

# Development Consent

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

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

These conditions are required to:

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



Joanna Bakopanos

**Acting Director**

**Industry Assessments**

Sydney

11 December 2025

File: EF21/16145

### SCHEDULE 1

<b>Application Number:</b>	SSD-30871587
<b>Applicant:</b>	The Trustee for 805 Mamre NSW Logistics Property Trust
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 26 DP258414 and Part Lot 2001 DP1036837, 805-817 Mamre Road, Kemps Creek and Part 799-803 Mamre Road, Kemps Creek
<b>Development:</b>	Demolition of existing structures, bulk earthworks, subdivision of Lot 26 into eight lots, construction of public roads and an interim access to Mamre Road, site servicing, stormwater infrastructure, and the construction and operation of two warehouses with ancillary office space, car parking, landscaping and signage.

## TABLE OF CONTENTS

<b>DEFINITIONS .....</b>	<b>1</b>
<b>PART A ADMINISTRATIVE CONDITIONS .....</b>	<b>4</b>
Obligation to Minimise Harm to the Environment.....	4
Terms of Consent .....	4
Limits of Consent.....	4
Notification of Commencement.....	4
Evidence of Consultation.....	4
Staging, Combining and Updating Strategies, Plans or Programs .....	5
Utilities, Services and Public Infrastructure.....	5
Demolition.....	6
Structural Adequacy .....	6
External Walls and Cladding.....	6
Civil Plans.....	6
Subdivision .....	6
Compliance.....	7
Planning Agreement .....	7
Special Infrastructure Contribution.....	7
Operation of Plant and Equipment.....	7
Environmental Representative.....	7
Mamre Road Precinct Working Group.....	8
Applicability of Guidelines.....	9
<b>PART B SPECIFIC ENVIRONMENTAL CONDITIONS .....</b>	<b>10</b>
Traffic and Access .....	10
Soils, Water Quality and Hydrology .....	13
Noise .....	16
Air Quality .....	18
Aboriginal Heritage .....	19
Hazards and Risk .....	20
Contamination .....	20
Visual Amenity.....	20
<b>PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING.....</b>	<b>23</b>
Environmental Management.....	23
Construction Environmental Management Plan.....	23
Operational Environmental Management Plan .....	24
Revision of Strategies, Plans and Programs .....	24
Reporting and Auditing .....	24
Access to Information .....	25
<b>APPENDIX 1 DEVELOPMENT LAYOUT PLANS.....</b>	<b>26</b>
<b>APPENDIX 2 APPLICANT’S MANAGEMENT AND MITIGATION MEASURES.....</b>	<b>32</b>
<b>APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS.....</b>	<b>46</b>
<b>APPENDIX 4 NOISE SENSITIVE RECEIVERS .....</b>	<b>47</b>
<b>APPENDIX 5 AIR QUALITY MONITOR LOCATIONS.....</b>	<b>48</b>

## DEFINITIONS

<b>Additional Information</b>	<p>Correspondence by the Applicant in response to the Department's request for information, including the document(s) titled:</p> <ul style="list-style-type: none"> <li>• 'Response Request for Additional Information – SSD-30871587 Warehouse and Distribution Centre – 805-817 Mamre Road, Kemps Creek', prepared by Ethos Urban and dated 30 June 2025</li> <li>• 'Response Request for Additional Information – SSD-30871587 Warehouse and Distribution Centre – 805-817 Mamre Road, Kemps Creek', prepared by Ethos Urban and dated 4 August 2025</li> <li>• 'Response Request for Additional Information – SSD-30871587 Warehouse and Distribution Centre – 805-817 Mamre Road, Kemps Creek', prepared by Ethos Urban and dated 9 September 2025</li> </ul>
<b>Applicant</b>	The Trustee for 805 Mamre NSW Logistics Property Trust, or any person carrying out any development to which this consent applies
<b>BAPS Temple</b>	The place of public worship development located at 230-242 Aldington Road, Kemps Creek
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</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) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
<b>Council</b>	Penrith City Council
<b>CPESC</b>	Certified Professional in Erosion and Sediment Control
<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>DCCEEW – CPHR Group</b>	Conservation Programs, Heritage and Regulation Group of the NSW Department of Climate Change, Energy, the Environment and Water
<b>Decommissioning</b>	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure (DPHI)
<b>Development</b>	The development described in Schedule 1, the EIS and Submissions Report and Additional Information, including the works and activities comprising demolition of existing structures, bulk earthworks, subdivision, construction of public roads and an interim access to Mamre Road, site servicing, stormwater infrastructure, and the construction and operation of two warehouses with ancillary office space, car parking, landscaping and signage, as modified by the conditions of this consent
<b>Development layout</b>	The plans at <b>Appendix 1</b> of this consent
<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>EIS</b>	The Environmental Impact Statement titled 'Environmental Impact Statement SSD: 30871587 - Warehouse and Distribution Centre Industrial Development 805-817 & Part 799-803 Mamre Road, Kemps Creek 805 Mamre NSW Pty Ltd', prepared by Ethos Urban and dated 21 September 2023, 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>Environmental Representative Protocol</b>	The document of the same title published by the Department
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<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>Fibre-ready facility</b>	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
<b>GFA</b>	Gross Floor Area
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , 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 to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance <b>Note:</b> “Material harm” is defined in this consent
<b>IWCM</b>	Integrated Water Cycle Management
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or</li> <li>b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul> <b>Note:</b> This definition excludes “harm” that is either authorised under this consent or any other statutory approval <b>Note:</b> For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>MRP</b>	Mamre Road Precinct
<b>MRP DCP</b>	Mamre Road Precinct Development Control Plan 2021, or its latest version
<b>Negotiated Agreement</b>	An agreement involving the negotiation of a package of mitigation and/or compensatory benefits for landowners of affected land in relation to operational noise impacts. The agreement is negotiated between the Applicant and the landowner.
<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>On-lot Stormwater Infrastructure</b>	Stormwater infrastructure located within the site that services the development and is not part of the road or regional stormwater infrastructure, as identified in the ‘805-

817 Mamre Road, Kemps Creek – Water and Stormwater Management Plan’, prepared by AT&L, version 08 and dated 10/10/25

<b>Operation</b>	The use of the two warehouse buildings for warehousing purposes as described in the EIS, Submissions Report and Additional Information.
<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
<b>Principal Certifier</b>	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act
<b>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>Regional Stormwater Authority</b>	Sydney Water Corporation established under the <i>Sydney Water Act 1994</i> (NSW) and any successors
<b>Regional Stormwater Infrastructure</b>	Stormwater infrastructure located within the site that forms part of the <i>Mamre Road Precinct Integrated Stormwater Scheme Plan</i> (Sydney Water, May 2025 or its latest version), as identified in the ‘805-817 Mamre Road, Kemps Creek – Water and Stormwater Management Plan’, prepared by AT&L, version 08 and dated 10/10/25
<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>Relevant Roads Authority</b>	The authority responsible for ownership and maintenance of the applicable road (either Council or TfNSW)
<b>SEPP</b>	State Environmental Planning Policy
<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>Submissions Report (SR)</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 ‘Submissions Report Warehouse and Distribution Centre 805-817 Mamre Road, Kemps Creek Submitted to Department of Planning, Housing and Infrastructure on behalf of 805 Mamre NSW Pty Ltd SSD-30871587’, prepared by Ethos Urban and dated 17April 2025.
<b>Technical Guidance</b>	<i>Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Department of Planning and Environment, 2022) or latest version
<b>TfNSW</b>	Transport for New South Wales
<b>Trunk Drainage</b>	Stormwater assets, typically open natural trunk drainage channels, wetlands, and storage ponds, as shown on Sydney Water’s Mamre Road Precinct
<b>VENM</b>	Virgin Excavated Natural Material
<b>Watercourse</b>	The existing Strahler 2 waterway and riparian corridor that runs through the north-east corner of the site, as shown in the <i>Mamre Road Precinct Integrated Stormwater Scheme Plan</i> (Sydney Water, May 2025 or its latest version)
<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 Submissions Report and 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) 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.

##### Traffic and Access

- A6. Prior to the commencement of operation of the development, the interim site access and associated road widening works on Mamre Road (as shown in Figure 2 in Appendix 1), must be constructed and commissioned to the satisfaction of the relevant Roads Authority.
- A7. The largest vehicle permitted to access the site via the interim site access road shown in **Figure 1** is a 30 metre Performance Based Standards (PBS) Level 2 Type B vehicle.

##### Stormwater Management

- A8. The site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Department of Planning and Environment, 2022) (Technical Guidance) or its latest version.
- A9. Under this consent, proposed Lot 1 (as shown in **Figure 5** in **Appendix 1**) must only be used for stormwater management purposes (with the exception of earthworks, road and utility infrastructure works) for the life of the development.

#### NOTIFICATION OF COMMENCEMENT

- A10. 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; and
  - (b) operation.
- A11. 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).

#### EVIDENCE OF CONSULTATION

- A12. 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**

- A13. 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).
- A14. 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.
- A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

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

#### **General Requirements**

- A16. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
  - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.
- A18. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

#### **Sydney Water**

- A19. Prior to the commencement of construction of the development, the Applicant must obtain a Building Plan Approval from Sydney Water to ensure sewer, water or stormwater mains or easements would not be affected by the development.
- A20. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water, stormwater and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

#### **Fibre-Ready Facilities**

- A21. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and

- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.

A22. Prior to the issue of an Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

### **DEMOLITION**

A23. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

### **STRUCTURAL ADEQUACY**

A24. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

*Note:*

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

### **EXTERNAL WALLS AND CLADDING**

A25. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A26. Prior to the issue of:

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

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

A27. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **Civil Plans**

A28. Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works and Austroads Guidelines.

### **SUBDIVISION**

A29. Prior to the issue of a Subdivision Certificate for any stage of the development, detailed work-as-executed drawings must be prepared and signed by a Registered Surveyor, which must:

- (a) show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent;
- (b) be prepared in accordance with Penrith City Council's Engineering Construction Specification for Civil Works;
- (c) be accompanied by plans indicating the depth of cut / fill for the entire development site;
- (d) ensure the survey information shows surface levels and site contours at 0.5m intervals and all levels are shown to Australian Height Datum; and
- (e) be submitted to the Certifier and Council.

A30. Prior to the issue of a Subdivision Certificate for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements and rights of carriageway (as shown in **Figure 5** in **Appendix 1**), have been lodged for registration or registered at the Land Registry Services.

A31. Prior to the issue of a Subdivision Certificate for any stage of the development:

- (a) a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established; and
- (b) a certificate from the Regional Stormwater Authority must be submitted to the Certifier certifying that satisfactory stormwater servicing arrangements for the site have been established.

A32. Prior to issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road:

- (a) final inspection of the estate road is to be undertaken by the relevant Roads Authority. All compliance documentation for road and drainage construction of the estate road must be submitted to the relevant Roads Authority in accordance with the relevant Roads Authorities specifications and requirements;
- (b) where installation of any regulatory/advisory signage and line marking are proposed, plans are to be lodged with, and approved by, the relevant Roads Authority prior to the installation of any such regulatory/advisory signage and line marking; and
- (c) an application for proposed street names must be lodged with and approved by the relevant Roads Authority and the signs erected on-site. The proposed names must be in accordance with the Geographical Names Board requirements.

**Note:** Contact Penrith City Council's Engineering Services Department on 4732 7777 for further information on this process and applicable fees.

## COMPLIANCE

- A33. 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.

## PLANNING AGREEMENT

- A34. Within six months after the date of commencement of construction of the development, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a planning agreement (PA) with Penrith City Council (Council) in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
  - (b) the terms of the offer in the letter dated 12 August 2025 from Gibb Group to the Council and the conditions of acceptance in Council's letter to Gibb Group dated 22 September 2025.
- A35. The land for the collector road and open space edge road, and RE1-zoned land within the site (as shown in **Figure 5** in **Appendix 1**) is to be dedicated to Council free of cost.

## Special Infrastructure Contribution

- A36. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (as in force when this development consent takes effect). A person may not apply for a Subdivision Certificate or Construction Certificate (as the case may require, having regard to the Determination) in relation to development the subject of this development consent unless the person provides, with the application, written evidence from the Department that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

**Note:** A request for assessment by the Department of Planning, Housing and Infrastructure 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).

## OPERATION OF PLANT AND EQUIPMENT

- A37. 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.

## ENVIRONMENTAL REPRESENTATIVE

- A38. Works must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant.
- A39. The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary.
- A40. The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS or Submissions Report and is independent from the design and construction personnel for the development.
- A41. The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development.
- A42. For the duration of the construction works until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:
- (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;
  - (b) consider and inform the Planning Secretary on matters specified in the terms of this consent;

- (c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
  - (d) review the CEMP required under condition C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
    - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
    - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/Department for information or are not required to be submitted to the Planning Secretary/Department);
  - (e) regularly monitor the implementation of the documents identified in condition A42(d) to ensure implementation is being carried out in accordance with the document and the terms of this consent;
  - (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits;
  - (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;
  - (h) provide advice to the Applicant on the management and coordination of construction works on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, sediment control, noise and dust;
  - (i) attend the Mamre Road Precinct Working Group (see condition A45) in a consultative role in relation to the environmental performance of the development; and
  - (j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.
- A43. The Applicant must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A42 (including preparation of the ER monthly report), as well as:
- (a) the complaints register (to be provided on a daily basis); and
  - (b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).
- A44. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A42. The Applicant must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
  - (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

#### **Mamre Road Precinct Working Group**

- A45. Prior to the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:
- (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;
  - (b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;
  - (c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;
  - (d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;
  - (e) review community concerns or complaints with respect to environmental management;
  - (f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and
  - (g) provide the Planning Secretary with an update and strategies, if a review under subclauses (d) or (e) identifies additional measures and processes are required to be implemented by the working group.

- A46. Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A45. The Applicant must:
- (a) consult with the Planning Secretary;
  - (b) provide confirmation that all components of the development are operational; and
  - (c) advise on the date of the proposed exit.

#### **APPLICABILITY OF GUIDELINES**

- A47. 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.
- A48. 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

- 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 Council and TfNSW;
  - (c) incorporate any traffic safety outcomes and actions from the MRP working group;
  - (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction, including management of cumulative construction traffic from other concurrent construction works within the Mamre Road Precinct and the Mamre Road Upgrade Stage 2 works;
  - (e) detail heavy vehicle routes, access and parking arrangements;
  - (f) detail the number of construction vehicle movements and demonstrate how the movements will be managed in the context of road changes in the vicinity of the site;
  - (g) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise;
    - (iv) inform truck drivers of the site access arrangements, turning restrictions and use of specified routes; and
    - (v) detail the compliance actions that would be implemented for any vehicles that deviate from approved routes and turning restrictions;
  - (h) include a consultation strategy for liaising with and managing the cumulative impacts of other developments in the MRP;
  - (i) include a program to monitor the effectiveness of these measures; and
  - (j) 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.
- B3. Prior to the commencement of any construction works (including earthworks) on proposed Lot 5 (as shown in **Figure 5** in **Appendix 1**), the Applicant must obtain the following to the satisfaction of the Planning Secretary:
- (a) a written agreement with TfNSW regarding the coordination of these construction works and the Mamre Road Upgrade Stage 2 (MRUS2) works.
- B4. Any construction, including earthworks on proposed Lot 5 must be undertaken in accordance with the agreement in Condition B3, unless otherwise agreed with the Planning Secretary.

#### Temporary Construction Access Road

- B5. The Applicant must enter into a Works Authorisation Deed (WAD) with TfNSW for construction of the temporary left-in, left-out construction access on Mamre Road. The WAD must:
- (a) detail the required traffic control measures developed in consultation with TfNSW, NSW Police, the Department and Council;
  - (b) include details of the removal of the temporary left-in, left-out construction access following completion and commissioning of the interim access road; and
  - (c) be executed prior to the commencement of construction of the temporary left-in, left-out construction access and on Mamre Road.
- B6. Prior to the commencement of earthworks, the Applicant must obtain approval from TfNSW under section 138 of the *Roads Act 1993* for the temporary left-in, left-out construction access from Mamre Road.
- B7. The Applicant must:

- (a) construct the temporary left-in, left-out construction access from Mamre Road in accordance with the approvals required under conditions B5 and B6, to the satisfaction of TfNSW;
- (b) ensure the temporary left-in, left-out construction access on Mamre Road are maintained at no cost to TfNSW; and
- (c) remove the temporary left-in, left-out construction access on Mamre Road at the completion and commissioning of the interim access road (as shown in Figure 1 and Figure 2 in Appendix 1), as instructed by TfNSW and at no cost to TfNSW.

#### **Interim Access Road**

- B8. The Applicant must enter into a Works Authorisation Deed (WAD) with TfNSW for construction of the interim site access and associated road widening works on Mamre Road (as shown in **Figure 2 in Appendix 1**).
- B9. Prior to the commencement of construction of the interim site access and associated road widening works on Mamre Road, the Applicant must obtain approval from TfNSW for the works under section 138 of the *Roads Act 1993*.
- B10. The Applicant must:
- (a) complete construction of the interim access in accordance with the approvals required under conditions B8 and B9, to the satisfaction of TfNSW and Council, prior to the commencement of operation of the development; and
  - (b) complete construction of the interim access and open it to traffic by Q4 2026 to the satisfaction of TfNSW and Council, or as otherwise agreed by the Planning Secretary.
- B11. The interim access road must be:
- (a) closed for use once a permanent link is completed between the internal Collector Industrial Road and the wider public road network that provides access to Mamre Road; and
  - (b) decommissioned within six months of its closure, in accordance with the decommissioning plans prepared in accordance with condition B12, including landscaping, reinstatement and rehabilitation of the land, or closure of any temporary medians (as shown in **Figure 3 and Figure 4 in Appendix 1**), to the satisfaction of the Planning Secretary.
- B12. Prior to decommissioning of the interim access road in accordance with condition B11, the Applicant must prepare a Decommissioning and Rehabilitation Plan, in consultation with Council, Sydney Water and TfNSW, to the satisfaction of the Planning Secretary. The plan must:
- (a) identify all works required to remove the interim access road and any associated structures not required for the ultimate road arrangement;
  - (b) provide for reinstatement, stabilisation and landscaping of the decommissioned road corridor, consistent with the approved landscape plans and the MRP DCP; and
  - (c) include staging and traffic management measures to maintain safe and adequate access during and after decommissioning.
- B13. The Applicant must not construct any infrastructure (e.g. batter, retaining wall, and drainage basins) required to support the development within the Mamre Road reserve or on land that is zoned SP2, unless otherwise agreed by TfNSW.

#### **Internal Estate Roads**

- B14. Prior to the commencement of construction of the internal estate roads (internal Collector Industrial Road, Open Space Edge Road), the Applicant must prepare detailed design plans of the roads in accordance with the design requirements under the MRP DCP and any relevant standards, specifications, or alike to the satisfaction of Council.
- B15. Prior to the commencement of operation, the Applicant must:
- (a) subdivide the site to create lot(s) for the internal estate roads (internal Collector Industrial Road, Open Space Edge Road) shown in **Figure 1 in Appendix 1**;
  - (b) ensure the created lot(s) includes portions of the road required to connect to properties to the south at 819-831 Mamre Road, Kemps Creek, between the temporary turning head shown in **Figure 1 in Appendix 1** and the southern boundaries of the site;
  - (c) register the newly created local road lot(s) on the land title(s); and
  - (d) construct the roads, including the temporary turning head (if required), to the satisfaction of Council.

#### **Parking**

- B16. The Applicant must provide sufficient parking facilities on-site with regard to the requirements of the MRP DCP, 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.

- B17. Bicycle parking and end-of-trip facilities must be provided with suitable pedestrian connections linking these facilities with the offices and warehouse buildings in accordance with relevant guidelines and standards and the MRP DCP.
- B18. A minimum of 5% of light vehicle parking bays must provide for electric vehicle charging, with a further 5% constructed as readily adaptable.

#### **Street Trees**

- B19. Prior to the commencement of any stage of road construction, detailed design plans showing the provision of passively irrigated street trees within the relevant stage of works must be submitted to the satisfaction of the relevant Road Authority. The plans must:
- (a) be prepared in consultation with Council; and
  - (b) have regard to the Sydney Water Stormwater Scheme Infrastructure Design Guideline and the MRP DCP.

#### **Operational Traffic Monitoring Program**

- B20. At the commencement of operation of the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program to verify light and heavy vehicle traffic numbers against the predictions in the Submissions Report. The Program must form part of the OEMP required by condition C5, must monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary, and must include but not be limited to, the following:
- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
  - (b) queue monitoring at the interim access to Mamre Road and background traffic counts on Mamre Road;
  - (c) verify the predicted traffic numbers and level of service against the actual impacts of the development, and analyse the potential cause of any significant discrepancies;
  - (d) consider the current capacity and efficiency of the existing road network including Mamre Road; and
  - (e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development.
- B21. The results of the Operational Traffic Monitoring Program must be reported to the Planning Secretary and TfNSW on a quarterly basis for a minimum period of 12 months of operation.

#### **Operating Conditions**

- B22. 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) that no heavy vehicles larger than a 30 metre Performance Based Standards (PBS) Level 2 Type B uses the interim access arrangements;
  - (d) the development does not result in any vehicles queuing on the public road network;
  - (e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
  - (f) all vehicles are wholly contained on site before being required to stop;
  - (g) all loading and unloading of materials is carried out on-site; and
  - (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

#### **Workplace Travel Plan**

- B23. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Workplace Travel Plan to be included in the OEMP required by condition C5. The Plan must:
- (a) be prepared in consultation with TfNSW;
  - (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
  - (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.
- B24. The Applicant must implement the most recent version of the Workplace Travel Plan submitted to the Planning Secretary for the duration of the development.

## SOILS, WATER QUALITY AND HYDROLOGY

### Imported Soil

B25. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site for use as fill;
- (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

B26. Prior to the commencement of construction of the development, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase IWCM controls of the MRP DCP are achieved. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must:

- (a) be prepared by a Certified Professional in Erosion and Sediment Control (CPESC) and in consultation with DCCEEW – CPHR Group;
- (b) address the requirements of the detailed technical specifications in the Technical Guidance and the 'Blue Book - Managing Urban Stormwater: Soils and Construction' (Landcom 2004); detail how the ESCP addresses the requirements of section 4.4.2 of the MRP DCP;
- (c) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets in the MRP DCP can be met, including any staging of construction works and construction staging
- (d) plans that:
  - (i) represent each phase of works, including clearing, earthworks (existing and final levels), civil construction and landscaping;
  - (ii) show erosion, drainage, and sediment controls for each phase and identify timing for implementation and decommissioning of all controls;
  - (iii) identify external catchments and clean water drains;
  - (iv) show flow of clean water around the site and flow of dirty water within the site, and identify how external catchment flows will be managed to prevent contamination during the construction;
  - (v) provide sizing for major drainage and sediment control (such as sediment basins); and
  - (vi) quantify compliance with the stormwater targets for each stage;
- (e) identify how dispersive soils have been considered and will be managed during construction works;
- (f) detail the timing, methods and performance requirements for stabilisation of each area of site disturbance;
- (g) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed;
- (h) be independently reviewed and verified by the ER prior to submission to the Planning Secretary; and
- (i) be included in the CEMP required by condition C2.

B27. The Applicant must:

- (a) ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC;
- (b) undertake monthly audits, completed by the CPESC, and kept on record for the duration of the construction and an additional 12 months following completion of construction works to ensure the controls remain effective in achieving the construction phase stormwater quality targets in the Technical Guidance; and
- (c) ensure monthly audit reports are reviewed and verified by the ER and submitted to the Planning Secretary within 7 days of completing the audit.

B28. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B26 for the duration of construction of the development.

### Retaining Walls

B29. All structures (foot, batter, tie backs/in and drainage) associated with retaining walls must be within private property and not within the public road reserve and not within any zone of influence.

### Discharge Limits

B30. 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.

B31. Should groundwater be intercepted a Water Access Licence (WAL) under the *Water Management Act 2000* must be obtained unless an exemption applies.

**Note:** If the take is less than or equal to 3ML of water per year for any aquifer interference activities listed in Clause 14 of Schedule 4 of the Water Management (General) Regulation 2025 an exemption may apply. For more information visit <https://water.dpie.nsw.gov.au/licensing-and-trade/water-access-licences-and-approvals/exemptions-for-water-licences-and-works-and-or-use-approvals/groundwater-wal-exemptions>

### **On-Lot Stormwater Management System**

- B32. Prior to the commencement of operation of the development, the Applicant must:
- (a) ensure the detailed design of the on-lot stormwater management system is in accordance with Penrith City Council's 'Stormwater Drainage Specification for Building Developments' and the Technical Guidance;
  - (b) demonstrate that all stormwater management devices contain an impermeable liner, and compacted to a suitable depth and topsoiled (AS44119) to limit infiltration to soils;
  - (c) ensure the design and subsequent construction and establishment of the on-lot WSUD systems is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
  - (d) install the on-lot Stormwater Management System as described in the Additional Information and ensure the system is operational.
- B33. All on-lot stormwater infrastructure must remain under the ownership, control and care of the registered proprietor of the lot. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements.

**Note:** This does not include any passively irrigated street trees that may be transferred to the relevant Roads Authority.

- B34. The Applicant must maintain the on-lot stormwater management system installed on the site under condition B32 for the duration of the development. The stormwater management system must:
- (a) continue to be operated and maintained in perpetuity for the life of the development in accordance with the final Stormwater Management Plan required under condition B37;
  - (b) be regularly inspected with inspection records to be maintained and made available to Council on request; and
  - (c) have all necessary improvements made immediately upon awareness of any deficiencies in the stormwater management systems.

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

### **Watercourse**

- B35. Prior to the issue of an Occupation Certificate, the Applicant must design and construct the watercourse infrastructure on the site in consultation with Sydney Water. This must include a diversion structure that directs treatable stormwater flows into the downstream regional stormwater basin, while allowing higher flows to continue downstream.

### **Regional Stormwater Basin**

- B36. Prior to issue of an Occupation Certificate, the Applicant must provide written confirmation, to the satisfaction of the Planning Secretary, that:
- (a) the regional stormwater infrastructure including Regional Basin 7A (as shown in Figure 1 in Appendix 1) and associated infrastructure servicing the development has been delivered in accordance with the requirements of the Regional Stormwater Authority; and
  - (b) the on-lot stormwater infrastructure has been connected to the regional stormwater infrastructure.

### **Stormwater Management Plan**

- B37. Prior to the commencement of operation, the Applicant must update the Stormwater Management Plan for the development in the Additional Information to the satisfaction of the Planning Secretary. The updated plan must form part of the OEMP required by condition C5 and must:
- (a) include both the on-lot and regional stormwater infrastructure;
  - (b) detail how the development's stormwater system has been connected to adjoining developments and the Regional Stormwater Infrastructure;
  - (c) include an inspection and maintenance schedule for the on-lot and regional stormwater infrastructure, including inspection frequency, responsibilities and record-keeping requirements; and
  - (d) outline the measures and procedures to promptly repair or replace any damaged elements of the stormwater management system, and to minimise the risk of similar issues recurring.

## Easements and Maintenance

- B38. Prior to the issue of a Compliance Certificate under Section 73 of the *Sydney Water Act 1994*, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* must be registered on the title of the land naming the Regional Stormwater Authority (Sydney Water) as the prescribed authority, which can only be revoked, varied or modified with the consent of the Regional Stormwater Authority and which provides for appropriate access to watercourse land and regional stormwater infrastructure (including the basin and diversion pipelines) for maintenance at no cost to the Regional Stormwater Authority.
- B39. The on-lot stormwater management system must continue to be operated and maintained in perpetuity for the life of the development in accordance with the final Stormwater Management Plan required under condition B37.  
**Note:** *This does not include any passively irrigated street trees that may be transferred to the relevant Roads Authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*
- B40. All on-lot stormwater infrastructure shall remain under the ownership, control and care of the registered proprietor of the lots.
- B41. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements.  
**Note:** *This does not include any passively irrigated street trees that may be transferred to the relevant Roads Authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*
- B42. Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the permanent on-lot stormwater management systems (including on-site stormwater detention and water sensitive urban design), shall be registered on the title of the property under section 88E of the *Conveyancing Act 1919*. The restriction on the use of land and positive covenant shall be in Council's standard wording as detailed in Council's Stormwater Drainage Specification for Building Developments – Appendix F.

## Flood Management

- B43. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Flood Emergency Response Plan. The Plan must form part of the CEMP required by conditions C2 and must:
- be prepared by a suitably qualified and experienced person(s);
  - be prepared in consultation with the NSW State Emergency Service;
  - address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
  - include details of:
    - the flood emergency responses for the construction phases of the development;
    - predicted flood levels;
    - flood warning time and flood notification;
    - assembly points and evacuation routes;
    - evacuation and refuge protocols; and
    - awareness training for employees and contractors.
- B44. The Applicant must:
- submit a copy of the Flood Emergency Response Plan required by condition B43 to the Planning Secretary prior to the commencement of construction; and
  - implement the most recent version of the Flood Emergency Response Plan for the duration of the construction.
- B45. Prior to the commencement of operation of the development, the Applicant must prepare an Operation Flood Emergency Response Plan. The Plan must form part of the OEMP required by conditions C5 and must:
- be prepared by a suitably qualified and experienced person(s);
  - be prepared in consultation with the NSW State Emergency Service;
  - address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
  - include details of:
    - the flood emergency responses for both the operation phase of the development;
    - predicted flood levels;
    - flood warning time and flood notification;
    - assembly points and evacuation routes;
    - evacuation and refuge protocols; and

- (vi) awareness training for employees and contractors.

B46. The Applicant must:

- (a) submit a copy of the Flood Emergency Response Plan required by condition B45 to the Planning Secretary prior to the commencement of operation; and
- (b) implement the most recent version of the Flood Emergency Response Plan for the duration of the operational phase of the development.

## NOISE

### Hours of Work

B47. The Applicant must comply with the hours detailed in **Table 1**.

**Table 1** 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

B48. Works outside of the hours identified in condition B47 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

B49. 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 Construction Noise and Vibration Management Plan required under condition B50.

### Construction Noise and Vibration Management Plan

B50. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must

- (a) be prepared by a suitably qualified and experienced noise expert
- (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (c) include noise management and mitigation measures, including any described in Appendix 2, and in the '805-817 Mamre Road Kemps Creek Noise Impact Assessment', prepared by RWDI and dated 28 August 2025;
- (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, including nearby residents, for managing high noise generating works;
- (f) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods;
- (g) describe the community consultation undertaken to develop the strategies in condition B50(e) and (f); and
- (h) include a complaints management system that would be implemented for the duration of the earthworks and construction.

B51. The Applicant must:

- (a) not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B50 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

## Operational Noise Limits

B52. 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 <sup>a</sup>	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)
Twin Creeks (Residential receivers R18, R19 and R20)	30	25	20
BAPS Temple – Outdoor Use Area (Except Car Parking Area)	31 (When in use)		

a. Refer to the plan in **Appendix 4** for the location of residential sensitive receivers

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

## MRP Noise Agreement(s)

- B53. Prior to the commencement of operation of the development and every subsequent year for a total period of three years, the Applicant must:
- offer to enter into a Negotiated Agreement with the eligible receivers shown in **Figure 6 in Appendix 4**; and
  - provide evidence to the Planning Secretary of the offer required by condition B53(a).
- B54. Where an eligible receiver specified in condition B53(a) elects to take up the offer required by condition B53(a), the Applicant is to provide evidence of the establishment of the agreement to the Planning Secretary within one month of the agreement being reached.
- B55. For a period of three years from the commencement of operation of the development, the eligible receiver specified in condition B53(a) may, on one occasion, ask the Applicant to enter into an agreement. Upon receiving a written request from any of the eligible receivers under condition B53 of this consent, the Applicant must offer an agreement in consultation with the eligible receivers within six months of receiving the written request. The agreement must be reasonable and be commensurate with the level of noise impact on the dwelling.
- B56. The Negotiated Agreement required under condition B53 must be in force until the existing residential use ceases on the land subject to the agreement or a development consent for general industrial or other employment uses applies to the land, whichever is the sooner.

## Operational Noise Verification Report

- B57. Within three months of the commencement of operation of the development, the Applicant must prepare and submit a noise verification report for the development to the satisfaction of the Planning Secretary. The noise verification report must:
- be prepared by a suitably qualified and experienced noise consultant;
  - demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
    - the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);
    - the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022); and
    - the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);
  - verify the noise levels against the predictions in the ‘805-817 Mamre Road Kemps Creek Noise Impact Assessment’, prepared by RWDI dated 16 April 2025, and clearly identify any variances from the assumptions and the predicted noise levels at sensitive receivers; and
  - include:
    - an analysis of compliance with noise limits specified in condition B52;
    - an outline of management actions to be taken to address any exceedances of the limits specified in condition B52; and

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

## **AIR QUALITY**

### **Dust Minimisation**

B58. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B59. During construction of the development, the Applicant must ensure:

- (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;
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces; and
- (f) works are undertaken in accordance with the methodologies outlined in the Construction Air Quality Management Plan required by condition B60.

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

B60. Prior to the commencement of construction, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) for the development, to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by condition C2. The CAQMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with owners of adjoining residential properties (including those still occupied for residential use in the MRP), include evidence of this consultation, details of any issues raised and how the plan has responded to any issues raised during consultation;
- (c) detail and rank all emissions, including particulate emissions, from all sources during construction of the development;
- (d) describe a program that is capable of evaluating the performance of the construction and determining compliance with key criteria, including installation of real-time air quality monitors consistent with the locations identified in **Figure 7** in **Appendix 5**;
- (e) include provisions to integrate on-site monitoring and management measures with any precinct-wide cumulative construction air quality monitoring program established by the Mamre Road Precinct Working Group;
- (f) identify the locations of the real-time air quality monitors;
- (g) identify the control measures that will be implemented for each emission source;
- (h) nominate the following for each of the proposed controls:
  - (i) key criteria;
  - (ii) monitoring method; and
  - (iii) location, frequency and duration of monitoring;
- (i) outline procedures that will be implemented in relation to:
  - (i) record keeping;
  - (ii) reporting to the Environmental Representative required under condition A38;
  - (iii) complaints register;
  - (iv) a program of regular consultation and communication with affected receivers;
  - (v) response procedures; and
  - (vi) compliance monitoring;
- (j) include a Trigger Action Response Plan (TARP) that must include:
  - (i) the objectives of the TARP;
  - (ii) triggers for:
    - continuously monitored PM<sub>10</sub> concentrations;
    - meteorological conditions;
    - visible dust plumes;
    - on-site activities that have the potential for elevated dust emissions;
  - (iii) a procedure to identify likely dust-generating sources;
  - (iv) source-specific actions to reduce dust generation rates;

- (v) a procedure to determine the effectiveness of the implemented actions;
  - (vi) a procedure to implement additional controls if required, to ensure the development complies with the conditions of this consent; and
  - (vii) a procedure to record evidence / observations of the effectiveness of the implemented actions to manage the triggers, and evidence to demonstrate that the objectives of the TARP have been achieved; and
- (k) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.

B61. The Applicant must:

- (a) not commence construction until the CAQMP required by condition B60 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of the development.

#### **Independent Air Quality Audit**

B62. Within three months of the commencement of earthworks and every three months thereafter until the completion of earthworks, the Applicant must commission and pay the full cost of an Independent Air Quality Audit (IAQA) to review the air quality performance of the development. The IAQA must:

- (a) be undertaken by a suitably qualified (i.e. CAQP and/or CEnv), experienced and independent expert whose appointment has been endorsed by the Planning Secretary;
- (b) analyse the performance of the CAQMP, including the TARP;
- (c) audit the performance of the CAQMP, including the TARP in achieving its objectives;
- (d) identify any deficiencies in the CAQMP including the TARP in achieving its objectives and propose changes to improve the performance of the CAQMP to achieve those objectives;
- (e) review the air quality monitoring and mitigation requirements and air quality monitoring data for the audit period;
- (f) analyse any incidents, non-compliances and complaints that occurred or were made during the audit period; and
- (g) if necessary, recommend and prioritise measures to improve the air quality controls on-site for subsequent stages of the earthworks program, such that sensitive receivers would be protected against adverse air quality impacts from the development.

B63. Within 6 weeks of commissioning of the IAQA required by Condition B62, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the audit report to the Planning Secretary, together with the Applicant's response to any recommendations contained in the audit report. The response must include a timeframe for implementing the recommendations of the IAQA.

#### **ABORIGINAL HERITAGE**

B64. Prior to the commencement of earthworks and during construction works, the Applicant must implement the recommendations of the '805-817 Mamre Road, Kemps Creek Aboriginal Cultural Heritage Assessment Report', prepared by Artefact Heritage Services Pty Ltd, version 7 and dated 18 March 2025.

B65. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this consent.

B66. The Registered Aboriginal Parties (RAPs) must be kept informed about the development and continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the development.

#### **Aboriginal Cultural Heritage Management Plan (ACHMP)**

B67. Before the commencement of any clearing or construction works for the development, the Applicant must prepare an ACHMP for the development. The plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced expert in consultation with the RAPs and Heritage NSW;
- (b) include a description of the measures (and associated methodologies) that would be implemented for:
  - (i) the long-term management of any Aboriginal heritage items or material collected during the previous test excavations;
  - (ii) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
  - (iii) ongoing consultation with RAPs, during the implementation of the ACHMP;

- (c) include a contingency plan and reporting procedure, including an Unexpected Heritage Finds and Human Remains Procedure, prepared and implemented in accordance with Heritage NSW guidelines; and
- (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the development.

B68. The Applicant must:

- (a) not commence construction until the ACHMP is approved by the Planning Secretary; and
- (b) implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the development.

### Unexpected Finds

B69. If any unexpected 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.

B70. 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

### Dangerous Goods

B71. 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.

B72. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

- (a) all relevant Australian Standards; and
- (b) for liquids:
  - (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*.

B73. In the event of an inconsistency between the requirements of conditions B72(a) and B72(b), the most stringent requirement must prevail to the extent of the inconsistency.

### Bunding

B74. 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).

## CONTAMINATION

### Unexpected Finds

B75. 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 managed in accordance with the POEO Act and its associated regulations. Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

## VISUAL AMENITY

### Landscaping

B76. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the development's landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of an OEMP in accordance with condition C5. The plan must:

- (a) be prepared in consultation with Council;
- (b) detail the species to be planted on-site that:
  - (i) are consistent with the plant list in Appendix C of the MRP DCP; and
  - (ii) are suitable in relation to wildlife management in proximity to the Western Sydney Airport;
- (c) be consistent with:
  - (i) the Landscape Plans included in the Submissions Report and Additional Information; and

- (ii) Appendix 4 of *Planning for Bush Fire Protection* (RFS, 2019) and the updated Penrith City Council Bush Fire Prone Land Map (December 2024);
- (d) ensure sufficient deep soil is provided in all areas where tree planting is required;
- (e) demonstrate that the minimum tree canopy targets are consistent with the MRP DCP;
- (f) include a Street Tree Plan including details of selected street tree species, root protection barriers and soil specifications;
- (g) provide detailed plans of passively irrigated street trees within the relevant stage of works demonstrating consistency with the MRP DCP; and
- (h) describe the monitoring and maintenance measures to manage landscaping works, including protection of landscaping during construction works on other parts of the site.

B77. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary;
- (b) implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B76 for the life of the development.

### Lighting

B78. 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

B79. Prior to the commencement of construction of each warehouse building in the development, the Applicant must submit a Signage Strategy generally in accordance with the Signage Plan included in the Submissions Report, for each warehouse building, to the satisfaction of the Planning Secretary. The Signage Strategy must demonstrate the proposed signage is consistent with Chapter 3 of *State Environmental Planning Policy (Industry and Employment) 2021*. The Signage Strategy must:

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

B80. All signage and fencing must be erected in accordance with the approved Final Signage Strategy required by Condition B79.

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

### Bushfire Protection

B81. The Applicant must ensure the development complies with:

- (a) the relevant provisions of *Planning for Bushfire Protection* (NSW RFS, 2019);
- (b) the findings and recommendations in the Bushfire Assessment included in the EIS, prepared by Peterson Bushfire (ref 21101) and dated 30 August 2023; and
- (c) Australian Standard *AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning*.

### Biodiversity

B82. Prior to the commencement of construction of the development, the Applicant must prepare a Wildlife Hazard Assessment and Management Plan that responds to the requirements of the MRP DCP to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP and OEMP required by conditions C2 and C5. The Applicant must implement the Wildlife Management Plan for the duration of construction and operation.

B83. Prior to commencement of construction of the development, the Applicant must prepare a Dam Dewatering Plan. The Dam Dewatering Plan must manage the dewatering of any standing water within the watercourse and must form part of the CEMP required by condition C2. The Applicant must implement the most recent version of the Dam Dewatering Plan for the duration of construction.

### Vegetation Management Plan – Riparian Corridor

B84. Prior to the commencement of any clearing or construction works, the Applicant must prepare a Vegetation Management Plan (VMP) for the Watercourse area in accordance with the requirements of NSW Natural Resources

Access Regulator (NRAR) Guidelines, and the Controlled activities – Guidelines for Vegetation Management Plans on Waterfront Land (DCCEEW, 2025) Fact sheet. The VMP must form part of the CEMP in accordance with condition C2 and detail procedures for the rehabilitation and conservation of native vegetation and habitat and maintenance of the VMP area.

- B85. Within six (6) months of the commencement of operation, the Applicant must complete the revegetation of the riparian corridor and temporary sediment basins in accordance with the VMP prepared in accordance with Condition B84. The Applicant must implement the most recent version of the VMP for a maintenance period of up to five years following the completion of the establishment phase of the VMP.

#### **Waste Management**

- B86. 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).
- B87. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the waste.
- B88. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B89. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties. External bins must be provided with fixed lids to help prevent wildlife attraction.
- B90. The Applicant must implement the Waste Management Plan included in the EIS, prepared by Land and Groundwater Consulting Pty Ltd and dated 25 August 2023 (or its most recent version submitted to the satisfaction of the Planning Secretary) during demolition, construction and operation of the development.

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

- B91. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
  - (b) ensure outdoor waste storage is installed with fixed lids that cannot be accessed by wildlife; and
  - (c) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

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

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- 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 B26);
  - (c) Construction Air Quality Management Plan (see condition B60);
  - (d) Construction Noise and Vibration Management Plan (see condition B50);
  - (e) a copy of the Aboriginal Cultural Heritage Management Plan (see condition B67);
  - (f) Unexpected Contaminated Finds Procedure (see condition B75);
  - (g) a copy of the Construction Flood Emergency Response (see condition B43);
  - (h) a copy of the Wildlife Hazard Assessment and Management Plan (see condition B82);
  - (i) a copy of the Dam Dewatering Plan (see condition B83);
  - (j) a copy of the Vegetation Management Plan (see condition B84);
  - (k) a copy of the Waste Management Plan (see condition B90); and
  - (l) 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.

## OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. 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.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (b) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - (ii) receive, handle, respond to, and record complaints;
    - (iii) resolve any disputes that may arise;
    - (iv) respond to any non-compliance;
    - (v) respond to emergencies; and
  - (c) include the following environmental management plans:
    - (i) Operational Traffic Monitoring Program (see condition B20);
    - (ii) a copy of the Workplace Travel Plan (see condition B23);
    - (iii) Stormwater Management Plan (see condition B37);
    - (iv) a copy of the Operation Flood Emergency Response (see condition B43);
    - (v) Landscape Management Plan (see condition B76);
    - (vi) a copy of the Wildlife Hazard Assessment and Management Plan (see condition B82); and
    - (vii) a copy of the Waste Management Plan (see condition B90).
- C7. 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

- C8. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C10;
  - (b) the submission of a Compliance Report under condition C14;
  - (c) the submission of an audit under condition C16;
  - (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.
- C9. If identified as part of the review process (see condition C8) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, 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

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
  - (b) a brief description of what occurred and why it has been classified as an incident;
  - (c) a description of what immediate steps were taken in relation to the incident; and
  - (d) identifying a contact person for further communication regarding the incident.

C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 3 (Incident Notification and Reporting Requirements).

### **Non-Compliance Notification**

C12. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).

C13. A non-compliance notification submitted under condition C12 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

*Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

### **Compliance Reporting**

C14. Within three months after the commencement of earthworks of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), for the duration of earthworks and construction works, the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared having regard to the Compliance Reporting Post Approval Requirements (Department 2020) and must also:

- (a) identify any trends in the monitoring data 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.

C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

### **Monitoring and Environmental Audits**

C16. 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**

C17. 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 of the development is to be staged;
  - (v) 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;
  - (vi) 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;
  - (vii) a summary of the current stage and progress of the development;
  - (viii) contact details to enquire about the development or to make a complaint;
  - (ix) a complaints register, updated monthly;
  - (x) the Compliance Report of the development;
  - (xi) 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

**Table 3 Schedule of Approved Plans**

Drawing No. / Job No.	Title	Issue	Date
<b>Architectural Plans prepared by WATCH THIS SPACE DESIGN</b>			
SSDA - 04	Masterplan	P9	01/08/2025
SSDA - 06	Interim Fire Access Site Plan	P2	01/08/2025
SSDA - 10	Warehouse 1 Ground Floor Plan	P5	01/08/2025
SSDA - 11	Warehouse 1 Roof Plan	P2	12/12/2024
SSDA - 12	Office 1 Floor Plans	P3	29/07/2025
SSDA - 13	Warehouse 1 Elevations - 01	P5	29/07/2025
SSDA - 14	Warehouse 1 Elevations - 02	P3	29/07/2025
SSDA - 15	Office 1 Elevations	P3	29/07/2025
SSDA - 20	Warehouse 2 Ground Floor Plan	P9	01/08/2025
SSDA - 21	Warehouse 2 Roof Plan	P2	12/12/2024
SSDA - 22	Office 2 Floor Plans	P3	29/07/2025
SSDA - 23	Warehouse 2 Elevations - 01	P7	27/08/2025
SSDA - 24	Warehouse 2 Elevations - 02	P5	29/07/2025
SSDA - 25	Office 2 Elevations	P3	29/07/2025
SSDA - 32	Signage Plan	P3	01/08/2025
<b>Landscape Plans prepared by GEOSCAPES</b>			
LDA-01	Landscape Masterplan	V	31.07.25
LDA-01a	Landscape Masterplan – Canopy Calculation	V	31.07.25
LDA-02	Landscape Detail Plan 1	V	31.07.25
LDA-03	Landscape Detail Plan 2	V	31.07.25
LDA-04	Landscape Detail Plan 3 – Trunk Drainage & Riparian Buffer	V	31.07.25
LDA-05	Landscape Detail Plan 4 – Wetland, Pond, Sediment Basin & Swale	V	31.07.25
<b>Civil Drawings prepared by AT&amp;L</b>			
21-894-C1003	General Arrangement Plan	M	09-10-25
21-894-C1003A	General Arrangement Plan (Ultimate)	M	09-10-25
21-894-C1030	Bulk Earthworks Plan	L	16-10-25
21-894-C1063	Stormwater Drainage Catchment Plan (Post-Developed)	K	16-10-25
21-894-C1064	Proposed Trunk Drainage Channel SW01 Plan	L	09-10-25
21-894-C1200	Sediment And Erosion Control Plan	M	09-10-25
21-894-C1401	Warehouse 1 Siteworks and Decommissioning Plan Sheet 1	K	09-10-25
21-894-C1402	Warehouse 1 Siteworks and Decommissioning Plan Sheet 2	J	09-10-25
<b>Interim Site Access Arrangements prepared by MU GROUP</b>			
GN-0401	Temporary Access to 805 Mamre Road, Kemps Creek (Key Plan)	3	17/07/2025
RW-0201	Temporary Access to 805 Mamre Road, Kemps Creek	3	17/07/2025
RW-0202	Temporary Access to 805 Mamre Road, Kemps Creek	3	17/07/2025
RW-0203	Temporary Access to 805 Mamre Road, Kemps Creek	3	17/07/2025
RW-0204	Temporary Access to 805 Mamre Road, Kemps Creek	3	17/07/2025
RW-0205	Temporary Access to 805 Mamre Road, Kemps Creek	3	17/07/2025

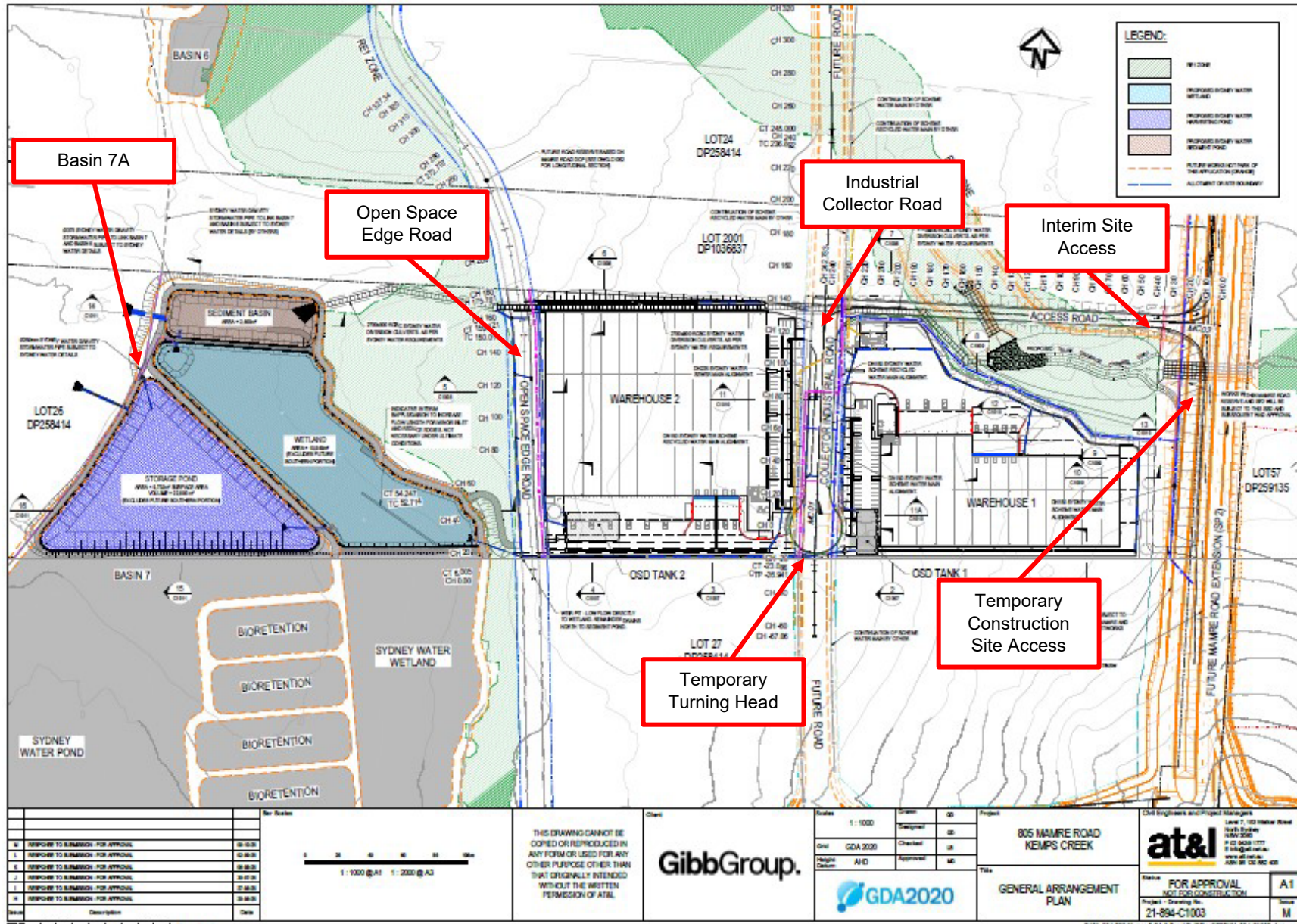


Figure 1: General Site Plan

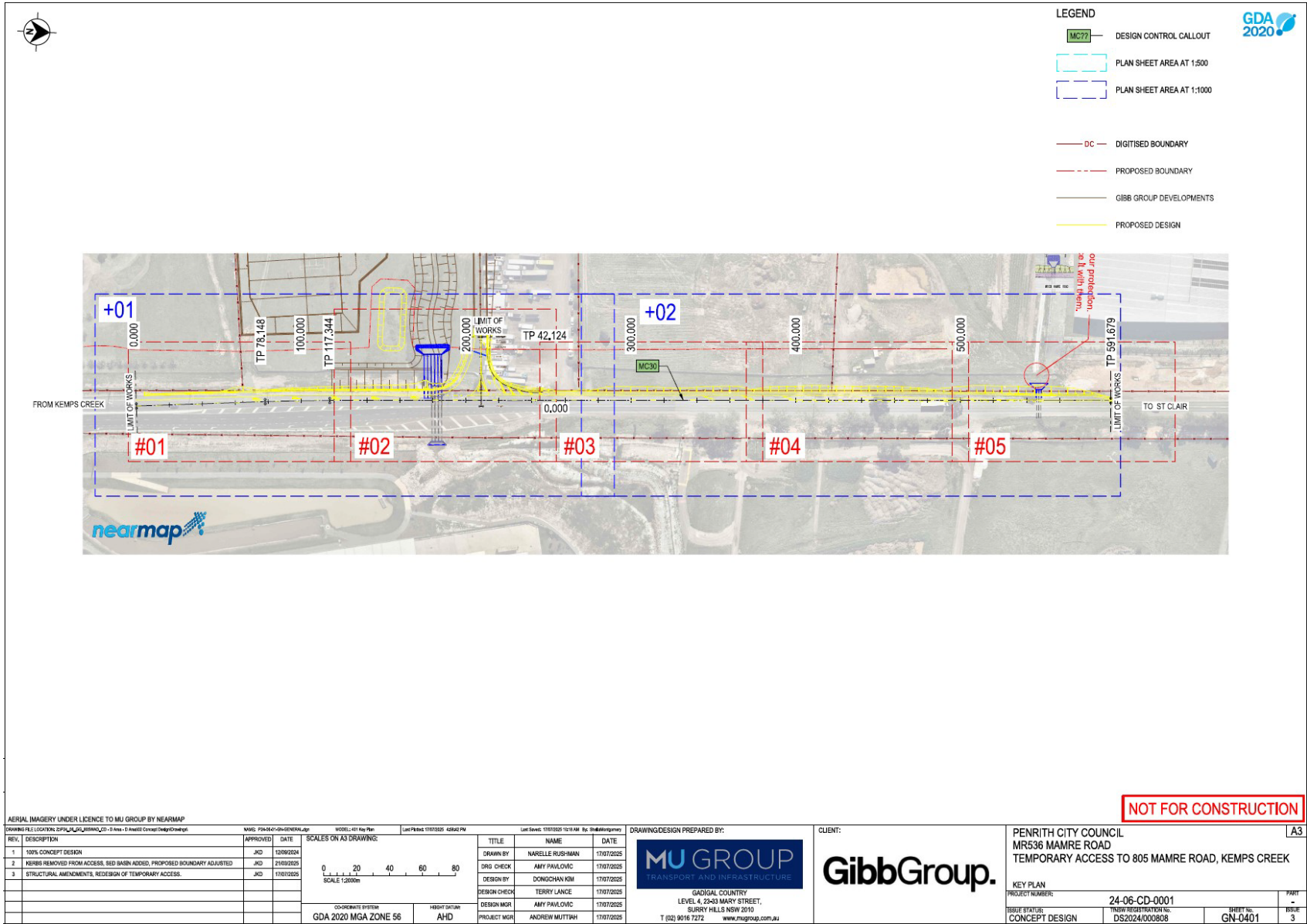


Figure 2: Interim Site Access Arrangements

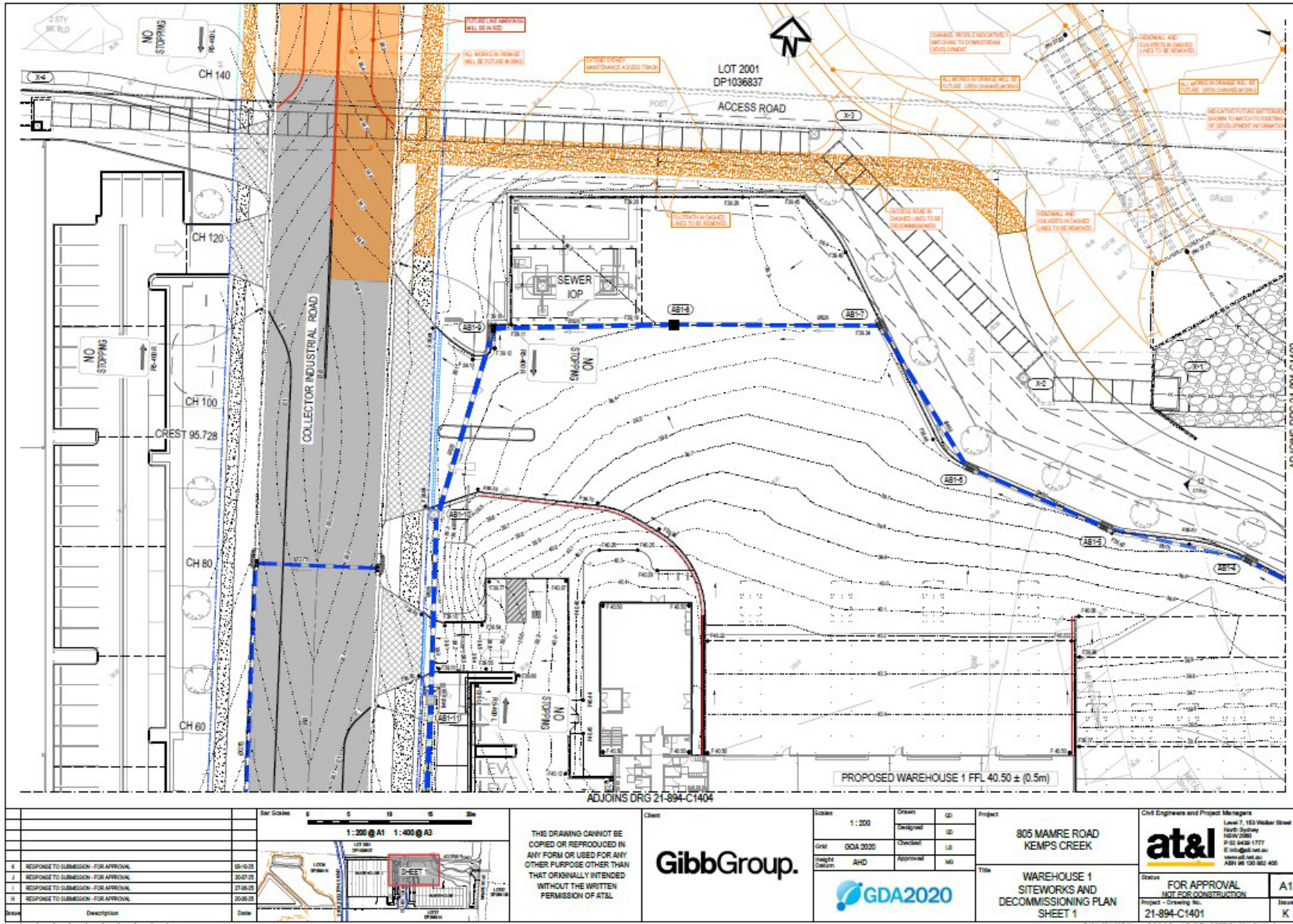


Figure 3: Interim Site Access — Decommissioning Plan (Sheet 1)

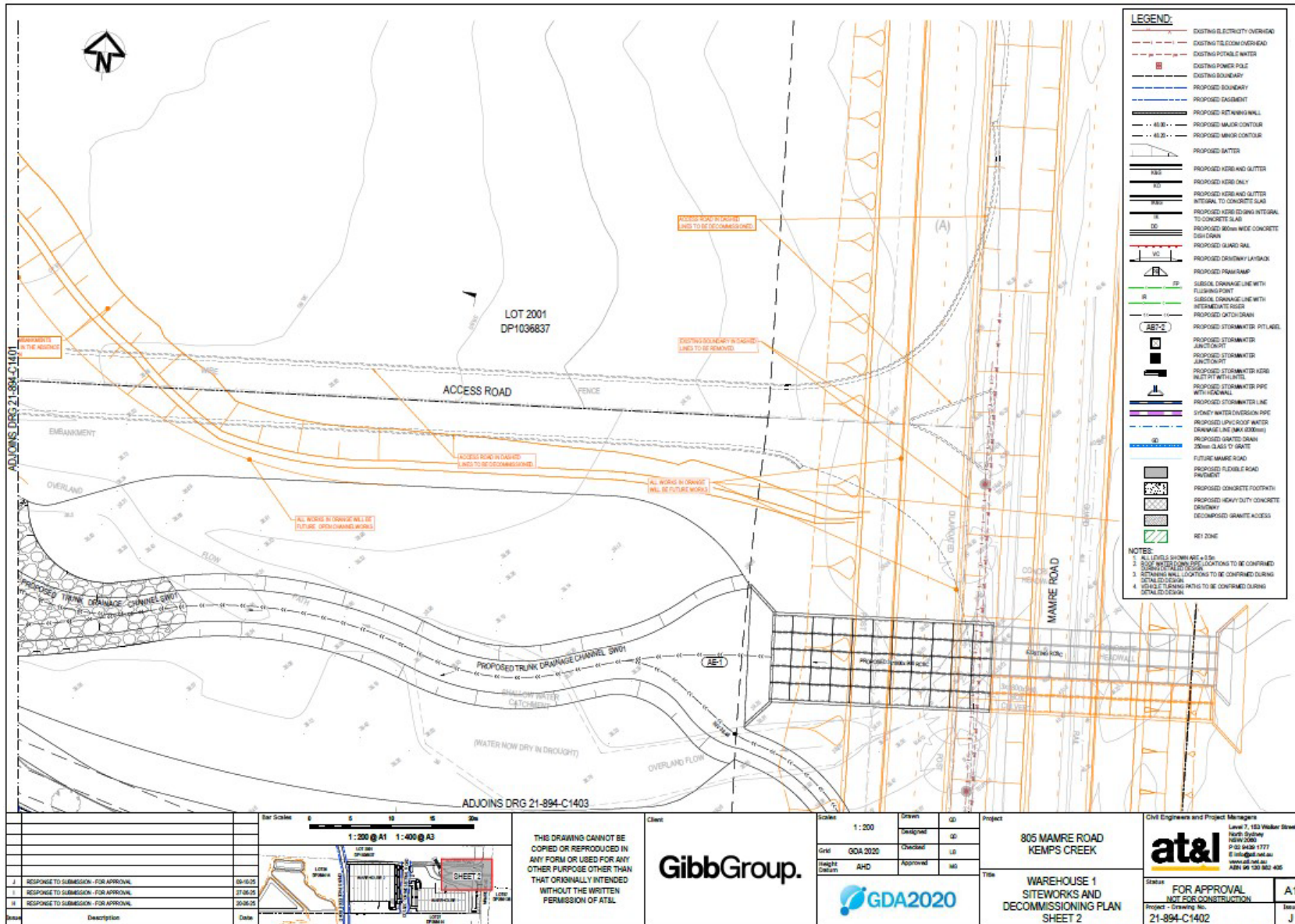
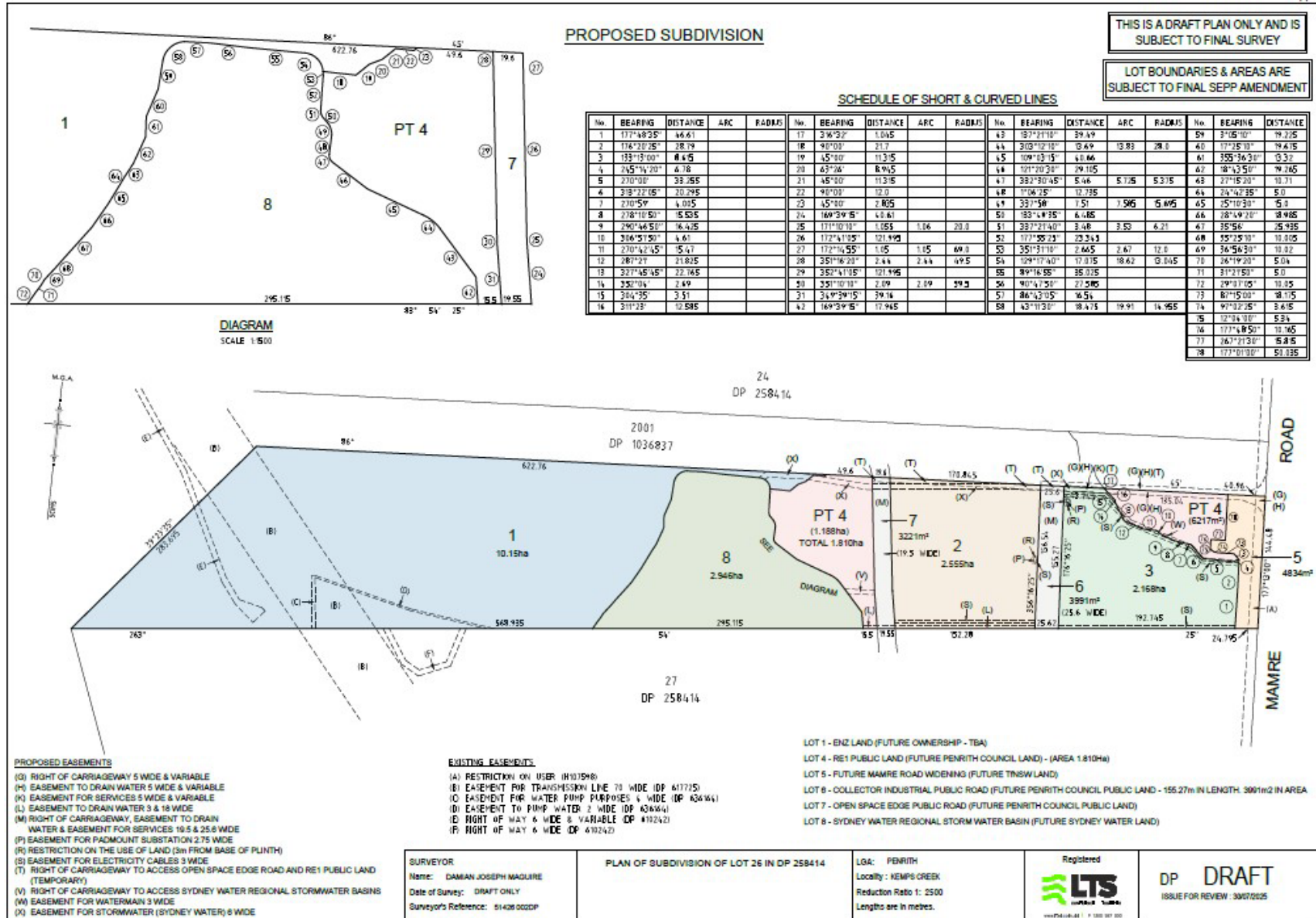


Figure 4: Interim Site Access — Decommissioning Plan (Sheet 2)



**Figure 5: Proposed Subdivision Plan**

**APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES**

<b>Impact/Issue</b>	<b>Environmental Safeguard</b>	<b>Responsibility</b>	<b>Timing</b>
<b>Traffic and Transport</b>			
Construction			
Construction Traffic Management Plan	<ul style="list-style-type: none"> <li>A Construction Traffic Management Plan (CTMP) shall be prepared by suitably qualified professional to manage and mitigate potential traffic impacts during the construction program.</li> </ul>	Contractor	Pre-construction
On-site parking during construction	<ul style="list-style-type: none"> <li>The on-site parking within the construction compound is required to provide a dedicated safe area where personnel can access their vehicles.</li> </ul>	Contractor	Construction
<b>Operation</b>			
Framework Sustainable Travel Plan	<ul style="list-style-type: none"> <li>A Framework Sustainable Travel Plan (FSTP) has been prepared by Ason Group within <b>Appendix T</b>. This will inform future site-specific travel plans, which will be implemented for each of the respective warehouses.</li> <li>The travel plans will set targets, a series of measures to meet these targets and the process for monitoring and reviewing the travel plan, including the allocation of a Travel Plan Coordinator.</li> </ul>	Proponent	Pre-operation
<b>Soils and Water</b>			
Sedimentation and Erosion Control	<ul style="list-style-type: none"> <li>A detailed Sedimentation and Erosion Control Plan is provided as part of <b>Appendix M</b>.</li> <li>Regular site inspection and maintenance is to be carried out while earthworks and quarrying is being conducted.</li> </ul>	Contractor	Pre-construction / Construction
	<ul style="list-style-type: none"> <li>Diversion of surface runoff from undisturbed areas away from disturbed areas and discharge via suitable scour protection.</li> <li>Provision of hay bale type flow diverters to catch drainage and divert to "clean" water drains.</li> <li>Diversion of sediment-laden water into temporary sediment control basins to capture the design storm volume and undertake flocculation (if required).</li> <li>Provision of construction traffic shaker grids and wash-down to prevent vehicles carrying soils beyond the site.</li> <li>Provision of catch drains to carry sediment-laden water to sediment basins.</li> <li>Provision of silt fences to filter and retain sediments at source.</li> <li>Rapid stabilisation of disturbed and exposed ground surfaces with hydro-seeding areas where future construction and building works are not currently proposed.</li> <li>All temporary sediment basins will be located clear of the 1% AEP flood extents from local overland flow within the site.</li> </ul>	Contractor	Pre-construction / Construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Manage turbid runoff via the method of applying gypsum to water surfaces. The Blue Book (Landcom, 2004) suggests a dose rate of 30 kg of gypsum/ 100 cubic m of water. The assumed maximum volume of basin A is 855 cubic m.</li> </ul>		
	<ul style="list-style-type: none"> <li>A number of options are available for the removal of aforementioned contaminants from stormwater, including: <ul style="list-style-type: none"> <li>Wheel wash down/cattle grid at site access</li> <li>Sediment fence at downstream boundary</li> <li>Stabilisation of finished areas</li> <li>Sedimentation Pond</li> </ul> </li> </ul>	Proponent	Operation
Water Sensitive Urban Design	<ul style="list-style-type: none"> <li>Rainwater tanks will be installed within each respective warehouse to store rainwater and minimise the total volume of runoff.</li> </ul>	Proponent	Operation
Stormwater Management	<ul style="list-style-type: none"> <li>With further consultation with the Mamre Road Landowners Group (LOG), a regional stormwater solution can be located within the Mamre Road precinct so as to reduce MARV.</li> <li>Where possible, stormwater harvesting could be implemented to recycle stormwater across the precinct.</li> <li>The proposed development is to consider the initiatives included in the <i>Draft Mamre Road Flood Riparian and Integrated Water Cycle Management Report</i>.</li> </ul>	Proponent	Pre-construction
Saline Soils	<ul style="list-style-type: none"> <li>Water infiltration during construction should be minimised by providing proper drainage of the construction site to avoid ponding;</li> <li>Any stormwater detention ponds should be sealed (onsite Clay are considered suitable for stormwater detention pond lining);</li> <li>Disturbance of natural onsite drainage lines should be minimised;</li> <li>Existing deep-rooted vegetation should be retained where possible and native vegetation used in landscaping;</li> <li>Soil disturbance including cut and fill should be minimised;</li> <li>Concrete/steel structures in contact with soil should be designed for saline conditions in accordance with Australian Standards AS3600-2009 and AS2159-2009; and</li> <li>Floor slabs should be waterproofed and masonry damp proof courses should be properly installed.</li> </ul>	Proponent/Contractor	Pre-construction/Construction
Urban Design and Visual Impact			
Visual obtrusiveness of buildings	<ul style="list-style-type: none"> <li>Proposed significant landscape planting and canopy cover throughout the development in order to not only meet DCP requirements but also to reduce visual impacts for surrounding receivers.</li> </ul>	Proponent	Design (completed)

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Use high quality architectural treatments at presentation areas along Mamre Road.</li> </ul>		
Noise and Vibration			
Construction Noise Impacts	<ul style="list-style-type: none"> <li>Construction works should be generally scheduled within the standard construction hours of: <ul style="list-style-type: none"> <li>Monday to Friday 7.00am to 6.00pm; and</li> <li>Saturday 8.00am to 5.00pm.</li> </ul> </li> <li>Out of hours construction activities to follow appropriate mitigation measures</li> </ul>	Contractor	Construction
Construction Noise Management	<ul style="list-style-type: none"> <li>A Construction Noise and Vibration Management Plan should be prepared prior to the commencement of works. The following preliminary controls are recommended: <ul style="list-style-type: none"> <li>Site Induction Training – Training should include noise awareness component, community consultation and response to complaints as provided in the CNVMP.</li> <li>Operator Instruction – Operators should be trained in order to raise their awareness of potential noise problems and to increase their use of techniques to minimise noise emission.</li> <li>Site Noise Planning – Where practical, the layout and positioning of fixed noise-producing plant and activities away from the nearby receivers.</li> <li>Scheduling – Where practical, minimise the number of tools and machines operating simultaneously.</li> </ul> </li> <li>Plant Equipment – Where possible, plant and equipment with a low sound power level should be selected while still maintaining efficiency of function.</li> </ul>	Contractor	Pre-construction
Noise Management Complaints	<ul style="list-style-type: none"> <li>A complaints register should be established and record all complaints received, and include: <ul style="list-style-type: none"> <li>The name and location of the complainant (if provided) as well as the time, date and nature of the complaint received.</li> <li>The name and location of the complainant (if provided) as well as the time, date and nature of the complaint received.</li> <li>The name of the employee who received the complaint, actions taken to investigate the complaint, and a summary of the results of the investigation.</li> <li>Required remedial action, if required.</li> <li>Validation of the remedial action by a site manager.</li> </ul> </li> <li>Summary of feedback to the complainant.</li> </ul>	Contractor	Construction
Operational Noise (Nighttime period only)	<ul style="list-style-type: none"> <li>Prioritise eastern loading bays at WH2 during the nighttime period</li> <li>Limit forklifts/external loading of trucks during the nighttime period</li> </ul>	Proponent	Operation

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Heavy vehicle in/out to only be via the northern entrance of WH1 during the nighttime period</li> </ul>		
Aboriginal Cultural Heritage			
Potential disturbance of archaeological deposits	<ul style="list-style-type: none"> <li>Ongoing consultation with registered Aboriginal Parties               <ul style="list-style-type: none"> <li>Continued consultation with RAP's throughout the life of the project</li> </ul> </li> <li>Archaeological test excavation               <ul style="list-style-type: none"> <li>Given that the archaeological significance of the identified artefact on site is currently unknown, an archaeological test excavation is required to provide further information on the nature and significance of the area.</li> </ul> </li> <li>It is noted that this measure is not a mitigation measure in itself but rather a methodology to inform recommendations for further mitigation prior to impact (if required).</li> </ul>	Proponent	Pre-construction
Non-Aboriginal Cultural Heritage			
Potential disturbance of heritage amenity or archaeological relics	<ul style="list-style-type: none"> <li>If unexpected archaeological finds are discovered during the proposed work advice a qualified archaeologist should be sought to determine whether they are relics. Heritage NSW must be notified of the discovery of a relic in accordance with Section 146 of the Heritage Act 1977 and further assessment and consultation may be required.</li> </ul>	Contractor	Construction
Council information	<ul style="list-style-type: none"> <li>A copy of the report should be provided to Penrith City Council for their reference.</li> </ul>	Proponent	Pre-construction
Biodiversity			
Biodiversity impacts during construction	<ul style="list-style-type: none"> <li>Staging of construction to minimise material stockpiling, cleaning (water suppression) of access roads and speed restrictions for management of potential dust impacts;</li> <li>Adherence to the Erosion and Sediment Control Plan</li> <li>Preparation of a Weed Eradication Management Plan</li> <li>Preparation of a Construction Flora and Fauna Management Plan to accompany the proposed development's Construction Environmental Management Plan (CEMP). This plan will include, but is not limited to:               <ul style="list-style-type: none"> <li>Pre-clearance and clearance management;</li> <li>Fauna rescue and relocation protocol;</li> <li>Euthanasia protocol;</li> <li>Dam decommissioning;</li> <li>Weed and pathogen control;</li> </ul> </li> </ul>	Contractor	Pre-construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>• Unexpected finds protocol; and</li> <li>• Monitoring and reporting strategies</li> <li>• Additional information is provided as part of <b>Appendix O</b>.</li> </ul>		
Air Quality			
Dust Mitigation Measures			
Communications	<ul style="list-style-type: none"> <li>• Develop and implement a stakeholder communications plan that includes community engagement before work commences on site.</li> <li>• Develop and implement a Dust Management Plan (DMP) that considers, as a minimum, the measures identified herein.</li> </ul>	Contractor	Construction
Site management	<ul style="list-style-type: none"> <li>• Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.</li> <li>• Make the complaints log available to relevant authorities (Council, EPA, etc).</li> <li>• Record any exceptional incidents that cause dust and/or air emissions, either on or off site, and the action taken to resolve the situation in the logbook.</li> </ul>	Contractor	Construction
Monitoring	<ul style="list-style-type: none"> <li>• Undertake daily on-site and off-site inspection, where receptors are nearby, to monitor dust. Record inspection results and make available to relevant authorities. This should include regular dust soiling checks of surfaces such as street furniture, cars and window. Specific real-time dust monitoring is not necessary for this project.</li> </ul>	Contractor	Construction
Preparing and maintaining the site	<ul style="list-style-type: none"> <li>• Plan site layout so that machining and dust generating activities are located away from receptors, as far as possible.</li> <li>• Avoid site runoff of water or mud.</li> <li>• Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If being re-used, keep materials covered.</li> <li>• Cover, seed or fence stockpiles to prevent wind erosion.</li> </ul>	Contractor	Construction
Construction vehicles and sustainable travel	<ul style="list-style-type: none"> <li>• Ensure all vehicles switch off engines when stationary – no idling vehicles.</li> <li>• Impose and signpost a maximum-speed-limit of 25km/h on surfaced and 15km/h on unsurfaced haul roads and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided).</li> </ul>	Contractor	Construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
Measures for general construction activities	<ul style="list-style-type: none"> <li>Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.</li> <li>Ensure equipment is readily available on site to clean any dry spillages and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.</li> </ul>	Contractor	Construction
Measures specific to haulage	<ul style="list-style-type: none"> <li>Use water-assisted dust sweeper(s) on the access and local roads, as necessary.</li> <li>Avoid dry sweeping of large areas.</li> <li>Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.</li> <li>Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.</li> <li>Record all inspections of haul routes and any subsequent action in a site logbook.</li> <li>Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</li> <li>Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.</li> <li>Access gates to be located at least 10m from receptors where possible.</li> </ul>	Contractor	Construction
Operational measures	<ul style="list-style-type: none"> <li>Limit unnecessary idling of truck engines on-site.</li> <li>Ensure truck maintenance is up to date.</li> </ul>	Proponent	Operation
<b>Waste Management</b>			
<b>Demolition and Construction</b>			
Waste Reduction	<ul style="list-style-type: none"> <li>Applying practical building designs and construction techniques;</li> <li>Appropriate sorting and segregation of demolition and construction wastes to ensure efficient recycling of wastes;</li> <li>Selecting construction materials taking into consideration to their long lifespan and potential for reuse;</li> <li>Ordering materials to size and ordering pre-cut and prefabricated materials;</li> <li>Reuse of formwork (where possible);</li> <li>Planned work staging;</li> <li>Reducing packaging waste on-site by returning packaging to suppliers where possible, purchasing in bulk, requesting cardboard or metal drums rather than plastics, requesting metal straps rather than shrink wrap and using returnable packaging such as pallets and reels;</li> <li>Careful on-site storage and source separation;</li> </ul>	Contractor	Construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Subcontractors informed of site waste management procedures; and</li> <li>Coordination and sequencing of various trades.</li> </ul>		
Beneficial Reuses	<ul style="list-style-type: none"> <li>All solid waste timber, concrete, tiles and rock that cannot be reused or recycled will be taken to an appropriate facility for treatment to recover further resources or for disposal to landfill in an approved manner</li> <li>All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with SafeWork Authority and EPA requirements;</li> <li>Portable, self-contained toilet and washroom facilities will be provided at the site and will be regularly emptied and serviced by a suitably qualified contractor;</li> <li>Provision for the collection of batteries, fluorescent tubes and other recyclable resources will be provided onsite to enable offsite recycling;</li> <li>Drink container recycling should be provided onsite or these items sorted offsite for recycling at an appropriately licensed facility;</li> <li>All garbage will be disposed of via a council approved system; and</li> <li>Opportunities for materials exportation and reuse with other local construction operations will be investigated.</li> </ul>	Contractor	Construction
Waste Storage Locations	<ul style="list-style-type: none"> <li>Waste storage locations will be accessible and allow sufficient space for storage and servicing requirements. These locations will also be flexible in order to cater for change of use throughout the development demolition and construction stages.</li> <li>Where space is restricted, dedicated stockpile areas are to be delineated on the site, with regular transfers to dedicated skip bins for sorting. The positions of the designated waste holding areas on site will change according to building works and the progression of the development, but must consider visual amenity, OH&amp;S and accessibility in their selection.</li> <li>All waste placed in stockpile areas/skips for disposal or recycling shall be adequately contained to ensure that the waste does not fall, blow, wash or otherwise escape from the site. Appropriate siting of waste stockpile locations will take into account slope and drainage factors to avoid contamination of stormwater drains during rain events.</li> </ul>	Contractor	Construction
<b>Operation</b>			
Waste Reduction	<ul style="list-style-type: none"> <li>Provision of take back services to clients to reduce waste further along the supply chain;</li> <li>Re-work/re-packaging of products prior to local distribution to reduce waste arising;</li> <li>Review of packaging design to reduce waste but maintain 'fit for purpose';</li> <li>Investigating leased office equipment and machinery rather than purchase and disposal;</li> </ul>	Proponent	Operation

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Establish systems with in-house and with supply chain stakeholders to transport products in re-useable packaging where possible;</li> <li>Development of 'buy recycled' purchasing policy;</li> <li>Flatten or bale cardboard to reduce number of bin lifts required; and</li> <li>Providing recycling collections within each of the offices and tearooms (e.g. plastics, cans and glass).</li> </ul>		
Beneficial Reuses	<ul style="list-style-type: none"> <li>Cardboard, paper, plastic, glass, cans and pallets and containers will be reused/recycled offsite;</li> <li>Provision for the collection of batteries, fluorescent tubes and other recyclable resources will be provided on site to enable offsite recycling;</li> <li>All waste materials that cannot be reused or recycled will be taken to an appropriate facility for treatment to recover further resources or for disposal to landfill in an approved manner;</li> <li>Waste oil (if any) used in equipment maintenance will be recycled or disposed of in an appropriate manner; and</li> <li>Opportunities for materials exportation and reuse with other local industrial operations will be investigated. This will have two benefits: minimising energy through reduction of material reprocessing, encouraging material reuse.</li> </ul>	Proponent	Operation
Waste Storage Locations	<ul style="list-style-type: none"> <li>Waste storage locations will be provided within assigned areas located outside Lot 1 Warehouse and waste management areas located outside Lot 2 Warehouses 1 and 2 where the recycling bins, garbage skips, plastic and cardboard compactors will be stored prior to collection. Sufficient clearance will be necessary to enable collection vehicles to access the locations of bin storage. Where possible collection times should not coincide with peak operational delivery schedules however all areas identified will not interfere with operational truck movements.</li> <li>Waste/recycling storage locations will be constructed of an adequate size to accommodate all waste and recycling bins and bales associated with the development.</li> <li>Recycling bins must be accessible to all employees and must be clearly sign posted and colour coded to ensure segregation of waste and recycling is effective.</li> <li>Sufficient space will be provided for the segregation and storage of varying waste types including provision for the collection of fluorescent tubes, smoke detectors, e-wastes and other recyclable resources.</li> </ul>	Proponent	Operation
Contamination			
Management of contaminated areas of the site	<ul style="list-style-type: none"> <li>Follow the requirements of the DSI at <b>Appendix BB</b></li> </ul>	Contractor	Pre-construction
	<ul style="list-style-type: none"> <li>Preparation of an Unexpected Finds Protocol</li> </ul>	Proponent	Pre-construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
Bushfire			
Access	<ul style="list-style-type: none"> <li>Public road design and construction is to comply with Table 5.3b of PBP. The road may be in excess of 200m until such time that development of adjoining lands provides a second connection.</li> <li>The entire site (with exception of the E2 zone east of the proposed road and proposed road and drainage reserves) are to be maintained to achieve the performance requirement of an Inner Protection Area (IPA) as described by Appendix 4 of PBP. The following landscaping specifications have been designed to achieve the IPA at this site: <ul style="list-style-type: none"> <li>a) Trees: <ul style="list-style-type: none"> <li>Trees at maturity should not touch or overhang the building;</li> <li>ii. Tree canopies should not be connected when at maturity. Gaps between crowns or groups of crowns are to be maintained at distances of 2 to 5m.</li> </ul> </li> <li>b) Shrubs <ul style="list-style-type: none"> <li>Ensure gaps in the vegetation, such as between garden beds, to prevent the spread of fire towards the building;</li> <li>Clumps of shrubs should be separated from glazing and doors by a distance of at least twice the height of the vegetation.</li> </ul> </li> <li>c) Groundcovers <ul style="list-style-type: none"> <li>Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height);</li> <li>Leaves and vegetation debris should be regularly removed;</li> </ul> </li> </ul> </li> <li>Organic mulch is not to be used within 1 m of a building.</li> </ul>	Proponent / Contractor	Construction / Operation
Emergency and Evacuation arrangements			
Water supply and other utilities	<ul style="list-style-type: none"> <li>The proposed warehouses will require fire hydrants to be installed to comply with AS2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419).</li> <li>Any gas services are to be installed and maintained in accordance with AS/NZS 1596-2014 The storage and handling of LP gas.</li> </ul>	Contractor	Construction
Hazardous materials	<ul style="list-style-type: none"> <li>Hazardous or combustible materials are not to be stored externally</li> </ul>	Proponent	Operation
Hazards and Risk			
Construction hazard and risk management across the proposal	<p>Prepare a hazard and risk management plan (HRMP) as a sub-plan of the CEMP. As a minimum, the plan would:</p> <ul style="list-style-type: none"> <li>Include an emergency response plan</li> </ul>	Contractor	Pre-construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>• Be prepared by a suitably qualified hazard management specialist</li> <li>• Provide for the implementation, monitoring and maintenance of the identified hazard controls.</li> </ul>		
Accidental spillage and discharge across the proposal during construction	<ul style="list-style-type: none"> <li>• Keep wet and dry spill kit, sand-filled/gravel-filled socks and geotextile matting on the site at all times.</li> <li>• Train staff in the appropriate deployment, use, removal and disposal of spill kit.</li> </ul>	Contractor	Construction
Workforce and public safety during construction across the site	<ul style="list-style-type: none"> <li>• Fence off and secure the site to prevent public access.</li> </ul>	Contractor	Construction
Workforce and public safety during construction across the site	<ul style="list-style-type: none"> <li>• Use terracing excavation methods where applicable.</li> <li>• Backfill or cover all open excavations with boards/plates outside of working hours.</li> </ul>	Contractor	Construction
Workforce and public safety during construction across the Proposal	<ul style="list-style-type: none"> <li>• Inspect the entry connection into the site ahead of any required demobilisation to ensure there are no road-user or pedestrian hazards.</li> </ul>	Contractor	Construction
Hazardous material and dangerous goods transportation to the construction site during construction	<p>Handle and use dangerous goods and hazardous materials in accordance with:</p> <ul style="list-style-type: none"> <li>• the NSW Work Health and Safety Act 2011 and associated regulations;</li> <li>• the Storage and Handling of Dangerous Goods Code of Practice (WorkCover NSW, 2005);</li> <li>• NSW Road and Rail Transport (Dangerous Goods) (Road) Regulation 1998; and</li> <li>• Australian Government's Code for the Transport of Dangerous Goods by Road and Rail (National Transport Commission, 2008).</li> </ul>	Contractor	Construction
Utility or services strike across the site during construction	<ul style="list-style-type: none"> <li>• Undertake detailed utility surveys as part of the detailed design along with utility-provider consultation.</li> </ul>	Contractor	Construction
Utility or services strike across the site during construction	<ul style="list-style-type: none"> <li>• Prepare and work to a utility and services plan. No work would take place outside of this plan without additional consultation and utility searches.</li> </ul>	Contractor	Construction
Hazardous material and dangerous goods transportation and storage	<p>Handle, store and use dangerous goods and hazardous materials in accordance with:</p> <ul style="list-style-type: none"> <li>• the NSW Work Health and Safety Act 2011 and associated regulations;</li> <li>• the Storage and Handling of Dangerous Goods Code of Practice (WorkCover NSW, 2005);</li> </ul>	Proponent	Operation

Impact/Issue	Environmental Safeguard	Responsibility	Timing
across the site during operation	<ul style="list-style-type: none"> <li>NSW Road and Rail Transport (Dangerous Goods) (Road) Regulation 1998; and</li> <li>Australian Government's Code for the Transport of Dangerous Goods by Road and Rail (National Transport Commission, 2008).</li> <li>All storage and transport of dangerous goods to remain below the Applying SEPP 33 screening thresholds.</li> </ul>		
Hazardous material and dangerous goods storage during operation	<ul style="list-style-type: none"> <li>Hazardous materials and dangerous goods will be store within a bunded and secure storage facility on the site as required by each tenant.</li> </ul>	Proponent	Operation
Driver safety across the site during operation	<ul style="list-style-type: none"> <li>Incorporate car park signage to indicate direction of travel and traffic calming devices including speed humps and speed limits.</li> </ul>	Proponent	Detailed design/Operation
<b>Greenhouse Gas and Energy Efficiency</b>			
Energy Conservation Strategies			
Sustainably management practices	<ul style="list-style-type: none"> <li>Use of a Construction Environmental Management Plan throughout site preparation (including excavation works) to during construction</li> <li>Contractual requirements for the head contractor to implement an Environmental Management Plan and management system in accordance with ISO14001.</li> <li>Metering and monitoring of energy and water consumption in accordance with the NCC 2019 Section J</li> <li>Implementation of building commissioning to ensure the building is operating efficiently as intended as per the established energy and water targets.</li> <li>Target a 90% reduction of construction and demolition waste going to landfill</li> </ul>	Contractor	Pre-construction
Indoor Environmental Quality	<ul style="list-style-type: none"> <li>Natural daylighting and views will be provided to office areas via windows and translucent roof sheeting to the warehouse space.</li> <li>Planting of native low water landscaping immediately adjacent to staff areas and the office for access to nature</li> <li>Inclusion of internal blinds to office areas for occupant glare control</li> <li>Internal LED lighting with a minimum CRI of 80 and electronic drivers to reduce flicker.</li> <li>Use of low Volatile Organic Compounds (VOC) paints, carpets and sealants;</li> <li>Use of low formaldehyde engineered/composite wood products such as plywood and MDF.</li> <li>Achieve a minimum level of thermal comfort as required by the NCC Section J JV3 methodology (PMV +/- 1.0).</li> </ul>	Proponent	Operation

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Inclusion of lighting and air-conditioning controls in the offices for occupant control.</li> <li>Spaces designed in accordance with best practice noise levels</li> </ul>		
Energy conservation and GHG emissions reduction	<ul style="list-style-type: none"> <li>Building envelope performance <ul style="list-style-type: none"> <li>Achieve minimum thermal performance requirements for parts J1 Building Fabric, inclusive of insulated constructions to conditioned spaces and performance windows systems.</li> <li>Include roof and wall insulation to warehouse (Anticon or similar insulation product)</li> <li>Specified roof sheeting with infrared coating to reduce heat island affect by 20-30% (Such as Colorbond "Coolmax" and light-coloured finish).</li> <li>Translucent sheeting to warehouse with PE sensors (daylight harvesting)</li> </ul> </li> <li>Active Systems <ul style="list-style-type: none"> <li>LED lighting to warehouse areas, office spaces and external areas</li> <li>Motion sensors in office areas (except First Aid room) to turn off lighting and air-conditioning and ventilation</li> <li>Consideration of solar lights to car park</li> <li>Structural Upgrade to roof for up to a 100kW Solar System</li> <li>High efficiency domestic hot water technology (Heat Pumps)</li> <li>Appliances will be a minimum of 4 energy star rating.</li> </ul> </li> </ul>	Designer	Design
Transport	<ul style="list-style-type: none"> <li>Consideration of 10% of carparking spaces designated for small cars or motorbikes, with closer access to the office.</li> <li>Consideration of Electric Vehicle charging.</li> <li>The location of the broader Mamre Road industrial zone is not considered conducive to cycle commuting but End-of-Trip cyclist facilities including bike racks and showering facilities will be provided.</li> </ul>	Designer	Design
Water conservation	<ul style="list-style-type: none"> <li>Low flow water efficient bathroom fixtures and fittings rated to the WELS standard.;</li> <li>Planting of native, low water use species</li> <li>Drip irrigation to irrigated landscaped areas with weather and moisture sensing technology;</li> <li>Rainwater collection and reuse for irrigation;</li> <li>Recycling of fire system test water into the sprinkler tank water;</li> </ul>	Designer	Design
Materials and Construction Waste	<ul style="list-style-type: none"> <li>All permanent formwork, cables, pipes, flooring and blinds do not contain PVC and have an Environmental Product Declaration (EPD) OR meet Best Practice Guidelines for PVC.</li> </ul>	Designer	Design

Impact/Issue	Environmental Safeguard	Responsibility	Timing
	<ul style="list-style-type: none"> <li>Concrete mixes with Portland cement reduction, contains at least 50% captured or reclaimed water, and aggregates reduction through coarse or fine aggregates will be considered to minimise embodied energy.</li> <li>Jointless fibre cement reinforced slabs</li> <li>Minimal amounts of timber will be used, however where timber is used, procurement from sustainably sources will be specified e.g. AFS or FSC certified.</li> <li>Consideration of high strength steel for roof and wall sheeting with a minimum strength grade of 550MPa and Purlins, Girts and Light steel framing systems of 450MPa. Reinforcement steel to have a high recycled material content.</li> </ul>	Contractor	Construction
Sustainable sites, land use and ecology, and emissions	<ul style="list-style-type: none"> <li>Water Sensitive Urban Design Strategies               <ul style="list-style-type: none"> <li>Planting of native and low water use species to minimise urban heat island</li> <li>Roof sheeting such as “Coolmax” with high Solar Reflective Index (SRI)</li> <li>Incorporation of Bioswales on the inlet of gross pollutant traps</li> <li>Gross Pollutant Trap and Hydrocarbon interceptors.</li> <li>Rainwater collection and reuse</li> </ul> </li> </ul>	Designer	Design
<b>Airport Safeguarding</b>			
Built Environment	<ul style="list-style-type: none"> <li>At the design stage, assess and evaluate building and infrastructure to identify ways to proactively reduce the wildlife attraction, such as reducing the size of eaves or remove altogether if possible. These measures will minimise any retrospective efforts required to reduce the attraction of the built form by installing exclusionary devices or retrofitting structures.</li> <li>Installation of exclusionary devices such as netting or anti-perching spikes for areas where perching, roosting or nesting activity is detected.</li> </ul>	Proponent	Detailed Design
Waste Management	<ul style="list-style-type: none"> <li>Enclose waste receptable areas or use blade walls, to provide an extra barrier to prevent or deter bird access.</li> <li>Ensure all bins are lidded and kept closed to restrict access to opportunities urban forages such as Feral Pigeon and Australia White Ibis.</li> <li>Ensure waste collection is at a suitable frequency to prevent overflow.</li> </ul>	Contractor / Proponent	Construction / Operation
Construction Activity (Note – only applicable for if construction is delayed until after WSIA)	<ul style="list-style-type: none"> <li>Include wildlife hazard management as part of Construction Environment Management Plans (CEMP). This will assist with identifying potential wildlife attractions and identify ways to mitigate any risks. It can also help deter any wildlife becoming attracted, and habituated, to the site who may create</li> </ul>	Contractor	Pre-construction

Impact/Issue	Environmental Safeguard	Responsibility	Timing
commences operation in 2026)	hazardous conditions once the airport is operational. The CEMP can include options for managing wildlife hazards associated with: <ul style="list-style-type: none"> <li>• Earthworks</li> <li>• soil and other material stockpiles</li> <li>• temporary infrastructure</li> <li>• water retention area.</li> </ul>		
Landscaping	<ul style="list-style-type: none"> <li>• Particular plant species should be minimised in the landscape plans, except where required for biodiversity value requirements.</li> </ul>	Proponent	Detailed Design

## APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
  - (a) identifies how the incident was detected;
  - (b) identifies when the Applicant became aware of the incident;
  - (c) identifies any actual or potential non-compliance with conditions of consent;
  - (d) identifies further action(s) that will be taken in relation to the incident;
  - (e) a summary of the incident;
  - (f) outcomes of an incident investigation, including identification of the cause of the incident;
  - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
  - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

### INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, 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.
6. 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.

APPENDIX 4 Noise Sensitive Receivers

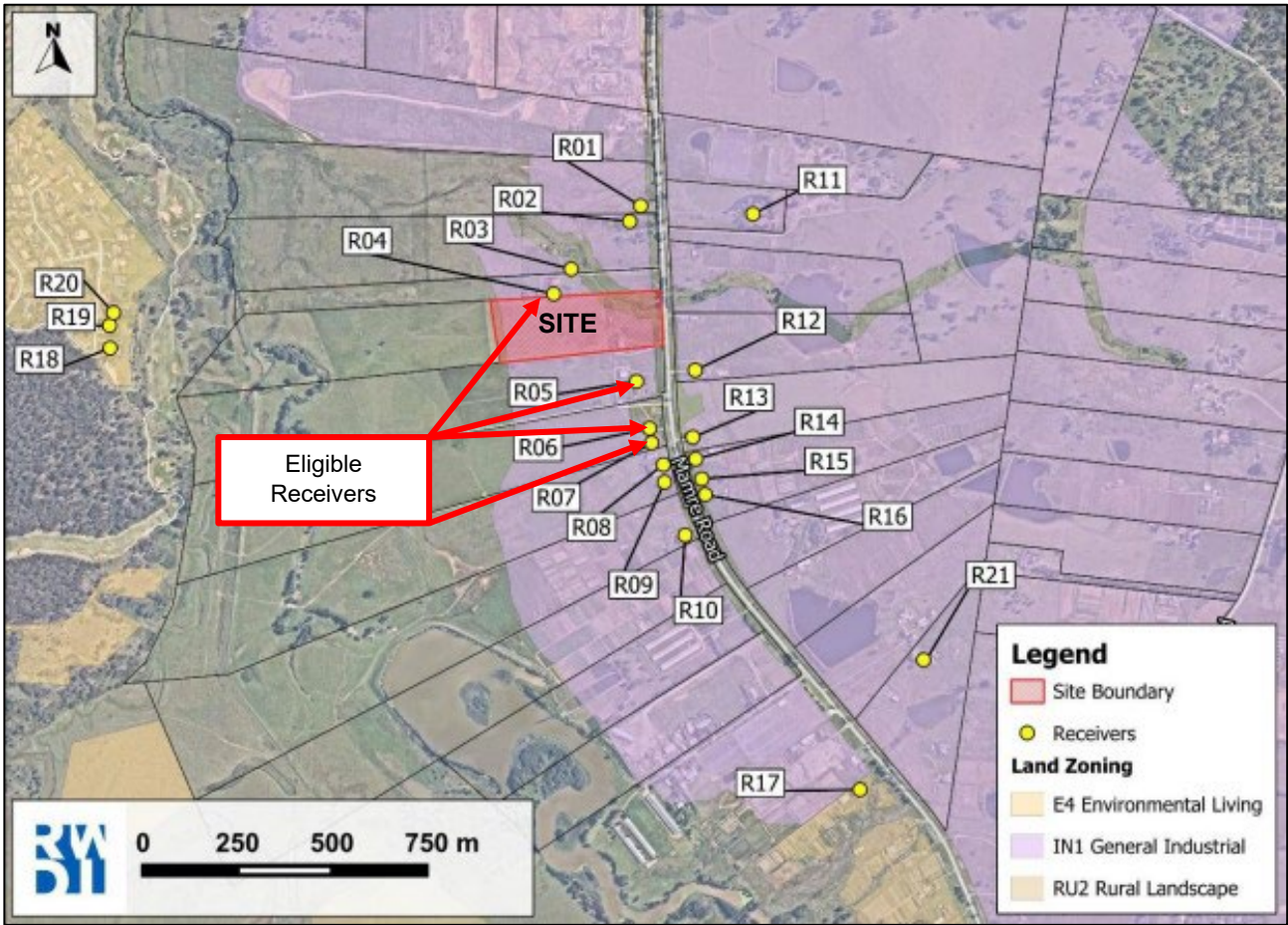


Figure 6: Noise Sensitive Receivers

APPENDIX 5 AIR QUALITY MONITOR LOCATIONS

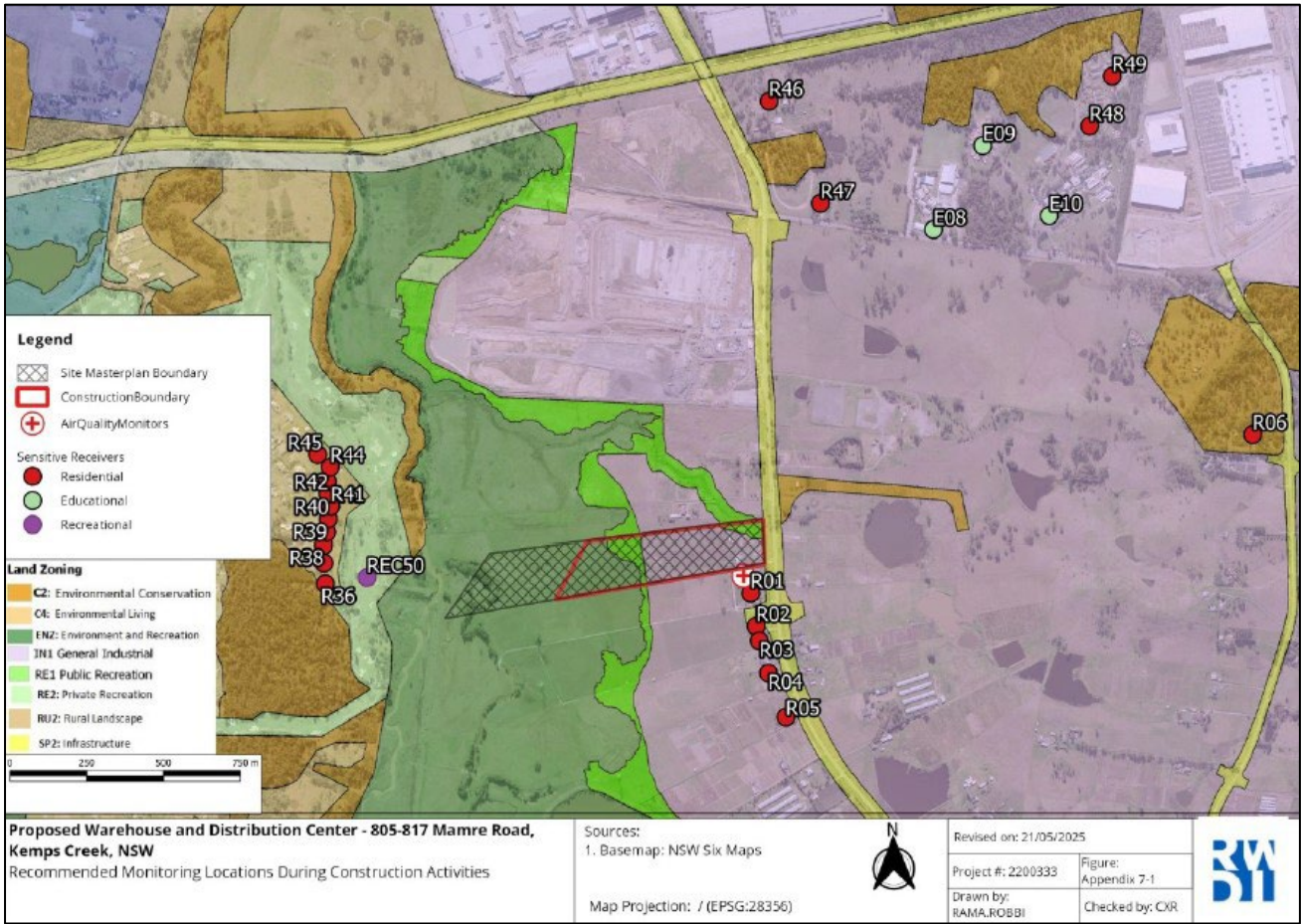


Figure 7: Air Quality Monitor Locations (shown in +)