained within designated waste storage areas at all times, must not leave the site onto neighbouring public or private properties and be contained within enclosures that cannot be accessed by birds or flying foxes.

B40. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).

B41. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

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

## **CONTAMINATION**

### **Unexpected Finds**

- B43. Prior to the commencement of construction, 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 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.

### **Lighting**

- B44. 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**

- B45. All signage and fencing must be erected in accordance with the development plans included in the EIS and RTS.

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

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
  - (b) Erosion and Sediment Control Plan (see condition B10);
  - (c) Construction Noise Management Plan (see condition B31);
  - (d) Unexpected Finds Protocol (see condition B43); and
  - (e) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
  - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

#### REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Within three months of:
- (a) the submission of an incident report under condition C7;
  - (b) the approval of any modification of the conditions of this consent; or
  - (c) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, 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 C5, or such other timing as agreed by the Planning Secretary.

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

## **REPORTING AND AUDITING**

### **Incident Notification, Reporting and Response**

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

### **Non-Compliance Notification**

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

## **ACCESS TO INFORMATION**

- C11. 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) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
    - (v) a summary of the current stage and progress of the development;
    - (vi) contact details to enquire about the development or to make a complaint;
    - (vii) a complaints register, updated quarterly;
    - (viii) any other matter required by the Planning Secretary; and
  - (b) keep such information up to date, to the satisfaction of the Planning Secretary.



# APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Drawing/Sheet Number	Revision	Date	Drawing Title
101	03	2/09/2022	Location Plan
102	03	2/09/2022	Existing Site Plan
103	03	2/09/2022	Site Plan
1101	03	2/09/2022	Lower Ground Plan
1102	03	2/09/2022	Ground Floor Plan
1103	03	2/09/2022	Level 1 Plan
1104	03	2/09/2022	Roof Plan
2001	03	2/09/2022	North/South Elevations
2002	03	2/09/2022	East/West Elevations
3001	03	2/09/2022	Sections
60646285-SHT-00-1000-CI-0031	3	2/09/2022	Concept Erosion and Sediment Control Plan Sheet 01
60646285-SHT-00-1000-CI-0032	3	2/09/2022	Concept Erosion and Sediment Control Plan Sheet 02
60646285-SHT-00-1000-CI-0051	5	2/09/2022	Demolition Plan
60646285-SHT-00-1000-CI-0061	6	2/09/2022	Bulk Earthworks Plan
60646285-SHT-00-1000-CI-0121	6	2/09/2022	General Arrangement Plan Sheet 01
60646285-SHT-00-1000-CI-0122	4	2/09/2022	General Arrangement Plan Sheet 02
60646285-SHT-00-1000-CI-0601	6	2/09/2022	Combined Services Plan
60646285-SHT-00-1000-CI-0621	5	2/09/2022	Stormwater Drainage Plan Sheet 01
60646285-SHT-00-1000-CI-0622	5	2/09/2022	Stormwater Drainage Plan Sheet 02
60646285-SHT-00-1000-CI-0623	3	2/09/2022	Stormwater Drainage Plan Sheet 03
60646285-SHT-00-1000-CI-0901	4	2/09/2022	Erosion And Control Sediment Details



## APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	Mitigation measures
Built form and visual amenity	<ul style="list-style-type: none"> <li>• final design consistent with the principles of the Aerotropolis SEPP and associated guidelines</li> <li>• landscaping to use endemic species representative of woodland on the Cumberland Plain</li> <li>• consultation with landowners of occupied residences to the west of the site to establish visual mitigation measures during construction</li> <li>• construction lighting to be directed away from occupied residences to the west of the site</li> <li>• the structure is designed for disassembly through a modular component-based kit so the building can be moved to another site or adapted into a different use</li> <li>• the building's design incorporates structural elements to improve visual amenity and create visual interest. Features include:               <ul style="list-style-type: none"> <li>○ 360c glass panels around the facility</li> <li>○ large roof top structure which presents as an urban canopy</li> <li>○ wood panelling and slats to promote visual interest</li> </ul> </li> </ul>
Design considerations	<ul style="list-style-type: none"> <li>• passive and active surveillance systems are incorporated into the design to facilitate equitable, safe, and legible access to the public realm</li> <li>• Crime Prevention Through Environmental Design (CPTED) principles to be implemented during detailed design</li> <li>• the design incorporates a range of sustainable building materials and construction methods to provide natural building cooling and reduce embodied carbon</li> <li>• the following design elements will be resolved during the detailed design:               <ul style="list-style-type: none"> <li>○ materials and finishes</li> <li>○ signage illumination details</li> <li>○ benchmark targets for design and place making</li> </ul> </li> <li>• the building has been modelled to be capable of being naturally ventilated more than 55% of occupied hours and effectively night purged for approximately 200 days a year</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>• outperform a 5-star NABERS energy rated office building in terms of energy consumption</li> <li>• the green roof is designed to comply with the Green Star Urban Heat Island requirements and provides both green roof and solar panels to promote cool roof outcomes, provide an urban canopy, create habitat and generate renewable energy</li> <li>• ESD principles are to be implemented to achieve a net zero carbon emission and intent of the facility is to engage with the living building challenge</li> <li>• mechanical system utilises displacement ventilation to purge residual solar heat gains from the space when actively conditioned</li> <li>• be resilient to climate impacts and mitigate the urban heat island effect</li> <li>• generate sustainable social outcomes through placemaking and community building</li> <li>• the building is targeting net-zero operational energy and all electric building strategies will be integrated, no gas will be used in the building for any purposes</li> <li>• implement circular economy principles during design, construction and end of life for the building</li> </ul>

Issue	Mitigation measures
	<ul style="list-style-type: none"> <li>• photovoltaic cells will generate 100% of the office energy demand</li> <li>• the roof will be able to capture and store enough energy to power the building entirely (not including the manufacturing equipment)</li> <li>• the building will be carbon positive through the embodied carbon in the building materials (predominantly timber)</li> <li>• blinds and shading will be further considered during the detailed design of the building</li> <li>• passive design strategies including significant facade shading, internalised thermal mass and green roof elements to reduce energy consumption of the buildings</li> </ul>
Traffic and transport	<ul style="list-style-type: none"> <li>• construction traffic management measures to be described in the CEMP</li> <li>• detailed Green Travel Plan to be implemented by the building tenant</li> <li>• 50 car parking spaces are proposed in the interim design, until further development of the site occurs, with 18 car parking spaces proposed for the long term</li> <li>• 10% (2) of the permanent parking spaces will support electric vehicle charging - one ultra fast, one level 4</li> <li>• 13 bicycle parking spaces satisfies the minimum requirement of 8 staff bicycle spaces and 3 visitor bicycle spaces</li> <li>• end of trip and cycling facilities will include the ability to have E-bike charging</li> <li>• the First Building carpark is proposed to enable safe areas for pick up and drop off</li> <li>• loading spaces are separate from pedestrian access points</li> <li>• the proposed porte-cochere is adjacent to the north-south vehicle access link and allows service vehicles or waste trucks to access the loading zone without reversing or parking</li> <li>• the designated loading zone is separated from the general travel lane by a median, which allows other vehicles to traverse through the Site while a heavy vehicle is parked</li> <li>• separate access points are provided for pedestrian's and vehicles</li> <li>• a two-lane two-way temporary carriageway will be constructed adjacent to Fifteenth Avenue to enable vehicle access</li> <li>• details on grade separate of 15th Avenue and the future rail are to be addressed during detailed design</li> <li>• 6m wide one-way vehicular access is provided through the Site for vehicles to enter from Innovation North and to exit onto Fifteenth Avenue</li> <li>• pedestrian linkages and connection to the active transport network will be further considered in conjunction with the Masterplan at detailed design</li> <li>• connectivity to active and passive transport options will be further developed at the masterplan stage</li> <li>• plans to be prepared for access roads and parking in accordance with Australian Standards A.S. 2890</li> <li>• the Applicant will continue working with Sydney Metro to coordinate the construction site requirements and interfaces with the First Building development</li> <li>• the Applicant will implement the recommendations of the <i>Security Risk Assessment – Impacts on Metro Corridor</i> prepared by AECOM, dated 21 July 2022</li> </ul>
Noise and vibration	<ul style="list-style-type: none"> <li>• preparation of a Construction Noise and Vibration Management Plan</li> <li>• minimising coinciding use of noisy plant items</li> <li>• shutting down intermittently used equipment when not in use</li> </ul>

Issue	Mitigation measures
	<ul style="list-style-type: none"> <li>regular compliance checks on the noise emissions of all plant and machinery</li> <li>non-tonal reversing alarms used on all items of plant and heavy vehicles</li> <li>noisy equipment oriented away from sensitive receivers where practicable</li> <li>pre-construction and ongoing consultation with adjoining sensitive receivers</li> <li>apply minimum working distances to manage vibration impacts, with attended vibration monitoring where works occur within the minimum distances</li> </ul>
Soil and water	<ul style="list-style-type: none"> <li>a Soil and Water Management Plan will be prepared in accordance with the NSW Department of Housing Publication "Managing Urban Stormwater – Soils and Construction (2004)"</li> <li>the Applicant is committed to reducing earthworks as much as possible to minimise impacts on Aboriginal cultural values</li> <li>a detailed erosion and sediment control plan will be prepared as part of the CEMP</li> <li>the Applicant will commit to ensure the fill transported to the Site is non-putrescible clean fill</li> <li>landscape-led design minimises the potential for environmental and waterway impacts from development on acid sulfate soils</li> <li>the 3,500m<sup>2</sup> roof will harvest rainwater and reuse it throughout the site</li> <li>the harvested water is used to promote urban cooling and reduce the heat island effect</li> <li>the rainwater tank has been sized to provide nonportable water demand offset of the building through supplying non potable water demands on Site and providing capacity to supply future buildings as Bradfield grows</li> </ul>
Waste management	<ul style="list-style-type: none"> <li>implementation of a Construction Waste Management Plan to be included in the CEMP</li> <li>implementation of an Operational Waste Management Plan including the following objectives: <ul style="list-style-type: none"> <li>maximise resource recovery by reuse and recycling</li> <li>minimise the generation of waste to landfill</li> <li>maximise waste material avoidance and reuse on the site</li> <li>establish record keeping, monitoring and reporting procedures</li> <li>comply with the requirements of the relevant statutory authorities</li> </ul> </li> <li>a detailed waste management plan is to be prepared consistent with control 11.3 of the DCP Phase 2</li> <li>adopt an ongoing improvement approach to improve on best practice waste management principles</li> <li>waste collection will occur one to two times per week</li> <li>waste generated will be managed effectively to reduce odour impacts</li> <li>as part of its Green Star commitments the proposal will deliver 90% diversion of construction waste from landfill</li> </ul>
Air quality	<ul style="list-style-type: none"> <li>CEMP to include standard air quality control measures, contingency plans and response procedures and suitable reporting and performance monitoring procedures</li> <li>CEMP to include standard odour mitigation measures for construction including keeping excavation surfaces moist, covering excavation faces and/or stockpiles, use of soil vapour extraction systems and regular monitoring of discharges as appropriate</li> </ul>



Issue	Mitigation measures
Contamination	<ul style="list-style-type: none"> <li>a detailed site investigation (DSI) has been prepared for the development which concludes that the site does not require remediation and will be suitable for the proposed use</li> <li>prior to commencement the proposal will be reviewed by an EPA accredited Site Auditor</li> </ul>
Bushfire	<ul style="list-style-type: none"> <li>establish and maintain asset protection zones as indicated in the BHA</li> <li>provide fire hydrants in accordance with the BCA</li> <li>buildings to be constructed in accordance with AS 3959 <i>Construction of buildings in bushfire-prone areas</i> and measures outlined in the BHA</li> <li>implement the recommendations of the Bushfire Assessment</li> </ul>
Stormwater management	<ul style="list-style-type: none"> <li>at detailed design stage, stormwater drainage system for the Site will be prepared to address local/site specific stormwater management consistent with the masterplan SMP and the flood impact assessment prepared by Advisian</li> <li>the design of the stormwater system and overland flows during detailed design will be consistent with the DCP Phase 2</li> <li>a temporary drainage basin is proposed until other arrangements can be made through the Masterplan</li> <li>a variety of WSUD strategies are incorporated into the proposal including: <ul style="list-style-type: none"> <li>rainwater harvesting</li> <li>natural vegetated swales</li> <li>landscaped areas</li> <li>green roof</li> <li>permeable paving</li> </ul> </li> </ul>
Natural Environment and landscaping	<ul style="list-style-type: none"> <li>an arborist's report will be undertaken at detailed design stage and prior to commencing construction to identify trees to be removed/retained depending on tree health and stability</li> <li>a detailed landscape plan and planting schedule will be provided at detailed design, consistent with the requirements of the DCP Phase 2 to address wildlife strikes on Western Sydney Airport</li> <li>nesting boxes will be provided if any hollow bearing trees are removed</li> <li>a detailed landscape plan will be provided which addresses: <ul style="list-style-type: none"> <li>planting species of Appendix B of the DCP Phase 2</li> <li>tree canopy cover targets of the DCP Phase 2</li> <li>landscaping of carparking and street frontages</li> <li>tree pit deep soil provisions on verges</li> <li>tree protection measures consistent with the arborist report</li> <li>details of tree species, locations and canopy heights</li> <li>root barrier protection for underground services</li> <li>landscape treatments surrounding the padmount substation</li> <li>planting design will be informed by the Cumberland Plain ecological community</li> </ul> </li> <li>seasonal swales are present in the landscape design, mirroring the natural processes that water takes</li> <li>landscape irrigation will be provided from rainwater harvested from the roof</li> <li>porous pavement reduces the urban heat island effect as water can absorb into the pavement and reduces solar reflectiveness from the pavement</li> <li>weed management measures will be included as part of the CEMP for the development</li> <li>ongoing management of weeds at the site will form part of operational management</li> </ul>

Issue	Mitigation measures
	<ul style="list-style-type: none"> <li>• pest management techniques will be reviewed and implemented during the construction and post construction phase</li> <li>• appropriate light mitigation measure will be provided at detailed design to ensure light spill doesn't unreasonably disturb wildlife</li> <li>• the detailed design of the development will incorporate deep soil measures and canopy trees including:               <ul style="list-style-type: none"> <li>◦ minimum tree canopy target 25% site area</li> <li>◦ minimum deep soil comprising 15% of the site area</li> <li>◦ at least two medium trees or one large tree planted in the deep soil area for every 400m<sup>2</sup> of site area</li> </ul> </li> <li>• Where the landscaping within the First Building site does not achieve a no net loss of tree canopy cover, the Applicant will provide compensatory planting in the broader Precinct</li> </ul>
Infrastructure and servicing	<ul style="list-style-type: none"> <li>• an interim operating pump station (IOP) will be implemented to support initial sewage removal</li> <li>• the IOP will be decommissioned after the sewer infrastructure is installed from First Building to the Advanced Water Recycling Centre (AWRC)</li> <li>• the First Building will connect with the existing 150 mm Sydney Water main on Badgerys Creek Road</li> <li>• the building will also connect with future water supply infrastructure developed as part of the broader Masterplan including recycled water as part of the Upper South Creek AWRC to be operated by Sydney Water</li> <li>• easements have been established in accordance with the adjacency advice for the proposed padmount substation</li> <li>• further requirements will be negotiated with Endeavour energy at detailed design</li> <li>• during detailed design the Applicant will continue to engage with services providers to ensure utilities are provided to the Site</li> <li>• Bradfield Town Centre is investigating a centralised district facility of water recycling and reticulation. The building is designed to enable future connection</li> </ul>
Airport Operations	<ul style="list-style-type: none"> <li>• lighting will be designed to ensure it is not obtrusive and does not impact airport operations</li> <li>• mitigation methods to safeguard the airport from wildlife strikes will be developed at detailed design (landscape plan)</li> <li>• all equipment and machinery at the First Building will be tested and verified to ensure that the proposal does not unreasonably impact communications navigation and surveillance systems, which can pose a risk to pilots</li> <li>• appropriate colours and materials are to be proposed during detailed design to minimise any chance of reflecting</li> <li>• it is not anticipated that pollutants would be generated that would penetrate past the maximum ADH. If this does occur further approval would be sought under the Airports Act 1996 and Airports (Protection of Airspace) Regulations 1996</li> </ul>
Smart Technologies	<ul style="list-style-type: none"> <li>• smart technology will be fitted to ensure the building management systems are as efficient as possible as the scheme aims at achieving the living building challenge</li> <li>• technologies will be reviewed and implemented at the detailed design stage</li> <li>• integrated data loggers will be used to support the fine-tuning of the building to ensure the most efficient use of energy and water in operation</li> </ul>

## **APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

### **WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

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