

Development Consent

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

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

These conditions are required to:

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

Chris Ritchie
Director
Industry Assessments

Sydney

16 November 2022

File: EF21/16767

SCHEDULE 1

Application Number:

SSD-31552370

Applicant:

Hale Capital Partners Pty Ltd

Consent Authority:

Minister for Planning

Site:

Lot 1 DP 369888
Lot 32 Sec B DP 8313
Lot 1 DP 511092
Part Lot 2 DP 1082623

42-52 Raymond Avenue, Matraville

Development:

Demolition of existing structures and the construction and 24-hour operation of a multi-storey warehouse complex, comprising:

- a warehouse and distribution centre
- associated office space
- associated landscaping, site infrastructure, car parking, loading areas and site access points.

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-31552370-Mod-1	23 December 2022	Team Leader	Modification to amend conditions B14 and B16

FOR INFORMATION

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DEFINITIONS

Applicant	Hale Capital Partners Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	Randwick City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning and Environment
Development	The development described in Schedule 1, the EIS and the RTS, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
DPE	NSW Department of Planning and Environment (DPE)
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement – 42 Raymond Avenue, Matraville</i> , prepared by Urbis Pty Ltd dated 11 March 2022, submitted with the application for consent for the development, including additional information titled <i>Civil Engineering Report incorporating Water Cycle Management Strategy</i> , prepared by Costin Roe Consulting dated 29 July 2022.
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Evening	The period from 6 pm to 10 pm
FERMP	Flood Emergency Response Management Plan
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	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
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: “material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act

Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification Assessments	The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&A Act: <ul style="list-style-type: none"> (a) SSD-31552370-Mod-1, Modification Report, SSD- 31552370, 42 Raymond Avenue – Section 4.55(1) Modification, prepared by Urbis, dated 1 December 2022.
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The operation and use of the multi-level warehouse and distribution centre and/or the ancillary office space, as described in the EIS and RTS and as modified by the conditions of this consent
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
Reasonable	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
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Response to Submissions (RTS)	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>42 Raymond Avenue SSD-31552370 Submission Report</i> , prepared by Urbis and dated 8 July 2022
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Response to Submissions;
 - (d) **in accordance with the Modification Assessments;**
 - (e) in accordance with the Development Layout in Appendix 1; and
 - (f) 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.

Proximity to the Botany Industrial Park

- A6. The Applicant must ensure the development operates in a manner consistent with the societal risk assessment report titled *Impact on Societal Risk from BIP, Proposed Warehouse Development 42 Raymond Ave, Matraville, Hale Capital Partners (document number 21698-RP-001, revision 1, dated 5 July 2022, prepared by Sherpa Consulting)* (Societal Risk Report) included as Appendix M of the RTS. This includes ensuring:
- (a) the average employed on-site population does not exceed the upper population estimates for warehouse operation listed in Table 2.1 of the Impact on Societal Risk from BIP Report.

NOTIFICATION OF COMMENCEMENT

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

EVIDENCE OF CONSULTATION

- A9. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A10. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A11. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A12. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES SERVICE AND PUBLIC INFRASTRUCTURE

General Requirements

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

Sydney Water

- A15. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Fibre-Ready Facilities

- A16. 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.
- A17. Prior to the commencement of operation of the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

DEMOLITION

- A18. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A19. 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

- A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A21. Prior to the issue of:
- 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
 - an Occupation Certificate,
- the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.
- A22. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A23. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A24. Prior to the issue of a Construction Certificate for any part of the development, a contribution under section 7.12 of the EP&A Act must be paid to Council under the Randwick City Council Section 94A Development Contributions Plan 2015. The proposed cost of carrying out the development must be calculated in accordance with section 208 of the EP&A Regulation by a registered quantity surveyor.

OPERATION OF PLANT AND EQUIPMENT

- A25. All plant and equipment used on site, or to monitor the performance of the development, must be:
- maintained in a proper and efficient condition; and
 - operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A26. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A27. 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.
- A28. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

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

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
 - (d) include details of:
 - (i) vehicle types, heavy vehicle routes, parking and access arrangements;
 - (ii) the strategies that would be implemented to minimise the number of construction workers who will drive to the site; and
 - (iii) potential overflow construction worker parking area(s) in the vicinity of the site;
 - (e) include a Driver Code of Conduct and Induction Program 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; and
 - (iv) ensure truck drivers use specified routes;
 - (f) include a program to monitor the effectiveness of these measures; and
 - (g) 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.

Access and Parking

- B3. Prior to the commencement of operation of the development, the Applicant must complete the access driveways to Raymond Avenue to the satisfaction of the relevant roads authority. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.
- B4. The Applicant must provide:
- (a) electric car charging facilities to ensure that the development is able to accommodate electric vehicles; and
 - (b) parking facilities onsite for heavy vehicles and site personnel to ensure the traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operational Traffic Management Plan

- B5. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency;
 - (d) detail heavy vehicle routes, access, and parking arrangements;
 - (e) include an Operational Driver Code of Conduct and Induction Program to:
 - (i) minimise the impacts 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 and use of heavy vehicle restriction routes;
 - (f) include a program to monitor the effectiveness of these measures; and
 - (g) include a Green Travel Plan detailing measures to promote public transport usage and describing pedestrian and bicycle linkages and end of trip facilities available on-site.

B6. The Applicant must:

- (a) not commence operation until the Operational Traffic Management Plan required by condition B5 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the duration of the development.

Operating Conditions

B7. The Applicant must ensure:

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

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B8. The Applicant must:

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

Erosion and Sediment Control

B9. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

Discharge Limits

B10. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

STORMWATER

Stormwater Management System

B11. Prior to the commencement of construction of the development, the Applicant must finalise the detailed design of the stormwater management system for the development. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual design in the RTS;
- (c) be in accordance with applicable Australian Standards; and
- (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

B12. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B11) and ensure the system is operational.

FLOODING

Construction Flood Emergency Response Management Plan

- B13. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Flood Emergency Response Management Plan 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) address the provisions of the *of the NSW Government's Floodplain Development Manual and the associated Floodplain Risk Management Guidelines (OEH 2007)*; and
 - (c) include details of:
 - (i) the flood emergency responses for operational phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) flood warning signs and depth indicators;
 - (v) assembly point and evacuation routes;
 - (vi) evacuation and refuge protocols; and
 - (vii) awareness training for employees and contractors.
- B14. The Applicant must:
- (a) not commence construction until the Construction FERMP (see condition B13) is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction FERMP approved by the Planning Secretary for the duration of construction.

Operational Flood Emergency Response Management Plan

- B15. Prior to the commencement of operation, the Applicant must prepare an Operational Flood Emergency Response Management Plan (Operational FERMP) to the satisfaction of the Planning Secretary. The Operational FERMP must:
- (a) address the relevant requirements outlined under condition B13; and
 - (b) include details of:
 - (i) the flood emergency responses procedures to be implemented during operation;
 - (ii) updated assembly points, refuge areas and evacuation routes;
 - (iii) flood warning signs and depth indicators;
 - (iv) refuge and evacuation protocols for all employees, contractors and visitors (including click and collect customers); and
 - (v) awareness training for operational employees and any relevant persons associated with the development.
- B16. The Applicant must:
- (a) not commence **operation** until the Operational FERMP required by condition B15 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Operational FERMP approved by the Planning Secretary for the duration of the development.
- B17. All floor levels must be no lower than the 1% Annual Exceedance Probability flood level plus 0.5 m of freeboard.

AIR QUALITY

Dust Minimisation

- B18. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B19. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

B20. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2021.

NOISE

Hours of Work

B21. The Applicant must comply with the hours detailed in Table 1.

Table 1 Hours of Work

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

B22. Works outside of the hours identified in condition B21 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

B23. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 2.

Construction Noise and Vibration Management Plan

B24. 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 the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced noise expert(s);
- (b) describe procedures for achieving the noise management levels in the *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (c) describe the measures to be implemented to manage high noise generating works such as utilising vibratory rollers, in close proximity to sensitive receivers;
- (d) include strategies that have been developed with the community for managing high noise generating works;
- (e) describe the community consultation undertaken to develop the strategies in condition B24(d).
- (f) include a complaints management system that would be implemented for the duration of the development.

B25. The Applicant must:

- (a) not commence construction of any relevant stage of the development until the Construction Noise and Vibration Management Plan required by condition B24 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

B26. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2 at the receiver locations shown on the plan in Appendix 3.

Table 2 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
Residential Property R03	49	47	43	57
Commercial Premises	63	63	63	-
Industrial Premises	68	68	68	-

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

Post-Commissioning Noise Verification Report

B27. Within three months of the commencement of operation of the development, the Applicant must prepare and submit to the satisfaction of the Planning Secretary, a noise verification report for the development. The noise verification report must:

- (a) be prepared by a suitably qualified and experienced acoustic consultant;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022); and
- (c) include:
 - (i) an analysis of compliance with noise limits specified in condition B26, including consideration of any modifying factors as defined in Fact Sheet C of the *Noise Policy for Industry* (EPA, 2017);
 - (ii) an outline of management actions to be taken to address circumstances where the limits specified in condition B26 are exceeded; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

B28. Vibration caused by construction at any residence or structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
- (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

B29. The limits in conditions B28 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

ABORIGINAL HERITAGE

Aboriginal Cultural Heritage Research Design and Excavation Methodology

B30. Prior to the commencement of construction or any other surface disturbance for the development, the Applicant must prepare an Aboriginal Cultural Heritage Research Design and Excavation Methodology (Aboriginal RDEM) for the development to the satisfaction of the Planning Secretary. The Aboriginal RDEM must form part of the development's CEMP (see condition C2), and must:

- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties; and

- (b) include the following matters:
 - (i) Aboriginal cultural heritage research questions;
 - (ii) details of the proposed staging and timing of the excavation works;
 - (iii) a staged testing and excavation methodology for those areas of the site with moderate and moderate to high archaeological potential;
 - (iv) detailed triggers for expansion of test pits to salvage excavation;
 - (v) a methodology for the excavation of any found features (including, but not limited to, hearths, knapping floors and middens);
 - (vi) an artefact analysis methodology;
 - (viii) clear stop points where additional consultation with registered Aboriginal parties and Heritage NSW
 - (ix) sampling, dating and storage procedures; and
 - (x) a protocol for reporting any artefacts found during the excavation works.

B31. The Applicant must:

- (a) not commence construction until the Aboriginal RDEM required under condition B30 has been approved by the Planning Secretary; and
- (b) implement the most recent version of the Aboriginal RDEM approved by the Planning Secretary for the duration of the development.

Unexpected Finds Protocol

B32. If any item or object of Aboriginal heritage significance is identified on site:

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

B33. 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*.

Human Remains Procedure

B34. If human remains are discovered on site during any works:

- (a) all work in the immediate vicinity of the human remains must cease immediately;
- (b) the area must be secured; and
- (c) the NSW Police Force and Heritage NSW must be contacted immediately.

B35. Work in the immediate vicinity of the human remains must not recommence until this has been authorised by the NSW Police Force and Heritage NSW.

NON-ABORIGINAL HERITAGE

Unexpected Finds Protocol

B36. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:

- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
- (b) Heritage NSW must be contacted immediately; and
- (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

B37. Work in the immediate vicinity of the any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY

Tree Protection

B38. Prior to the commencement of construction, a project arborist with a minimum Australian Qualifications Framework 5 certification is to be appointed. The project arborist is to:

- (a) oversee the tree protection measures required under this consent;
- (b) oversee any works within the Tree Protection Zones established under this consent; and
- (c) complete regular inspections of retained trees through the construction stage of the development in order to ensure that protection measures are being adhered to during construction stages.

- B39. All biodiversity mitigation and management measures identified within Section 6 and Appendix C of the Arboricultural Impact Assessment Report and Tree Protection Management Plan prepared by Canopy Consulting, dated 7 July 2022 (see Appendix J of the RTS) are to be implemented to ensure the protection of trees within the site.
- B40. All trees identified for retention within the site are to be retained and protected throughout the life of the development. The trees are to be protected in accordance with the recommendations of the Arboricultural Impact Assessment Report and Tree Protection Management Plan prepared by Canopy Consulting, dated 7 July 2022 (see Appendix J of the RTS) and with the latest version of *Australian Standard 4970:2009 – Protection of Trees on Development Sites*. All required tree protection measures are to be implemented before any construction works commence on site.
- B41. Tree replacement planting must be undertaken in accordance with the Landscape Plans prepared by Geoscape, dated 6 July 2022 (see Appendix D of the RTS). The tree species, pot size and diversity/number of replacements is to be in accordance with the Indicative Planting Schedule included within the Landscape Plans.

HAZARDS AND RISK

- B42. 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.
- B43. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

Bunding

- B44. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B45. In the event of an inconsistency between the requirements of conditions B44(a) and B44(b), the most stringent requirement must prevail to the extent of the inconsistency.

WASTE MANAGEMENT

Pests, Vermin and Priority Weed Management

- B46. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
 - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

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

Waste Management

- B47. 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).
- B48. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B49. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B50. 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.

REMEDIATION

Long Term Environmental Management Plan

- B51. Prior to the commencement of operation of the development, the Applicant must prepare a Long Term Environmental Management Plan (LTEMP) for the development in accordance with the Remediation Validation Report (prepared by EMM dated 12 November 2021) (see Appendix Y of the EIS) and approved by a Site Auditor accredited under the *Contaminated Land Management Act 1997*.
- A copy of the approved LTEMP must be provided to the Planning Secretary.

CONTAMINATION

Unexpected Finds

- B52. 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 development's CEMP (see condition C2) and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

VISUAL AMENITY

Landscaping

- B53. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must:
- (a) detail the species to be planted on-site;
 - (b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
 - (c) be consistent with:
 - (i) conditions B38 to B41, inclusive;
 - (ii) the Landscape Plans included in the RTS; and
 - (iii) the Applicant's Management and Mitigation Measures at Appendix 2.
- B54. The Applicant must:
- (a) not commence operation until the LMP is approved by the Planning Secretary;
 - (b) prior to the commencement of operation, implement the most recent version of the LMP approved by the Planning Secretary; and
 - (c) maintain the landscaping and vegetation on the site in accordance with the approved LMP required by condition B53 for the life of the development.

Lighting

- B55. 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

- B56. All signage and fencing must be erected in accordance with the development plans included in the EIS and RTS (and reproduced in Appendix 1 of this consent).

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

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) 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;
 - (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (c) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (d) 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;
 - (e) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (f) 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
 - (g) 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 B9);
 - (c) Flood Emergency Response (see condition B13); and
 - (d) Construction Noise and Vibration Management Plan (see condition B24);
 - (e) Aboriginal Cultural Heritage Design and Excavation Methodology (see condition B30);
 - (f) Unexpected Contamination Finds Procedure (see condition B52); and
 - (g) 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 COMPLAINTS HANDLING PROTOCOL

- C5. Prior to the commencement of operation, the Applicant must prepare an Operational Complaints Handling Protocol (OCHP) for the development. The OCHP must:
- (a) detail how complaints would be received by the Applicant;
 - (b) detail how the contact details for receiving complaints would be communicated to surrounding businesses and/or residential receivers; and
 - (c) include a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint.

A copy of the complaints register must be provided to the Planning Secretary upon request.

Note: *Methods for receiving complaints could include, but are not limited to, email, a toll-free telephone number and/or a postal address. Methods for communicating contact details could include, but are not limited to, on-site signage and/or an advertisement published in a local paper.*

- C6. The Applicant must:
- (a) not commence operation until the OCHP under condition C5 is submitted to the Planning Secretary; and
 - (b) implement the most recent version of the OCHP submitted to the Planning Secretary for the duration of the development.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C7. Within three months of:
- (a) the submission of an incident report under condition C9;
 - (b) the approval of any modification of the conditions of this consent; or
 - (c) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed.
- C8. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C7, 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

- C9. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.

Non-Compliance Notification

- C10. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C11. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C12. A non-compliance which has been notified as an incident (see condition C9) does not need to also be notified as a non-compliance.

Monitoring and Environmental Audits

- C13. 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

- C14. 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) a summary of the current stage and progress of the development;
 - (v) contact details to enquire about the development or to make a complaint;
 - (vi) a complaints register, updated quarterly;
 - (vii) 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

Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Approved Plans

Architectural Plans – Endorsed with Department stamp			
Drawing Number	Revision Number	Dated	Prepared By
DA050 Site Analysis Plan and Summary	J	30/06/2022	SBA Architects
DA100 Warehouse GF Plan	K	30/06/2022	SBA Architects
DA101 Warehouse GF Mezz Plan	H	15/05/2022	SBA Architects
DA102 Warehouse L1 Floor Plan	G	15/5/2022	SBA Architects
DA103 Warehouse L1 Mezz Floor Plan	F	15/05/2022	SBA Architects
DA104 Warehouse Roof Plan	I	15/05/2022	SBA Architects
DA200 Office 01 Floor Plans	G	15/05/2022	SBA Architects
DA201 Office 02 Floor Plans	H	15/05/2022	SBA Architects
DA202 Office 03 Floor Plans	H	15/05/2022	SBA Architects
DA203 Office 04 Floor Plans	H	15/05/2022	SBA Architects
DA300 Elevations	G	15/05/2022	SBA Architects
DA310 Sections	H	15/05/2022	SBA Architects
DA500 Signage Details	F	15/05/2022	SBA Architects
Civil Engineering Plans			
C014552.00-DA10 Drawing List & General Notes	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00-DA20 Erosion & Sediment Control Plan	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00-DA25 Erosion & Sediment Control Details	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00-DA30 Bulk Earthworks Plan	D	07/07/2022	Costin Roe Consulting Pty Ltd
C014552.00-DA35 Bulk Earthworks Sections	C	07/07/2022	Costin Roe Consulting Pty Ltd
C01452.00-DA40 Stormwater Drainage Plan – Ground Level	E	07/07/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA41 Stormwater Drainage Plan – Level 1	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA45 Stormwater Drainage Plan – Sheet 1	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA46 Stormwater Drainage Plan – Sheet 2	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA50 Finished Level Plans – Ground Level	D	07/07/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA51 Finished Levels Plan – Level 1	C	10/03/2022	Costin Roe Consulting Pty Ltd
C014552.00 – DA55 Typical Sections	D	07/07/2022	Costin Roe Consulting Pty Ltd

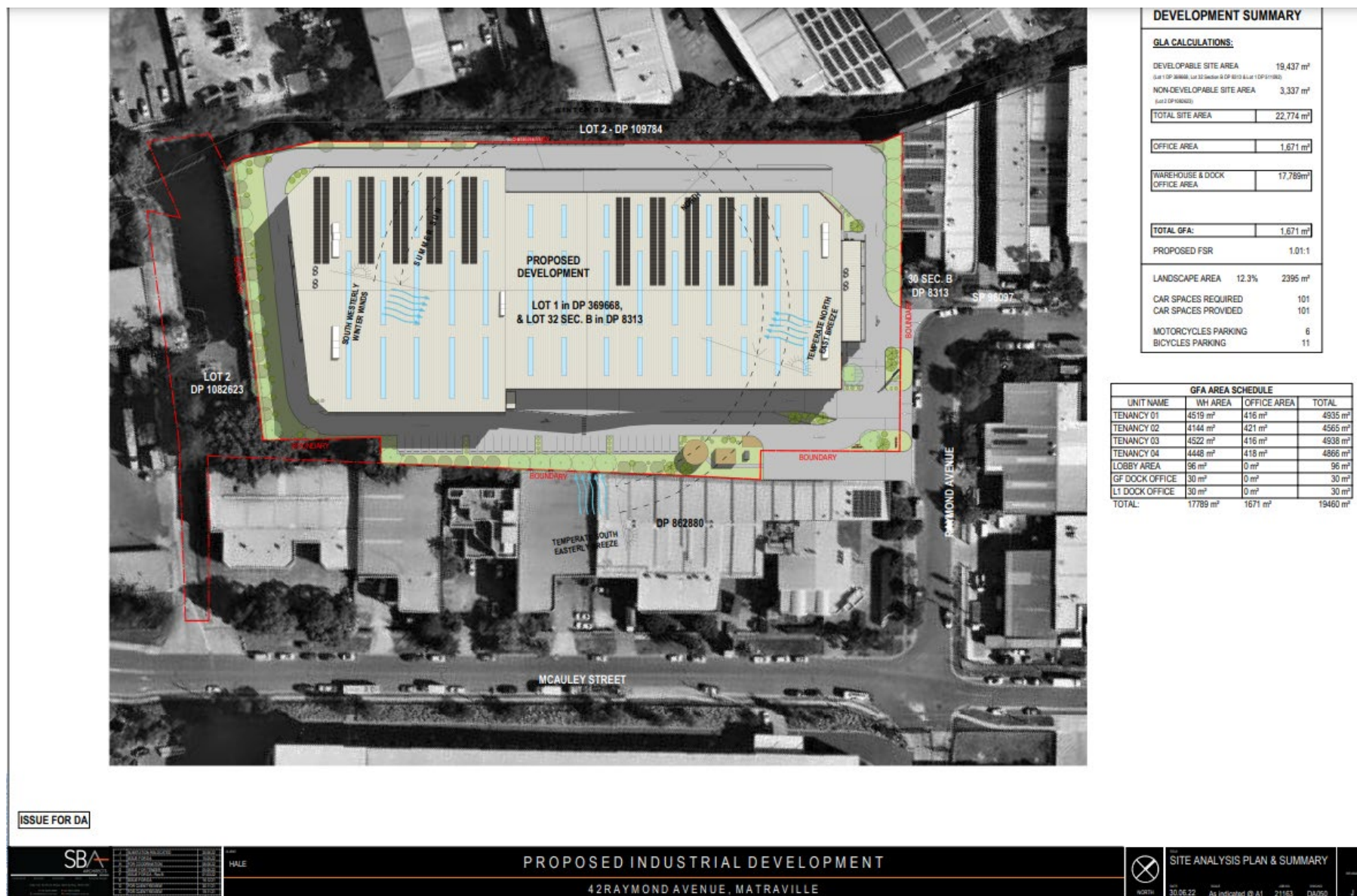


Figure 1: Site Plan

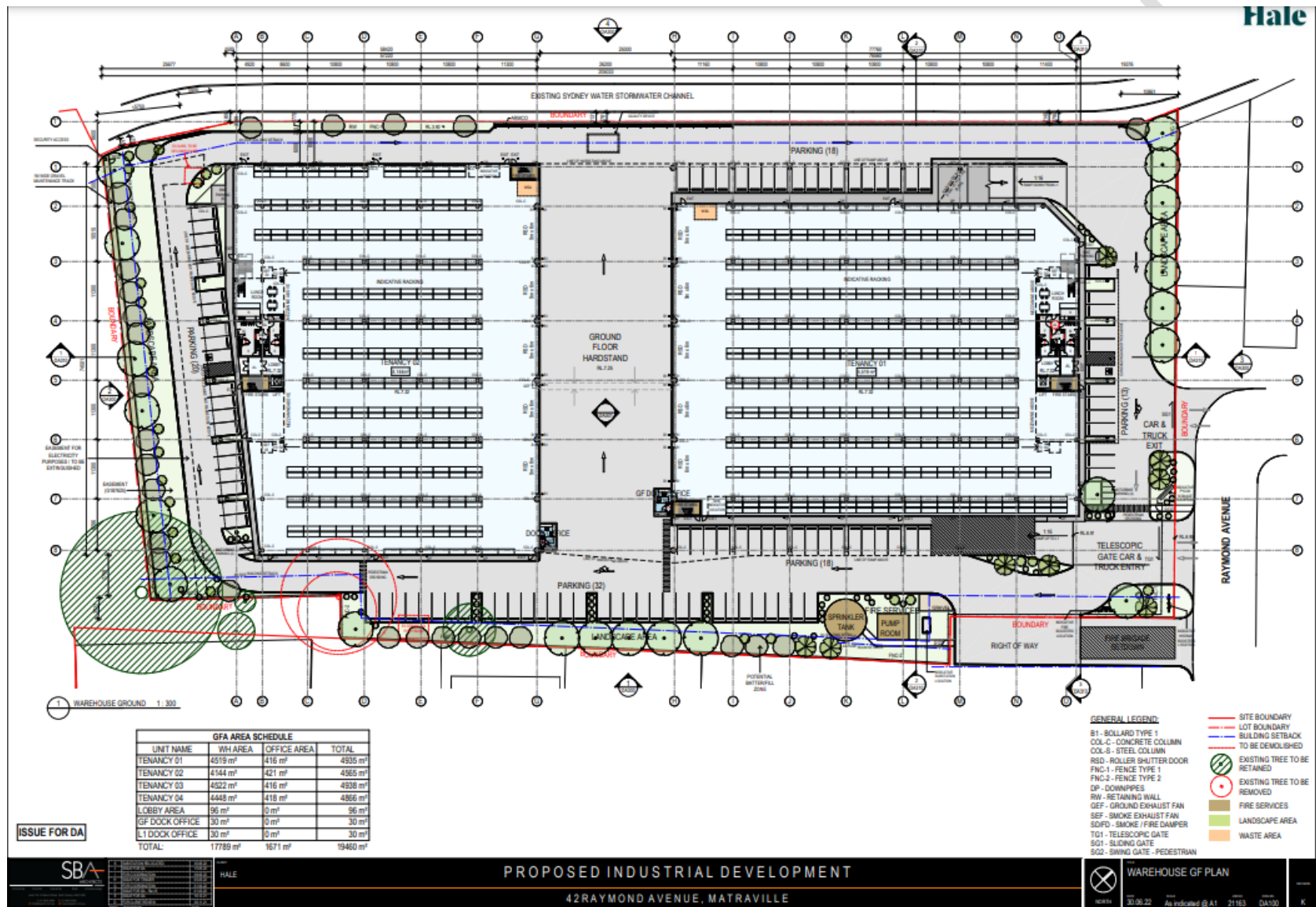


Figure 2: Ground Floor Plan

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

EM	Potential Impact	Mitigation Measure
Traffic and Transport	Impacts of the construction activities on the surrounding road network	<ul style="list-style-type: none"> ▪ Temporary exclusion fencing (chain mesh fencing) will be erected along the entire boundary of the site and will be maintained for the duration of the construction program. ▪ Handling of all materials throughout the construction period shall adhere to the following: <ul style="list-style-type: none"> - It is proposed that all material loading will occur within the construction site boundary. - No loading is proposed to occur outside of the provisioned areas. - Equipment, materials, and waste will be kept within the construction site boundary. ▪ All vehicles transporting loose materials will have the entire load covered and/or secured to prevent any large items, excess dust or dirt particles depositing onto the roadway during travel to and from the site. ▪ An authorised Traffic Controller is to be present on-site throughout the construction stage of the project.
Trees and Landscaping	Impacts of construction of trees to be retained	<p>Tree protection:</p> <ul style="list-style-type: none"> ▪ Tree protection fencing. ▪ Landscaping activities are to be low impact and sensitive to tree roots. ▪ Supervision of works within the fenced TPZ. ▪ Retention of the existing concrete slab in situ within the TPZ of tree 8.
	Tree removal	To mitigate the removal of the Hills Weeping Fig tree at the south-eastern corner of the site, a high level of planting is proposed across the site including large native copy trees.

Air Quality	Impacts of construction activities in relation to dust and human health at sensitive receptors	<p><u>Communication</u></p> <ul style="list-style-type: none"> ▪ Develop and implement a stakeholder communications plan that includes community engagement before work commences on site. ▪ Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager. ▪ Display the head or regional office contact information. ▪ Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the relevant regulatory bodies. <p><u>Site Management</u></p> <ul style="list-style-type: none"> ▪ 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.
		<p><u>Communication</u></p> <ul style="list-style-type: none"> ▪ Develop and implement a stakeholder communications plan that includes community engagement before work commences on site. ▪ Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager. ▪ Display the head or regional office contact information. ▪ Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the relevant regulatory bodies. <p><u>Site Management</u></p> <ul style="list-style-type: none"> ▪ 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.

		<ul style="list-style-type: none"> ▪ Make the complaints log available to the local authority when asked. ▪ Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the log book. ▪ Hold regular liaison meetings with other high-risk construction sites within 500 metres of the site boundary, to ensure plans are coordinated and dust and particulate matter emissions are minimised. It is important to understand the interactions of the off-site transport/deliveries which might be using the same strategic road network routes. <p><u>Monitoring</u></p> <ul style="list-style-type: none"> ▪ Carry out regular site inspections to monitor compliance with the DMP / CEMP, record inspection results, and make an inspection log available to the local authority when asked. ▪ Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions. <p><u>Preparing and Maintaining the site</u></p> <ul style="list-style-type: none"> ▪ Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible. ▪ Erect solid screens or barriers around dusty activities or the site boundary that they are at least as high as any stockpiles on site. ▪ Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period. ▪ Avoid site runoff of water or mud. ▪ Keep site fencing, barriers and scaffolding clean using wet methods. ▪ Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below. ▪ Cover, seed or fence stockpiles to prevent wind erosion. <p><u>Operating Vehicle/Machinery and Sustainable Travel</u></p> <ul style="list-style-type: none"> ▪ Ensure all on-road vehicles comply with relevant vehicle emission standards, where applicable. ▪ Ensure all vehicles switch off engines when stationary - no
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		<p>idling vehicles.</p> <ul style="list-style-type: none"> ▪ Avoid the use of diesel or petrol-powered generators and use mains electricity or battery powered equipment where practical. ▪ Impose and signpost a maximum-speed-limit of 25 km/h on surfaced and 15 km/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, subject to the approval of the nominated undertaker and with the agreement of the local authority, where appropriate). ▪ Produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials. ▪ Implement a Travel Plan that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing). <p><u>Construction Operations</u></p> <ul style="list-style-type: none"> ▪ Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems. ▪ Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate. ▪ Use enclosed chutes and conveyors and covered skips. ▪ Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate. ▪ 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. <p><u>Waste Management</u></p> <ul style="list-style-type: none"> ▪ Avoid bonfires and burning of waste materials. <p><u>Construction Activities</u></p> <ul style="list-style-type: none"> ▪ Avoid scabbling (roughening of concrete surfaces) if possible. ▪ Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place. ▪ Ensure bulk cement and other fine powder materials are
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		<p>delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.</p> <ul style="list-style-type: none"> For smaller supplies of fine power materials ensure bags are sealed after use and stored appropriately to prevent dust. <p><u>Measures Specific to track-out</u></p> <ul style="list-style-type: none"> Use water-assisted dust sweeper(s) on the access and local roads to remove, as necessary, any material tracked out of the site. Avoid dry sweeping of large areas. Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport. Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable. Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowzers and regularly cleaned. Access gates to be located at least 10 metres from receptors where possible. <p><u>Construction Traffic</u></p> <ul style="list-style-type: none"> Ensure all on-road vehicles comply with relevant vehicle emission standards, where applicable. Ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery. Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport. Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable. Record all inspections of haul routes and any subsequent action in a site log book.
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Noise and Vibration	Impact of construction activities on adjacent commercial receivers	<p><u>Implement community consultation or notification measures</u></p> <ul style="list-style-type: none"> ▪ Notification detailing work activities, dates and hours, impacts and mitigation measures, indication of work schedule over the night-time period, any operational noise benefits from the works (where applicable) and contact telephone number. ▪ Notification should be a minimum of 7 calendar days prior to the start of works. For projects other than maintenance works more advanced consultation or notification may be required. Contact Roads and Maritime Communication and Stakeholder Engagement for guidance. ▪ Website (If required) ▪ Contact telephone number for community Email distribution list (if required) ▪ Community drop-in session (if required by approval conditions) <p><u>Site inductions</u></p> <p>All employees, contractors and subcontractors are to receive an environmental induction. The induction must at least include:</p> <ul style="list-style-type: none"> ▪ all project specific and relevant standard noise and vibration mitigation measures ▪ relevant licence and approval conditions ▪ permissible hours of work ▪ any limitations on high noise generating activities ▪ location of nearest sensitive receivers ▪ construction employee parking areas ▪ designated loading/unloading areas and procedures ▪ site opening/closing times (including deliveries) ▪ environmental incident procedures. <p><u>Behavioural practices</u></p> <ul style="list-style-type: none"> ▪ No swearing or unnecessary shouting or loud stereos/radios on site. ▪ No dropping of materials from height, throwing of metal items and slamming of doors. <p><u>Verification</u></p> <ul style="list-style-type: none"> ▪ Where specified under Appendix C of the Roads and Maritime (now Transport for NSW) Construction Noise and Vibration Guideline (CNVG) a noise verification program is to be carried out for the duration of the works in accordance with the Construction Noise and Vibration Management Plan and any approval and licence conditions. <p><u>Attended vibration measurements</u></p> <ul style="list-style-type: none"> ▪ Where required attended vibration measurements should be
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		<p>undertaken at the commencement of vibration generating activities to confirm that vibration levels are within the acceptable range to prevent cosmetic building damage.</p> <p><u>Update Construction Environmental Management Plans</u></p> <ul style="list-style-type: none"> ▪ The CEMP must be regularly updated to account for changes in noise and vibration management issues and strategies. <p><u>Building condition surveys</u></p> <ul style="list-style-type: none"> ▪ Undertake building dilapidation surveys on all buildings located within the buffer zone prior to commencement of activities with the potential to cause property damage. <p><u>Construction hours and scheduling</u></p> <ul style="list-style-type: none"> ▪ Where feasible and reasonable, construction should be carried out during the standard daytime working hours. Work generating high noise and/or vibration levels should be scheduled during less sensitive time periods. <p><u>Construction respite period during normal hours and out-of-hours work</u></p> <ul style="list-style-type: none"> ▪ See Appendix C of the CNVG for more details on the following respite measures: ▪ Respite Offers (RO) ▪ Respite Period 1 (R1) ▪ Respite Period 2 (R2) ▪ Duration Respite (DR) <p><u>Equipment selection</u></p> <ul style="list-style-type: none"> ▪ Use quieter and less vibration emitting construction methods where feasible and reasonable. ▪ For example, when piling is required, bored piles rather than impact-driven piles will minimise noise and vibration impacts. Similarly, diaphragm wall construction techniques, in lieu of sheet piling, will have significant noise and vibration benefits. Ensure plant including the silencer is well maintained. <p><u>Plant noise levels</u></p> <ul style="list-style-type: none"> ▪ The noise levels of plant and equipment must have operating Sound Power or Sound Pressure Levels compliant with the criteria in Appendix H of the CNVG. Implement a noise monitoring audit program to ensure equipment remains within the more stringent of the manufacturer's specifications or Appendix H of the CNVG. <p><u>Rental plant and equipment</u></p> <ul style="list-style-type: none"> ▪ The noise levels of plant and equipment items are to be considered in rental decisions and in any case cannot be used on site unless compliant with the criteria in Table 2 of the CNVG. <p><u>Use and siting of plant</u></p> <ul style="list-style-type: none"> ▪ The offset distance between noisy plant and adjacent sensitive receivers is to be maximised.
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		<ul style="list-style-type: none"> ▪ Plant used intermittently to be throttled down or shut down. ▪ Noise-emitting plant to be directed away from sensitive receivers. ▪ Only have necessary equipment on site. <p><u>Plan worksites and activities to minimise noise and vibration</u></p> <ul style="list-style-type: none"> ▪ Locate compounds away from sensitive receivers and discourage access from local roads. ▪ Plan traffic flow, parking and loading/unloading areas to minimise reversing movements within the site. ▪ Where additional activities or plant may only result in a marginal noise increase and speed up works, consider limiting duration of impact by concentrating noisy activities at one location and move to another as quickly as possible. ▪ Very noise activities should be scheduled for normal working hours. If the work cannot be undertaken during the day, it should be completed before 11:00pm. ▪ Where practical, work should be scheduled to avoid major student examination periods when students are studying for examinations such as before or during Higher School Certificate and at the end of higher education semesters. ▪ If programmed night work is postponed the work should be re-programmed and the approaches in this guideline apply again. <p><u>Reduced equipment power</u></p> <p>Use only the necessary size and power.</p> <p><u>Non-tonal and ambient sensitive reversing alarms</u></p> <ul style="list-style-type: none"> ▪ Non-tonal reversing beepers (or an equivalent mechanism) must be fitted and used on all construction vehicles and mobile plant regularly used on site and for any out of hours work. ▪ Consider the use of ambient sensitive alarms that adjust output relative to the ambient noise level. <p><u>Minimise disturbance arising from delivery of goods to construction sites</u></p> <ul style="list-style-type: none"> ▪ Loading and unloading of materials/deliveries is to occur as far as possible from sensitive receivers. ▪ Select site access points and roads as far as possible away from sensitive receivers. ▪ Dedicated loading/unloading areas to be shielded if close to sensitive receivers. ▪ Delivery vehicles to be fitted with straps rather than chains
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		<p>for unloading, wherever possible.</p> <ul style="list-style-type: none"> ▪ Avoid or minimise these out of hours movements where possible. <p><u>Engine compression brakes</u></p> <ul style="list-style-type: none"> ▪ Limit the use of engine compression brakes at night and in residential areas. ▪ Ensure vehicles are fitted with a maintained Original Equipment Manufacturer exhaust silencer or a silencer that complies with the National Transport Commission's 'In-service test procedure' and standard. <p><u>Shield stationary noise sources such as pumps, compressors, fans etc.</u></p> <ul style="list-style-type: none"> ▪ Stationary noise sources should be enclosed or shielded where feasible and reasonable whilst ensuring that the occupational health and safety of workers is maintained. Appendix D of AS 2436:2010 lists materials suitable for shielding. <p><u>Shield sensitive receivers from noisy activities</u></p> <p>Use structures to shield residential receivers from noise such as site shed placement; earth bunds; fencing; erection of operational stage noise barriers (where practicable) and consideration of site topography when situating plant.</p> <p><u>Structural surveys and vibration monitoring</u></p> <ul style="list-style-type: none"> ▪ Pre-construction surveys of the structural integrity of vibration sensitive buildings may be warranted. ▪ At locations where there are high-risk receptors, vibration monitoring should be conducted during the activities causing vibration.
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Noise and Vibration	Operational noise impacts on receivers	<ul style="list-style-type: none"> ▪ Lower noise output from roof mounted fans ▪ Use of broadband and/or ambient noise sensing reversing alarms ▪ Roller doors to be kept closed when un/loading is not occurring
Stormwater and Wastewater	Impacts of construction stormwater, sediment and site run off	<p>Erosion and sediment control plan:</p> <p><u>Sediment Fences</u></p> <p>Sediment fences are to be located around the perimeter of the site to ensure no untreated runoff leaves the site. They will also be located around the existing drainage channels to minimise sediment migration into waterways and sediment basins.</p> <p><u>Stabilised Site Access</u></p> <p>Stabilised site access is proposed at the entry to the works area. This will limit the risk of sediment being transported onto Raymond Avenue and other public roads.</p> <p><u>Other Management Measures</u></p> <p>Other management measures that will be employed include:</p> <ul style="list-style-type: none"> ▪ Minimising the extent of disturbed areas across the site at any one time. ▪ Progressive stabilisation of disturbed areas or previously completed earthworks to suit the proposal once trimming works are complete. ▪ Regular monitoring and implementation of remedial works to maintain the efficiency of all controls.
Aboriginal Cultural Heritage	Impacts of construction activities on unexpected archaeological finds	<ul style="list-style-type: none"> ▪ Preparation of an Archaeological Research Design (ARD) and Excavation Methodology (EM). ▪ Undertake a staged subsurface archaeological investigation program prior to commencement of the proposed works with the participation of nominated Aboriginal RAPs and appropriately qualified archaeologists, including: <ol style="list-style-type: none"> 1. A preliminary excavation within areas impact by the proposed works to determine if an intact natural sand body survives below the existing ground surface and whether or not that sand body is likely to retain any Aboriginal artefacts. 2. A test and salvage excavation, which is only

		<p>to be undertaken if the preliminary excavation determines that a natural sand body is present</p> <p><u>Human Remains Procedure</u></p> <p>In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:</p> <ol style="list-style-type: none"> 1. All works within the vicinity of the find must immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact. 2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555). 3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist. 4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives. <p>Works are not to recommence until the find has been appropriately managed.</p>
Environmental Heritage	Impacts of construction activities on unexpected archaeological finds	<p><u>Archaeological Finds Procedure</u></p> <p>Should any archaeological deposits be uncovered during any site works, the following steps must be followed:</p> <ol style="list-style-type: none"> 1. All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment. 2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist. 3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System. 4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.

		<p>5. Reporting may need to be prepared regarding the find and approved management strategies.</p> <p>6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW. Human Remains Procedure</p> <p>In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:</p> <ol style="list-style-type: none"> 1. All works within the vicinity of the find must immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact. 2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555). 3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist. 4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives. 5. Works are not to recommence until the find has been appropriately managed.
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APPENDIX 3 NOISE RECIEVER LOCATIONS



Figure 4 Noise receiver locations (source: Appendix H of the RTS - Noise Impact Assessment dated 4 July 2022)

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C9 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

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