

Development Consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 27 February 2013, I approve the development application referred to in Schedule A, subject to the conditions in Schedules B to D.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social 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.

Executive Director
Development Assessment Systems & Approvals

Sydney

9 AUGUST 2013

SCHEDULE A

Application No.:

SSD-13_5746

Applicant:

Goodman Property Services (Aust) Pty Ltd

Consent Authority:

Minister for Planning and Infrastructure

Land:

30-50 Yarrowa Street, Prestons
Lot 101 in DP 1117691, Lot 102 in DP 1117691 and Lot 2 in DP 28729

Development:

Expansion of the Mainfreight storage and distribution centre

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

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

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-5746-Mod-1	27 May 2014	Minister	Amend floor area to correct an error, increase dangerous goods storage capacity and allow 24/7 heavy vehicle access
SSD-5746-Mod-3	29 September 2026	Minister	Increase to overnight truck movements from 40 to 60 movements

FOR INFORMATION

TABLE OF CONTENTS

DEFINITIONS	2
SCHEDULE B: GENERAL ADMINISTRATIVE CONDITIONS	3
Obligation to Minimise Harm to the Environment	3
Terms of Consent	3
Limits of Consent	3
Lapsing of Consent	3
Surrender of Existing Development Consents	3
Demolition	4
Structural Adequacy	4
Statutory Requirements	4
Operation of Plant and Equipment	4
Protection of Public Infrastructure	4
Utilities	4
Staged Submission of Strategies, Plans or Programs	4
Development Contribution	4
Dispute Resolution	5
SCHEDULE C: ENVIRONMENTAL PERFORMANCE CONDITIONS	6
Hazards and Risks	6
Traffic and Access	7
Soil and Water	8
Noise	9
Air Quality	10
Waste Management	11
Visual Amenity and Design	11
Landscape and Biodiversity	11
Security	12
TransGrid Easement and Infrastructure	12
SCHEDULE D: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING	13
Environmental Management Plan	13
Pre-Operation Compliance	13
Incident Reporting	13
Annual Review	13
Revision of Strategies, Plans and Programs	14
APPENDIX 1: PLANS AND ELEVATIONS	
APPENDIX 2: STATEMENT OF COMMITMENTS	

DEFINITIONS

Applicant	Goodman Property Services (Australia) Pty Ltd, or any other person or persons who rely on this consent to carry out the development that is subject to this consent
BCA	Building Code of Australia
Council	Liverpool City Council
Dangerous Goods	As defined by the Australian Dangerous Goods Code 7 th Edition (Australian Government, 2010)
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
Development	The development as described in the EIS and RTS as modified by modification assessments for the expansion of the existing Mainfreight storage and distribution centre. The expansion includes: - a 14,960m² expansion to the existing warehouse buildings, including a 1,570m² area for the storage of dangerous goods; - a 2,350m² extension of the existing breezeway between Building 1 and Building 2; - a hardstand area of approximately 16,835m² to be used for manoeuvring and parking; - relocation of the existing truck wash facility; - new access driveways for cars and trucks; and - other ancillary development on the site.
EIS	Environmental Impact Statement titled " <i>Proposed Expansion of Existing Mainfreight Facility including Storage of Dangerous Goods (Chemical Storage Facility)</i> " and accompanying appendices, dated April 2013 and prepared by McKenzie Group Consulting on behalf of Goodman Property Services (Aust) Pty Ltd
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Minister	Minister for Planning and Infrastructure, or delegate
Modification Assessments	The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act: (a) Modification application SSD 5746 MOD 1, including accompanying letter report dated November 2013, and subsequent letters dated 19 December 2013, 31 January 2014 and 14 April 2014, all prepared by McKenzie Group Consulting (NSW) Pty Ltd (b) Modification application SSD-5746-MOD-3 (MOD3), including accompanying Modification Report dated 4 May 2026 prepared by SLR Consulting Australia
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NSW RFS	NSW Rural Fire Service
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
RMS	Roads and Maritime Services
RTS	Response to Submissions Report titled " <i>Response to Submissions - State Significant Development SSD-5746</i> ", prepared by McKenzie Group Consulting on behalf of Goodman Property Services (Aust) Pty Ltd and dated July 2013
Secretary	Secretary of the Department, or nominee
Site	The land referred to in Schedule 1 and shown in Appendix 1
SOCs	The development's statement of commitments for the development in Appendix 4
TransGrid's Submission	Submission from TransGrid dated 17 June 2013, including Annexures A-P

SCHEDULE B

ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- B1. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

TERMS OF CONSENT

- B2. The Applicant shall carry out the development generally in accordance with the:
- (a) EIS;
 - (b) RTS;
 - (c) in accordance with the Modification Assessments;
 - (d) plans and elevations (see Appendix 1);
 - (e) statement of commitments (Appendix 2); and
 - (f) conditions of this consent.
- B3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
- B4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- (a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this consent; and
 - (b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

LIMITS OF CONSENT

- B5. The Applicant must ensure that the total area of:
- (a) Warehouse Building 1 ('Transport Shed') and Warehouse Building 2 ('Logistics Shed'), including office floor space, does not exceed 45,577m²;
 - (b) the dangerous goods area does not exceed 1,570m²; and
 - (c) the breezeway does not exceed 5,822m².
- B5A. The number of truck movements between the hours of 10:00pm and 5:00am shall be restricted to a maximum of 60.
- B6. The storage of dangerous goods on site shall not exceed the quantities provided in Table 1 at any one time.

Table 1: Dangerous Goods Storage

Hazardous Material	Dangerous Goods Class	Approximate Operating Quantity (kg)	Total Store Capacity (kg)
Aerosols*	2.1	347,260	400,000
Flammable and Combustible Liquids	3	83,820	88,660
Oxidising Agents	5.1	63,698	78,500
Corrosive Substances	8	1,165	1,500
Miscellaneous Dangerous Goods	9	4,249	4,620

Note: These quantities are for the total combined weight of packaging and content as described in the Preliminary Hazard Analysis.

LAPSING OF CONSENT

- B7. This consent shall lapse five (5) years from the date of this consent unless the works associated with the development have physically commenced.

SURRENDER OF EXISTING DEVELOPMENT CONSENTS

- B8. By the end of July 2014, or as otherwise agreed by the [Secretary](#), the Applicant shall surrender all existing development consents for the site including DA-1064/2006, DA-1065/2006, DA 1672/2006, DA- 1093/2007, DA-153/2008, DA-153/2008/A and DA-1636/2012 in accordance with Clause 97 of the EP&A Regulation.

DEMOLITION

- B9. The Applicant shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*, or its latest version.

STRUCTURAL ADEQUACY

- B10. The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

STATUTORY REQUIREMENTS

- B11. The Applicant shall ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

OPERATION OF PLANT AND EQUIPMENT

- B12. The Applicant shall ensure that all plant and equipment used for the development is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

PROTECTION OF PUBLIC INFRASTRUCTURE

- B13. Prior to the commencement of construction, the Applicant shall:
- (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (b) submit a copy of this report to the [Secretary](#) and Council.

The Applicant shall:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by 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.

UTILITIES

- B14. Prior to the construction of any utility works associated with the development, the Applicant shall obtain relevant approvals from service providers.
- B15. Prior to occupation of the development, the Applicant shall obtain a compliance certificate for water and sewerage infrastructure servicing of the site under Section 73 of the *Sydney Water Act 1994* from Sydney Water Corporation.

STAGED SUBMISSION OF PLANS OR PROGRAMS

- B16. With the approval of the [Secretary](#), the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
 - (b) combine any strategy, plan or program required by this consent.

Notes:

- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program.
- There must be a clear relationship between the strategy, plan or program that are to be combined.

DEVELOPMENT CONTRIBUTION

- B17. Prior to commencement of operation of the development, the Applicant shall pay contributions to a maximum amount of \$863,812.00 in accordance with Council's *Liverpool Contributions Plan 2009*, dated December 2010, in consultation with Council, and to the satisfaction of the [Secretary](#).

CONSOLIDATED CONSENT

Note: This contribution is subject to indexation to reflect quarterly variations in the Consumer Price Index All Group Index Number for Sydney, as published by the Australian Bureau of Statistics.

DISPUTE RESOLUTION

- B18. In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter must be referred by either party to the [Secretary](#), or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the Act.

FOR INFORMATION

SCHEDULE C

ENVIRONMENTAL PERFORMANCE CONDITIONS

HAZARDS AND RISK

Pre-construction

C1. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the [Secretary](#) may agree, the Applicant shall prepare and submit for the approval of the [Secretary](#) the studies set out under subsections (a) to (b) (the pre-construction studies). Construction, other than of preliminary works, shall not commence until approval has been given by the [Secretary](#) and, with respect to the Fire Safety Study, approval has also been given by the Commissioner of the NSW Fire Brigades.

(a) Fire Safety Study

A Fire Safety Study for development. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall also be submitted for approval, to the NSW Fire Brigades.

(b) Final Hazard Analysis

A Final Hazard Analysis of the development prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6, 'Guidelines for Hazard Analysis'.

Note: For the purposes of Condition C1, 'Preliminary works' includes the construction, fit out and use of the expanded facility, but excludes the use of the dangerous goods area, which is not permitted to be used until the relevant approvals from the [Secretary](#) and the Commissioner of the NSW Fire Brigades have been obtained.

Pre-commissioning

C2. The Applicant shall develop and implement the plans and systems set out under subsections (a) to (b). No later than two months prior to the commencement of commissioning of the development, or within such further period as the [Secretary](#) may agree, the Applicant shall submit for the approval of the [Secretary](#) documentation describing those plans and systems. Commissioning shall not commence until approval has been given by the [Secretary](#).

(a) Emergency Plan

The company's Emergency Plan and detailed emergency procedures shall be updated to incorporate any changes due to the development. The plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan shall be in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.

(b) Safety Management System

The company's Safety Management System shall be updated to include any changes due to the development. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the [Secretary](#) upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.

Pre-startup

C3. Pre-Startup Compliance Report

One month prior to the commencement of operation of the development, the Applicant shall submit to the [Secretary](#), a report detailing compliance with Conditions C1 and C2, including:

- (a) dates of study/plan/system submission, approval, commencement of construction and commissioning;
- (b) actions taken or proposed, to implement recommendations made in the studies/plans/systems; and
- (c) responses to each requirement imposed by the [Secretary](#) under Condition C6.

Post-startup

C4. Post-Startup Compliance Report

Three months after the commencement of operation of the development, the Applicant shall submit to the [Secretary](#), a report verifying that:

- (a) the Emergency Plan required under Condition C2(a) is effectively in place and that at least one emergency exercise has been conducted; and
- (b) the Safety Management System required under Condition C2(b) has been fully implemented and that records required by the system are being kept.

Ongoing

C5. Hazard Audit

Twelve months after the commencement of operations of the development and every three years thereafter, or at such intervals as the [Secretary](#) may agree, the Applicant shall carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the [Secretary](#) for approval.

The audits shall be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the [Secretary](#) prior to commencement of each audit. Hazard Audits shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'.

The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

C6. Further Requirements

The Applicant shall comply with all reasonable requirements of the [Secretary](#) in respect of the implementation of any measures arising from the reports submitted in respect of Conditions C1 to C5 inclusive, within such time as the [Secretary](#) may agree.

C6A. Pre-Startup Compliance

Within 3 months of the date of approval of MOD 1, the Applicant must submit, and have approved by the [Secretary](#), a layout plan for the Dangerous Goods storage area. The plan shall show where and how the amended quantity of Dangerous Goods permitted by MOD 1 (refer to Table 1, Condition B6) will be accommodated within the approved Dangerous Goods storage area. The plan shall also demonstrate that compliance will be achieved with the separation and segregation distance requirements contained in the relevant Australian Standards.

Bushfire Management

C7. The Applicant shall manage the site in accordance with the Bushfire Protection Assessment report prepared by Australian Bushfire Planners Pty Ltd and dated 12 January 2013 (B121914), Planning for Bush Fire Protection (NSW RFS, 2006) and Standards for Asset Protection Zones (NSW RFS, 2006) in consultation with the NSW RFS to the satisfaction of the [Secretary](#). The management measures to be implemented on the site shall be set out in the Environmental Management Plan (see Condition D1).

C8. Within 12 months of commencement of construction, the Applicant shall make suitable arrangements to ensure that the area of the site identified as Bush Fire Prone Land Vegetation Buffer on Liverpool Bush Fire Prone Land Map is managed in perpetuity as an Inner Protection Zone in accordance with the Bushfire Protection Assessment report prepared by Australian Bushfire Planners Pty Ltd and dated 12 January 2013 (B121914), Planning for Bush Fire Protection (NSW RFS, 2006) and Standards for Asset Protection Zones (NSW RFS, 2006) in consultation with the NSW RFS to the satisfaction of the [Secretary](#).

C9. The Applicant shall:

- (a) implement suitable measures to minimise the risk of fire on site;
- (b) extinguish any fires on site promptly; and
- (c) maintain adequate fire-fighting capacity on site, including water supply in accordance with the requirements of the BCA and AS 2419.1, 2005.

TRAFFIC AND ACCESS

Operating Conditions

C10. The Applicant shall ensure that:

- (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 relevant standards and the latest versions of AS 2890.1, AS 2890.2 and AS/NZS 2890.6;
- (b) the swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS.
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development do not park or stand 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 vehicles enter and exit the site in a forward direction;
- (g) all loading and unloading of materials is carried out on site; and
- (h) the proposed loading areas and turning areas in the car park are kept clear of any obstacles, including parked vehicles, at all times.
- (i) [the eastern most truck access driveway shall be line marked and sign posted to clearly indicate that this access driveway will permit entry movements only;](#)
- (j) [between the hours of 7:00pm and 5:00am, heavy vehicles must only enter and leave the site via](#)

- the central and eastern most truck access driveways located in Yarrawa Street, Prestons, which serve the new truck and car hardstand area located to the east of Building 1 (the front building) and to the north of Building 2 (the rear building);
- (k) a warning sign is installed at the western most vehicle access point located in Yarrawa Street, warning drivers that trucks must not enter or leave the premises via this driveway between the hours of 7:00pm and 5:00am; and
- (l) appropriate controls and systems, developed in consultation with the EPA and to the satisfaction of the Secretary, are put in place to stop trucks entering or leaving the western most access driveway between the hours of 7:00pm and 5:00am.

Parking Provision

- C11. The Applicant shall provide a minimum of 177 on-site car parking spaces and 70 truck parking spaces for use during operation of the development.
- C12. The Applicant shall reserve an additional undeveloped area for 40 overflow car parking spaces on the site. The additional 40 spaces shall be provided if required, or at the Secretary's request, in accordance with the EIS.
- C13. The Applicant shall provide parking for bicycles and associated facilities such as change rooms.

Off-Site Parking Restrictions

- C14. Prior to commencement of operations, the Applicant must line mark and provide "No Parking" signage along Yarrawa Street from its intersection with Bernera Road to the western extent of the development site to the satisfaction of Council.

Vehicular Footpath Crossings

- C15. The three (3) proposed concrete vehicular crossings over Council's footpath/pedestrian way must be constructed to Council's satisfaction.
- C16. The existing driveway and layback located at the eastern side of the existing development must be reinstated with kerb, gutter and turf to Council's satisfaction.

Traffic Management Plan

- C17. Prior to commencement of construction, the Applicant shall prepare and implement a Traffic Management Plan (TMP) for the development in consultation with Council, to the satisfaction of the Secretary. The Plan shall at minimum:
- (a) be prepared by a suitably qualified and experienced expert;
 - (b) detail the number and frequency of truck movements, size of trucks, vehicle routes, hours of construction and operation;
 - (c) provide the estimated duration and staging of construction works;
 - (d) detail the access and parking arrangements for construction and operational vehicles during both construction and operations to ensure road and site safety, and demonstrate that there will be no queuing on Yarrawa Road;
 - (e) include a Truck Operational Management Plan (TOMP) that will ensure that the proposed stacked truck parking is managed in an orderly manner.
 - (f) include a Driver Code of Conduct that details traffic management measures to be implemented during construction and operations to:
 - (i) minimise impacts of the development on the local and regional road network;
 - (ii) minimise conflicts with other road users; and
 - (iii) ensure truck drivers use those routes specified.

SOIL AND WATER

Erosion and Sediment Control

- C18. During construction works, the Applicant shall implement suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Guideline*.

Pollution of Waters

- C19. The Applicant shall comply with Section 120 of the POEO Act, except as may be expressly permitted by a licence under the POEO Act.

Bunding

- C20. The Applicant shall store all liquid chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling*

Spill Management

- C21. The Applicant shall ensure that the following requirements are complied with at all times to prevent and manage spills and leaks entering the stormwater system:
- (a) the isolation valves located in the stormwater system are to be clearly labelled;
 - (b) a Maintenance/Service Plan is to be put in place to ensure that the stormwater isolation valves are maintained in a serviceable condition;
 - (c) all external stormwater drains are to be clearly identified as stormwater drains;
 - (d) spill kits are to be located and maintained adjacent to external trafficable areas of the premises; and
 - (e) the breezeway is to be fully isolated from the stormwater system at all times.

Stormwater Management

- C22. The stormwater management system shall be designed, constructed and operated in accordance with the Civil Engineering Report (including plans) prepared by Costin Roe dated 21 May 2013, Revision C, and to the satisfaction of Council and the EPA.
- C23. The Applicant shall provide and maintain easements for stormwater and overland flow paths from DP 28729 Lots 10 and 11 to the south of the site, as identified in the Civil Engineering Report (including plans) prepared by Costin Roe dated 21 May 2013, Revision C, to the satisfaction of Council.
- C24. All costs associated with the preparation and registration of any covenant or restriction on title, whether directly or indirectly, will be borne solely by the Applicant.

C24A. All drainage grates within the parking and driveway areas are to be mechanically fastened in place through flexible rubber brushes.

Rainwater Reuse

- C25. The Applicant shall submit detailed designs for the rainwater reuse system to Council for approval prior to the commencement of construction.

Trade Waste

- C26. The Applicant must secure a trade waste agreement with the Sydney Water Corporation prior to the discharge of any water to sewer.

NOISE

Construction and Operational Hours

- C27. The development shall comply with the construction and operational hours in Table 2 for the site, unless otherwise agreed in writing by the EPA.

Table 2: Operating Hours

Activity	Day	Hours
Construction	Monday – Friday	7am to 6pm
	Saturday	8am to 1pm
	Sunday & Public Holidays	No Construction
Operations	Monday - Sunday	24 hours

Construction Noise Criteria

- C28. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) and summarised in Table 3.

Table 3: Noise impact assessment criteria dB(A)

Location	Noise
	L _{Aeq} (15 minute)

Any private residential receiver (on land zoned for residential use)	47
Any Industrial Property (or residential property on land zoned for industrial use)	75

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 Industrial Noise Policy.

Operational Noise Criteria

C29. The development shall ensure that the noise generated by the development does not exceed the criteria in Table 4 at any private residential receiver.

Table 4: Noise impact assessment criteria dB(A)

Location	L _{Aeq} (15 minute) (Day, Evening, Night)	L _{A1, 1min} Night Time (Sleep Disturbance)
22 Michelago Circuit, Prestons	37	45
23 Coffs Harbour Ave, Hoxton Park	39	45

Notes:

- Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

Operating Conditions

C30. The Applicant shall:

- implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise construction, operational, low frequency and traffic noise generated by the development;
- where practicable, keep all roller doors closed during the night time period;
- minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;
- maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- modify and/or stop operations to ensure compliance with the relevant conditions of this consent.
- ensure that the sound power levels of the container handler do not exceed 103dB(A)Leq;
- provide all truck drivers with regular training and instructions in minimising the noise impacts of operating their vehicles;
- ensure that all trucks and delivery vehicles switch off their engines during idle periods or during loading / unloading operations, particularly during the night time hours; and
- ensure that no external public address system is used on site.

Noise Management Plan

C31. The Proponent shall prepare and implement a Noise Management Plan for the development in consultation with the EPA and to the satisfaction of the [Secretary](#). The plan must:

- be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the [Secretary](#);
- be submitted for approval by the [Secretary](#) prior to commencement of construction;
- describe the measures that will be implemented to minimise noise from the construction and operation of the project including:
 - best management practice is being employed on site;
 - traffic management noise is effectively managed; and
 - the noise impacts of the project are minimised during any meteorological conditions when the noise criteria in this approval do not apply;
 - compliance with the relevant conditions of this approval.
- describe the noise management system;
- includes a noise monitoring program that:
 - is capable of evaluating the performance of the project;
 - includes a protocol for determining exceedances of the relevant conditions of this approval and responding to complaints;
 - adequately supports the noise management system; and
 - evaluates and reports on the effectiveness of the noise management system.

AIR QUALITY

Discharge Limits

- C32. The Applicant shall ensure that the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

Air Quality Discharges

- C33. The Applicant shall:
- (a) implement all reasonable and feasible mitigation measures to prevent and minimise dust and odour emissions from the development;
 - (b) minimise any visible off-site air pollution that occurs as a result of this development; and
 - (c) minimise surface disturbance within the site, other than as permitted under this consent.

Energy Efficiency

- C34. The Applicant shall prepare and implement an Energy Efficiency Program for the development, to the satisfaction of the [Secretary](#). The program must:
- (a) be approved by the [Secretary](#) prior to commencement of construction;
 - (b) compare the proposed energy usage of the development to other existing Australian warehouse centres, and set benchmarks for industry best practice;
 - (c) investigate reasonable and feasible energy efficiency measures available;
 - (d) describe the measures that would be implemented onsite, demonstrating the use of best available technology; and
 - (e) include a program to monitor and report annually on the efficiency of the measures implemented and ensure the development will continue to operate at industry best practice over time.

Air Conditioners

- C35. The Applicant shall design, install and operate all air and water heating and cooling systems in accordance with the *Public Health Act 1991* and to the satisfaction of Council.

WASTE MANAGEMENT

- C36. The Applicant shall ensure that all waste generated during the Construction and Operation of the development is stored, handled and disposed of in accordance with the EPA's *Waste Classification Guidelines* and disposed of to a facility that may lawfully accept the waste.

Waste Management

- C37. The Proponent shall prepare and implement a Waste Management Plan for the development to the satisfaction of the [Secretary](#). This Plan shall:
- (a) be prepared in consultation with the EPA by a suitably qualified and experienced expert whose
 - (b) appointment has been endorsed by the [Secretary](#);
 - (c) be approved by the [Secretary](#) prior to the commencement of operations;
 - (d) detail the type and quantity of waste to be generated by the operation of the development;
 - (e) detail the materials to be reused or recycled, either on or off-site; and
 - (f) detail the procedures for handling, storage, collection of recycling and disposal of waste.
- C38. For the life of the development, the Applicant shall:
- (a) monitor the amount of waste generated by the development;
 - (b) investigate ways to minimise waste generated by the development;
 - (c) implement reasonable and feasible measures to minimise waste generated by the development, to the satisfaction of the [Secretary](#).

VISUAL AMENITY AND DESIGN

Lighting

- C39. The development shall ensure that the lighting associated with the development:
- (a) complies with the latest version of *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; 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

- C40. The development shall not install any advertising signs on site without the written consent of the Council.

Fencing

- C41. Any front boundary fencing must be open form, black in colour with a maximum height of 1.8 metres. Fencing of the side and rear boundaries must be 1.8 metres in height. Colourbond fencing is not permitted within any area visible from a public place.

Note: The Applicant must liaise with adjoining property owners with regard to any common boundary fencing.

LANDSCAPE AND BIODIVERSITY

- C42. The Applicant shall undertake landscaping generally in accordance with the approved Landscape Plans contained in Appendix 7 of the EIS to the satisfaction of Council, subject to the following amendments:
- (a) the 'Accent Species' and 'Groundcovers' must be amended to include only species listed in the Liverpool Council *Recommended Plan Species List for Landscaping* (Appendix 2, Part 1.1 of the Liverpool DCP 2008); and
 - (b) the proposed *Corymbia maculate* (Spotted Gum) must be replaced with *Eucalyptus tereticornis* (Forest Red Gum).

The Applicant must maintain landscaping for the life of the development, in accordance with the Bushfire Protection Assessment report prepared by Australian Bushfire Planners Pty Ltd dated 12 January 2013 (B121914), *Planning for Bush Fire Protection* (NSW RFS, 2006) and *Standards for Asset Protection Zones* (NSW RFS, 2006) in consultation with the NSW RFS to the satisfaction of the [Secretary](#).

SECURITY

- C43. The Applicant shall:
- (a) install and maintain a perimeter stock fence and security gates on the site; and
 - (b) ensure that the security gates on site are locked whenever the site is unattended.

TRANSGRID EASEMENT AND INFRASTRUCTURE

- C44. The Applicant is to pay the full cost for TransGrid to alter the transmission tower's earthing system to accommodate the development as described within TransGrid's submission.

Access and Operations within the Easement

- C45. To protect and allow ongoing maintenance of the transmission tower, and to ensure that the construction and operation of the development minimises potential impacts to TransGrid's infrastructure, all works and activities associated with the development must be carried out in accordance with TransGrid submission (including their *Easement Guidelines for Third Party Development*) in consultation with Transgrid and to the satisfaction of the [Secretary](#).

- C46. The Applicant must not store any dangerous goods within the TransGrid easement.
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SCHEDULE D ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Plan

- D1. The Applicant shall prepare and implement an Environmental Management Plan for the development to the satisfaction of the [Secretary](#). This plan must:
- (a) be submitted to the [Secretary](#) for consent prior to commencement of any construction works;
 - (b) be prepared by a suitably qualified and experienced expert;
 - (c) provide the strategic framework for environmental management of the development;
 - (d) identify the statutory requirements that apply to the development;
 - (e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development;
 - (f) describe in detail the management measures that would be implemented to address environmental issues;
 - (g) describe in general how the environmental performance of the development would be monitored and managed;
 - (h) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the development;
 - respond to any non-compliances; and
 - respond to emergencies; and
 - ensure that a 24 contact phone number is made available to the community for the receipt of any complaints;
 - make the register of complaints available to the department and Council if requested.
 - (i) include copies of the various strategies and plans that are required under the conditions of this consent once they have been approved.

REPORTING

Pre-Operation Compliance

- D2. Within 3 months of commencement of operations, the Applicant shall submit 'work as executed' plans to the Department for all the development associated with the development. These plans must be prepared by a suitably qualified and experienced expert, and include plans showing the 'work as executed' plans laid over the approved plans to demonstrate that the development has been carried out generally in accordance with the approved plans and that the internal traffic movements comply with AS2890.1 and 2890.2.

Incident Reporting

- D3. The Applicant shall notify the [Secretary](#) and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the development as soon as practicable after the Applicant becomes aware of the incident.
- D4. Within 7 days of notifying the incident, the Applicant shall provide a written report to the Department and EPA that:
- (a) describes the date, time, and nature of the incident;
 - (b) identifies the cause, or likely cause, of the incident; and
 - (c) describes what action has been taken to date address the incident and what actions are proposed to be implemented in the future to either address the consequences of the incident or avoid a recurrence of the incident.

Annual Review

- D5. One year after the commencement of operation, and annually thereafter, unless the [Secretary](#) directs otherwise, the Applicant shall review the environmental performance of the development to the satisfaction of the [Secretary](#). The review shall:
- (a) describe the operations that were carried out in the past year;
 - (b) analyse the monitoring results and complaints records of the development over the past year, which includes a comparison of these results against the
 - relevant statutory requirements, limits or performance measures/criteria;
 - monitoring results of previous years; and
 - relevant predictions in the EIS;

- (a) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- (b) identify any trends in the monitoring data over the life of the development;
- (c) provide a summary of results required for the EPL; and
- (d) describe what measure will be implemented over the next year to improve the environmental performance of the development.

Revision of Strategies, Plans & Programs

- D6. Within 3 months of the submission of an:
- (a) incident report under Condition D4 of this schedule;
 - (b) annual review under Condition D5 of this schedule;
 - (c) any modifications to this consent,
- the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the [Secretary](#).

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

**APPENDIX 1
PLANS AND ELEVATIONS**

FOR INFORMATION