

Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 18 August 2026, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



Joanna Bakopanos
Acting Director
Industry Assessments

Sydney

1 October 2026

File: EF23/5850

SCHEDULE 1

Application Number:	SSD-58601963
Applicant:	Microsoft (Australia) Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	6 Honeman Close, Huntingwood Lot 5 DP 1238405
Development:	Construction and operation of a data centre with a maximum power consumption of 140 MW, comprising emergency back-up generators, cooling plant, diesel and lithium-ion battery storage, associated infrastructure, establishment and ongoing management of a conservation area, and on-site landscaping

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DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the document(s) titled: a) the letter titled <i>RE: Response to Request for Additional Information – Honeman Close Data Centre (SSD-58601963)</i>, prepared by Patch Planners and dated 25 October 2024; b) the document titled <i>Response to Submissions Report – Honeman Close Data Centre (SSD-58601963) – 6 Honeman Close, Huntingwood</i>, prepared by Patch Planners and dated 21 January 2025; c) the letter titled <i>RE: Response to Submissions – Honeman Close Data Centre (SSD-58601963) at 6 Honeman Close, Huntingwood</i>, prepared by Patch Planners and dated 2 December 2025; d) the letter titled <i>Honeman Close Data Centre (SSD-58601963) – Applicant Nomination</i>, prepared by Patch Planners and dated 2 July 2026; and e) the letter titled <i>Additional Information – Minor Amendments to Architectural Plan Set (SSD-58601963)</i>, prepared by Patch Planners and dated 8 September 2026
Applicant	Microsoft (Australia) Pty Ltd, or any person carrying out any development to which this consent applies
BC Act	<i>Biodiversity Conservation Act 2016</i>
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)
CEMP	Construction Environmental Management Plan
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development, including earthworks, erection of buildings and other infrastructure and the commissioning of all on-site plant and equipment permitted by this consent
Council	Blacktown 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
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS, the Submissions Report and the Additional Information, including the works and activities comprising the construction and operation of a data centre, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement – 96 MW Data Centre Facility – 6 Honeman Close, Huntingwood</i> , prepared by Patch Planning and dated 9 November 2023, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPA	NSW Environment Protection Authority
Evening	The period from 6 pm to 10 pm

Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
FRNSW	Fire and Rescue NSW
FSS	Fire Safety Study
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
HPC	Housing and Productivity Contribution
HPC Order	Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024
ICNG	<i>Interim Construction Noise Guideline</i> (DECC, 2009)
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance 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
Load curtailment	Means the operation of back-up generators to reduce the development’s use of electricity from the National Electricity Market
Material harm	Is harm that: a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
MW	Megawatt
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
NPfl	<i>Noise Policy for Industry</i> (EPA, 2017)
OEMP	Operational Environmental Management Plan
Operation	The use of the site as a data centre, including associated office space, site infrastructure and back-up generators as described in the EIS, the Submissions Report and the Additional Information
Operation of back-up generators	Refers to all instances where a back-up generator’s internal combustion engine is in use (including ramp-up and cool-down periods)

Planned power outage event	Any interruption to electricity supply to the site that is: a) scheduled, notified in advance, or reasonably foreseeable; b) undertaken for the purpose of maintenance, augmentation, testing or modification of electricity network infrastructure; or c) implemented as part of a managed system response, including controlled load shedding or demand management directed by the electricity market operator or a network service provider
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
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)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
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 of this consent
Submissions Report	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Response to Submissions – 96 MW Data Centre Facility – 6 Honeman Close, Huntingwood</i> , prepared by Patch Planning and dated 20 August 2024
TfNSW	Transport for New South Wales
Unplanned power outage event	An unplanned and unavoidable loss of electricity supply to the site arising from a failure of external electricity network infrastructure, including outages caused by infrastructure damage arising from events such as severe weather, bush fire, flooding or equipment failure within the external electricity network.
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 Submissions Report and Additional Information;
 - (d) in accordance with the Development Layout in Appendix 1 of this consent; and
 - (e) in accordance with the management and mitigation measures in Appendix 5 of this consent.
- 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.

Power Demand and Generator Capacity

- A6. The Applicant must ensure:
- (a) the total power consumption of the development does not exceed 140 MW; and
 - (b) the back-up generators installed and operated under this consent do not exceed a total installed generating capacity of 133.4 MW.

Back-up Generator System

- A7. The Applicant must ensure:
- (a) operation of the back-up generators, excluding operation during unplanned power outage events, does not exceed 187 hours per year;
 - (b) no more than one (1) generator is tested at any one time; and
 - (c) the diesel fuel storage capacity at the site does not exceed 2,000 tonnes at any one time.

Note:

- For the purposes of condition A7, calculation of how many hours the back-up generators are operated, as a collective, should be based on the hours (in real time) that operation is in fact undertaken at the site per year. For example, five generators being operated concurrently over the course of an hour would count as one hour towards the threshold stipulated by condition A7 rather than five hours.
- The calculation of hours is for the purposes of this condition and is not to be taken as a calculation of hours for the purposes of the Protection of the Environment Operations Act 1997.

- A8. This development consent does not permit the operation of back-up generators:
- (a) for the purpose of generating electricity to be distributed by the National Electricity Market;
 - (b) to support load curtailment at the site; or
 - (c) during a planned power outage event.

Easements, Restrictions and Covenants

- A9. Within three (3) months after the date of this consent, or within another timeframe agreed to by the Planning Secretary, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* naming Council as the prescribed authority, which can only be revoked, varied or modified with the consent of Council must be registered on the title of Lot 5 DP 1238405 for the matters outlined in Table 1 below.

Table 1 Matters to be Registered on the Title of Lot 5 DP 1238405

Type	Matter
Public positive covenant	The land identified in the plan in Appendix 2 of development consent SSD-58601963 as "Conservation Area" must be maintained as a conservation area in perpetuity by the registered proprietor and the registered proprietor must ensure that: a) any activity carried out on the land does not damage or otherwise have an adverse effect on the ecological, scientific, cultural or aesthetic values of the land; b) all environmental weeds and priority weeds listed under the <i>Biosecurity Act 2015</i> on the land must be managed as required to a level that maintains ecological functionality of the land; c) nesting boxes and/ or artificial hollows that are installed on the land must be maintained and replaced as needed; d) the most recent version of the Vegetation Management Plan produced by Cumberland Ecology (2021, revised as required) must be implemented across the conservation area in perpetuity; and e) no horticultural varieties must be used in any of the works carried out in the conservation area.
Restriction on the use of land	The land identified in the plan in Appendix 2 of development consent SSD-58601963 as "Landscape Buffer Zone" must be maintained as a 10-metre-wide deep soil zone, to allow for the retention and propagation of existing native vegetation within the zone.

Each easement, restriction and/or public positive covenant must:

- (a) be prepared in accordance with Appendix F of Council's *Engineering Guide for Development 2005 (Standard Recitals for Terms of Easements and Restrictions (Current Version))*; and
 - (b) be prepared in consultation with Council prior to lodgement with the NSW Land Registry Services.
- A10. Prior to the issue of an Occupation Certificate for any stage of the development, the Applicant must provide to the Certifier, evidence that all matters required to be registered on title, including those required by condition A9, have been lodged for registration or registered at the NSW Land Registry Services.

NOTIFICATION OF COMMENCEMENT

- A11. 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) full operation of the development (described in the EIS as being when all data storage equipment and associated infrastructure is in place and operating); and
 - (d) cessation of operations.
- A12. 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).

SURRENDER OF EXISTING CONSENTS OR APPROVALS

- A13. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed to by the Planning Secretary, the Applicant must surrender the existing development consent referenced in Table 2 below, in accordance with the relevant requirements of the EP&A Regulation.

Table 2 Development Consent to be Surrendered

Application #	Development Description	Consent Authority	Approval Date
DA 17/01780 (Appeal No. 2018/110060)	Staged concept plan comprising the following: • Stage 1: Subdivision of land into 3 lots, establishment of a biodiversity conservation area and construction and operation of a service station and associated car wash • Stage 2: Subsequent commercial / industrial development (subject to separate approval).	Land and Environment Court of NSW	28 June 2019

- A14. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A13, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

Note: This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

EVIDENCE OF CONSULTATION

- A15. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval or acceptance; and
 - provide details of the consultation undertaken including:
 - the outcome of that consultation, matters resolved and unresolved; and
 - 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

- A16. With the approval of the Planning Secretary, the Applicant may:
- 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);
 - 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
 - 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).
- A17. 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.
- A18. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A19. Prior to the commencement of construction of the development, the Applicant must:
- consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed to service the development, to make satisfactory arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - submit a copy of the dilapidation report to the Planning Secretary and Council.

- A20. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Water Servicing

- A21. The Applicant must carry out the development in accordance with the outcomes of the most recent agreement between the Applicant and Sydney Water, relating to potable water, wastewater and recycled water servicing of the development.
- A22. The Applicant must not commence operation of the development until it has demonstrated, to the satisfaction of the Planning Secretary, that any potable water, wastewater and recycled water infrastructure upgrades, augmentation works or other servicing measures required under the outcomes of the most recent agreement between the Applicant and Sydney Water (see condition A21), have been completed.
- A23. Prior to the commencement of construction of the development, the Applicant must obtain a Building Plan Approval from Sydney Water to ensure sewer, water or stormwater mains or easements would not be affected by the development.
- Note:** *Building Plan Approval can be obtained by submitting an application via [Sydney Water Tap in®](#). Sydney Water recommends developers apply for Building Plan Approval proactively to reduce unnecessary delays to further referrals or construction timelines. Any amendments to plans will require re-approval.*
- A24. 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*.
- A25. Notwithstanding conditions A21 to A24, where the development is to be serviced under the *Water Industry Competition Act 2006*, the Applicant must ensure all water servicing activities are undertaken in consultation with, and to the satisfaction of, the relevant water service provider.

Fibre-Ready Facilities

- A26. 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 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 the development demonstrated through an agreement with a carrier.
- A27. Prior to the issue of an Occupation Certificate for the development, the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

STRUCTURAL ADEQUACY

- A28. 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 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

EXTERNAL WALLS AND CLADDING

- A29. The external walls of all buildings, including additions to existing buildings, must comply with the relevant requirements of the BCA.
- A30. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate,
- the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

- A31. The Applicant must provide a copy of the documentation given to the Certifier (see condition A28) to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A32. 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.

HOUSING AND PRODUCTIVITY CONTRIBUTION

- A33. Prior to the issue of a Construction Certificate for any part of the development, a housing and productivity contribution (HPC) in accordance with Table 3 must be paid for the development, as adjusted in accordance with condition A32.

Table 3 *Housing and Productivity Contribution Amount*

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$ 663,663.00
Transport project component	\$ 0.00
Total housing and productivity contribution	\$ 663,663.00

- A34. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A Act agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act to the development, or the HPC Order exempts the development from the contribution.

PLANNING AGREEMENT

- A35. In accordance with Part 7, Division 7.1 of the EP&A Act, the Applicant must carry out the development in accordance with the most recent version of the Planning Agreement between Council and Microsoft Datacenter (Australia) Pty Ltd, executed on 18 September 2025 (including any Deeds of Variation).

OPERATION OF PLANT AND EQUIPMENT

- A36. Without limiting the obligations under section 124 of the POEO Act, the Applicant must ensure all plant and equipment used on site, or to monitor the performance of the development, is:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A37. Prior to the issue of the relevant Occupation Certificate, the Principal Certifier must be provided with work-as-executed drawings demonstrating that the following works have been constructed as approved:

- (a) the development's stormwater management system (see condition B54);
- (b) the stormwater pipeline extension works (see condition B57); and
- (c) finished ground levels.

The works-as-executed drawings must be signed by a registered surveyor.

APPLICABILITY OF GUIDELINES

- A38. 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.

- A39. 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

BIODIVERSITY

Ecosystem and Species Credits

- B1. Prior to any vegetation clearing or construction works for the development, the Applicant must purchase and retire eleven (11) ecosystem credits and twenty-four (24) species credits to offset the removal and/or disturbance of those ecosystems and species identified in Appendix 3 of this consent. The credits must be retired in accordance with the requirements of the Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016* (BC Act).
- B2. The requirement to retire ecosystem and species credits (see condition B1) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of credits, as calculated by the Biodiversity Offsets Payment Calculator.
- B3. Prior to undertaking any vegetation clearing or construction works for the development, the Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of ecosystem and species credits has been completed in accordance with condition B1; or
 - (b) a payment has been made to the Biodiversity Conservation Fund in accordance with condition B2.

Tree Protection Measures

- B4. 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*, prepared by Urban Tree Management Australia, dated 25 July 2024 (Appendix A21 of the Submissions Report) and the latest version of Australian Standard AS 4970:2025 – *Protection of Trees on Development* (Standards Australia, 2025). All required tree protection measures must be implemented prior to the commencement of vegetation clearing or construction works for the development.
- B5. Prior to any vegetation clearing or construction works for the development, a project arborist with a minimum 'Australian Qualifications Framework – Level 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 to ensure that protection measures specified in condition B4 are being adhered to for the duration of construction.

Pre-Clearing Surveys

- B6. Prior to any vegetation clearing or construction works for the development, the Applicant must clearly delineate areas to be cleared for the construction of the development. The Applicant must carry out pre-clearing surveys to identify any native fauna and implement procedures for the safe relocation of native fauna by a suitably qualified ecologist, prior to any vegetation clearing works commencing.
- B7. In the event that native fauna is found during vegetation clearing or construction works for the development, all works in the immediate vicinity of the animal(s) must cease. Work in the immediate vicinity of the animal(s) must not recommence until a trained wildlife handler attends the site or the animal relocates itself.

Fauna Management Plan

- B8. Prior to any vegetation clearing or construction works for the development, the Applicant must prepare a Fauna Management Plan (FMP) for the development to ensure any fauna encountered during vegetation clearing or construction works are safely removed from the site. A copy of the FMP must be included in the development's CEMP (see condition C2) and the Plan must:
- (a) be prepared by a suitably qualified bush regenerator and/or ecologist;
 - (b) be prepared in consultation with Council;
 - (c) outline the fauna management and relocation measures which would be implemented:
 - (i) during pre-clearing surveys (see condition B6); and
 - (ii) in the event that native fauna is encountered following the completion of the pre-clearing surveys (see condition B7); and
 - (d) include a program to report on any fauna relocations.
- B9. The Applicant must:
- (a) not commence vegetation clearing or construction works until the FMP (see condition B8) is submitted to the Planning Secretary; and
 - (b) implement the most recent version of the FMP submitted to the Planning Secretary for the duration of construction.

Vegetation Management Plan

- B10. Prior to any vegetation clearing or construction works for the development, the Applicant must update the Vegetation Management Plan (VMP) for the site (prepared by ERM, dated 21/11/2025). The VMP must continue to ensure the protection and improvement of retained vegetation at the site, and a copy of the document must be included in both the development's CEMP (see condition C2) and OEMP (see condition C5). The VMP must:
- (a) be prepared by a suitably qualified bush regenerator and/or ecologist;
 - (b) be prepared in consultation with Council;
 - (c) include details of the on-going habitat management, revegetation works and weed management procedures to be implemented at the site;
 - (d) clearly identify those management measures which will be implemented during the five-year intensive management period and those which will be implemented in perpetuity; and
 - (e) include a program for periodic review of the VMP.
- B11. The Applicant must:
- (a) not commence vegetation clearing or construction works until the updated VMP (see condition B10) has been submitted to the Planning Secretary; and
 - (b) implement the most recent version of the VMP submitted to the Planning Secretary for the life of the development.

NOISE

Hours of Work

- B12. The Applicant must comply with the hours detailed in Table 4 below.

Table 4 Hours of Work

Activity		Day	Time
Construction		Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Operation of back-up generators (excluding unplanned power outage events)	Monday – Friday	7 am to 6 pm
	All other activities	Monday – Sunday	24 hours

- B13. Construction works outside of the hours identified in condition B12 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

- B14. The development must be constructed to achieve, as far as feasible and reasonable, the construction noise management levels detailed in the ICNG. 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 Appendix 5 of this consent and the development's CNVMP (see condition B16).

Vibration Criteria

- B15. Vibration caused by construction at any residence or structure (including Honeman Close) outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); 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).

Construction Noise and Vibration Management Plan

B16. The Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. The CNVMP must form part of the development's CEMP (see condition C2) and must:

- (a) be prepared by a suitably qualified and experienced noise expert;
- (b) describe the procedures to:
 - (i) refine the construction methodology and work schedule to minimise construction noise and vibration impacts;
 - (ii) achieve the noise management levels specified in condition B14;
 - (iii) achieve the vibration criteria specified in condition B15;
- (c) include:
 - (i) management and mitigation measures, including any described in Appendix 5 of this consent;
 - (ii) a description of measures to be implemented to manage vibration generating works such as piling and vibratory compaction, in close proximity to Honeman Close;
 - (iii) strategies that have been developed with the community for managing high noise generating works; and
 - (iv) a complaints management system to be implemented for the duration of construction.

B17. The Applicant must:

- (a) not commence construction until the development's CNVMP (see condition B16) is approved by the Planning Secretary; and
- (b) implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B18. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits outlined in Table 5 below during the meteorological conditions identified in Table 6, except where altered by condition B19 of this consent.

Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures (section 7) and exemptions (including certain meteorological conditions) of the NPfl.

Table 5 Noise Limits (dB(A))

Location ^a	When back-up generators are in use (incl. testing)	At all other times		
		Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)
Receiver R2 – Ground floor (1.5m)	43	38		
Receiver R4 – Ground floor (1.5m)	43	38		
Receiver R7 – First floor (4.5m)	39	35		
Receiver R7 – First floor (4.5m)	42	37		
Receiver R10 – First floor (4.5m)	41	36		
Receiver R11 – First floor (4.5m)	40	35		

a. Refer to the figure in Appendix 4 of this consent for the location of sensitive receivers.

Table 6 Applicable Meteorological Conditions

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

- B19. The development's noise limits (see condition B18) are altered in the following instances:
- (a) during unplanned power outage events, the noise limits outlined in Table 5 do not apply; and
 - (b) should the site be subject to meteorological conditions which are not identified in Table 6, then the applicable noise limits for the development are those outlined in Table 5 plus 5dB.
- B20. The Applicant must ensure that noise generated during operation of the development does not exhibit annoying noise characteristics, as defined in Fact Sheet C of the NPfI.

Operational Noise Verification Report

- B21. Within three months of the commencement of full operation of the development (described in the EIS as being when all data storage equipment and associated infrastructure is in place and operating), or as otherwise directed by the Planning Secretary, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:
- (a) be prepared to the satisfaction of the Planning Secretary by a suitably qualified and experienced acoustic consultant;
 - (b) demonstrate that noise verification has been carried out in accordance with:
 - (i) *AS 1055:2018 Acoustics – Description and measurement of environmental noise* (Standards Australia, 2018); and
 - (ii) *Approved Methods for the Measurement and Analysis of Environmental Noise in NSW* (EPA, 2022);
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the NPfI;
 - (c) include:
 - (i) noise measurements taken during general operation and during back-up generator testing, with the timing and duration of all generator operation verified against the generator operations log required under condition C18(b)(ii);
 - (ii) a record of the development's operating conditions during monitoring, including the number and load of cooling units, fans, and other major noise-emitting plant in operation;
 - (iii) an analysis of:
 - i. the prevailing meteorological conditions;
 - ii. applicable corrections for annoying noise characteristics (as per Fact Sheet C of the NPfI);
 - iii. the correlation between noise levels measured at any intermediate location(s) and sensitive receivers, including any conversion factors, propagation adjustments, or modelling assumptions used to relate intermediate monitoring data to compliance locations;
 - iv. adjustments to measured noise levels to represent the worst-case operation conditions during the day, evening and night periods;
 - v. the development's compliance with the noise limits specified in conditions B18 (and as altered by condition B19); and
 - (iv) a description of additional at-source and transmission pathway mitigation measures implemented, and/or a description of contingency measures to be implemented (including a timetable for the implementation of any required actions), to address any exceedance of the noise limits specified in condition B18 (and as altered by condition B19).

AIR QUALITY

Dust Minimisation

- B22. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B23. During construction, 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; and
- (d) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

B24. 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 2022*.

Annual Emissions Testing

B25. Within twelve (12) months of the commencement of operation, and every twelve (12) months thereafter, unless the Planning Secretary directs otherwise, the Applicant must undertake an annual emissions test on at least one (1) back-up generator for the pollutants and parameters identified in Table 7 below. The back-up generator must be selected on a rotational basis.

Table 7 Annual Emissions Testing Requirements

Pollutant / Parameter	Units of measure	Frequency	Sampling Method ¹
Nitrogen dioxide or nitric oxide (as NO ₂ equivalent)	Milligrams per cubic metre	Annual	TM-11
Temperature	Degrees Celsius (°C)	Annual	TM-2
Velocity	Metres per second	Annual	TM-2
Oxygen	Percent (%)	Annual	TM-25
Flowrate	Cubic metres per second	Annual	TM-2

Note:

- ¹ The sampling methods are those contained in the *Approved Methods for the Sampling and analysis of Air Pollutants in NSW* (EPA, 2022).

Back-up Generator System

B26. The Applicant must ensure the design, installation and operation of the back-up generators and/or the associated enclosures do not preclude the ability for additional air pollution emission controls to be retrofitted.

Air Quality Management Plan

B27. Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the development's OEMP (see condition C5) and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail and rank all emissions from all sources of the development, including particulate emissions;
- (c) describe a program that is capable of evaluating the performance of the operation against the criteria in the *Approved Methods for Modelling and Assessment of Air Pollutants in NSW* (EPA, 2022), including during unplanned power outage events, and determining compliance with key performance indicators;
- (d) identify any control and management measures that will be implemented for each emission source, including:
 - (i) provision of any back-up generator testing respite period/s; and
 - (ii) procedures to avoid or minimise back-up generator testing during periods of adverse ambient air quality;
- (e) outline the monitoring procedure/s which would be implemented during each unplanned power outage event; and
- (f) include a Power Outage Notification Protocol for the development that must:
 - (i) identify the neighbouring properties which would be notified should an unplanned power outage event last 30 minutes or more;
 - (ii) identify the trigger point(s) for notifying neighbouring properties that the back-up generator system is operating; and
 - (iii) detail how these properties would be made aware that the development's back-up generator system is required to operate for the duration of the unplanned power outage event.

B28. The Applicant must:

- (a) not commence operation until the development's AQMP (see condition B27) is approved by the Planning Secretary; and
- (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.

Odour Management

B29. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

SUSTAINABILITY

Renewable Energy

B30. Prior to the commencement of operation of the development, the Applicant must demonstrate, to the satisfaction of the Planning Secretary, that it has, with regard to applicable government policy:

- (a) offset all greenhouse gas generation associated with the supply of electricity to the development (including both non-IT and IT loads) by demonstrating that all operational electricity demand is matched with a portfolio of additional, firming renewable energy supply at all times;
- (b) entered into a Power Purchase Agreement(s) and firming agreement for NSW-based supply within the National Electricity Market to meet the requirements of (a); and
- (c) put in place a framework and management principles for accommodating any shortfalls in the availability of renewable energy that may occur from time to time, including through demand flexibility and firming.

B31. Within six months of the commencement of construction of the development, the Applicant must provide written evidence, to the satisfaction of the Planning Secretary that:

- (a) it has commenced the process for entering into the Power Purchase Agreement(s) and firming agreement required by condition B30; and
- (b) every six months thereafter, or as otherwise agreed with the Planning Secretary, provided a written update of the status of these agreements.

Sustainability Management Plan

B32. Prior to the commencement of operation, the Applicant must prepare a Sustainability Management Plan for the development, to the satisfaction of the Planning Secretary. The Plan must form part of the development's OEMP (see condition C5) and must:

- (a) include a metering and data acquisition framework to enable direct and continuous measurement of:
 - (i) electricity consumed by information technology equipment used for data processing, storage and transmission, regardless of form factor, technology or configuration;
 - (ii) total electricity consumption associated with the operation of the development; and
 - (iii) total water consumption associated with the operation of the development;
- (b) include a program for annual reporting of:
 - (i) Power Usage Effectiveness (PUE), calculated as the ratio of total electricity consumption to electricity consumed by information technology equipment;
 - (ii) Water Usage Effectiveness (WUE), calculated as total water consumption relative to electricity consumed by information technology equipment; and
 - (iii) greenhouse gas emissions (CO₂-e);
- (c) identify measures to manage and reduce resource consumption and emissions, including:
 - (i) efficiency measures and strategies to minimise and continually improve operational PUE and WUE;
 - (ii) measures to reduce emissions associated with all on-site electricity consumption, including possible on-site or proximate generation, storage measures and/or demand flexibility;
 - (iii) the framework and management principles in B30(c);
 - (iv) details of alignment with the greenhouse gas mitigation hierarchy, as referenced in the *NSW Guide for Large Emitters* (EPA, 2025);
 - (v) measures to avoid, minimise and reduce potable water consumption, including prioritising the use of recycled or non-potable water for non-potable functions (including cooling), where available;
- (d) detail:
 - (i) a framework for the prioritisation and timely implementation of the measures identified in (c) above, including indicative timeframes, triggers or staging; and
 - (ii) procedures for monitoring and analysing performance trends and identifying and mitigating material deviations from target operational efficiencies;

- (e) include a program for regular review of:
 - (i) operational performance, informed by monitoring data, to assess the effectiveness of implemented mitigation measures under this plan; and
 - (ii) the development's compliance with condition B30; and
 - (f) review and, if necessary, revise the mitigation measures included in this plan every three years, including, but not limited to:
 - (i) consideration of this in the context of the latest applicable government policy;
 - (ii) updates to water and energy efficiency and emissions reduction measures;
 - (iii) review of back-up power infrastructure and operational strategies to identify feasible and reasonable alternative lower-emissions or zero-emissions technologies;
 - (iv) review of available water servicing arrangements, in consultation with the relevant water service provider, to identify any alternative non-potable or recycled water supply options; and
 - (v) where applicable, revision of potable water demand reduction measures to reflect changes in servicing arrangements.
- B33. The Applicant must:
- (a) not commence operation until the development's Sustainability Management Plan (see condition B32) is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Sustainability Management Plan approved by the Planning Secretary for the duration of operation.

HAZARDS AND RISK

Dangerous Goods

- B34. 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.
- B35. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards; and
 - (b) for liquids:
 - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (ii) the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B36. In the event of an inconsistency between the requirements of conditions B35(a) and B35(b), the most stringent requirement must prevail to the extent of the inconsistency.

Fire Safety Study

- B37. 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 Planning Secretary may agree, the Applicant must prepare and submit, for the approval of the Planning Secretary, a Fire Safety Study (FSS) for the development. The FSS must:
- (a) meet the operational requirements of Fire and Rescue NSW;
 - (b) address the relevant aspects of:
 - (i) *Hazardous Industry Planning Advisory Paper No. 2, 'Fire safety study guidelines'* (DoP, 2011); and
 - (ii) *Best practice guidelines for contaminated water retention and treatment systems* (NSW HMPCC, 1994);
 - (c) consider the operational capability of local fire agencies and the need for the development to achieve an adequate level of on-site fire and life safety independence;
 - (d) verify the final design of the fire safety systems for the development complies with:
 - (i) *AS/NZS 4681:2000 – The storage and handling of Class 9 (miscellaneous) dangerous goods and articles* (Standards Australia, 2000);
 - (ii) *IEC 62619:2022 – Secondary cells and batteries containing alkaline or other non-acid electrolytes – Safety requirements for secondary lithium cells and batteries, for use in industrial applications* (IEC, 2022); and
 - (iii) *AS 1940:2017 – The storage and handling of flammable and combustible liquids* (Standards Australia, 2017);

- (e) consult with FRNSW and report on the outcome of consultation with FRNSW regarding the fire safety system's compliance with *Loss Prevention Data Sheet 5-32 – Data centres and related facilities* (FM Global Property, 2022); and
- (f) include FRNSW's correspondence stating that the FSS has been prepared to their satisfaction.

In the event of an inconsistency between the requirements listed in subpoints (d)(i) to (d)(iii) above, the requirements as agreed to with FRNSW shall prevail to the extent of the inconsistency.

- B38. The Applicant must not commence construction of the development (except for construction of preliminary works that are outside the scope of the fire-related reports or studies) and unless otherwise agreed by the Planning Secretary, until the development's FSS (see condition B37) has been approved by FRNSW and the Planning Secretary.

Emergency Plan

- B39. No later than two months prior to the commencement of operation of the development, or within such further period as the Planning Secretary may agree, the Applicant must submit a comprehensive Emergency Plan and detailed emergency procedures for the development to the satisfaction of the Planning Secretary. The Emergency Plan must:
- (a) include consideration of the safety of all people outside of the development who may be at risk from the development;
 - (b) be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'* (DoP, 2011); and
 - (c) include an Emergency Services Information Package in accordance with FRNSW's *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans* (FRNSW, 2019), to the satisfaction of FRNSW.
- B40. The Applicant must:
- (a) implement the most recent version of the Emergency Plan and the Emergency Services Information Package (see condition B39) for the duration of the development; and
 - (b) keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.

BUSH FIRE MANAGEMENT

- B41. The Applicant must ensure the development complies with:
- (a) the relevant provisions of *Planning for Bush Fire Protection* (RFS, 2019); and
 - (b) the findings and recommendations in the Bushfire Assessment Report included in the Submissions Report, prepared by Building Code & Bushfire Hazard Solutions Pty Limited and dated 14 June 2024.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B42. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the development's CEMP (see condition C2) and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with TfNSW;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
 - (d) provide details of:
 - (i) heavy vehicle routes, access and parking arrangements;
 - (ii) the strategies that would be implemented to minimise the number of construction workers who will drive to the site;
 - (iii) any potential overflow construction worker parking area(s) to be utilised;
 - (iv) any oversize overmass vehicles (OSOM) required for construction; and
 - (v) traffic control measures (such as an escort or other suitable traffic control measure) to manage the movement of OSOM vehicles along public roads;
 - (e) include a Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; 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.

B43. The Applicant must:

- (a) not commence construction until the development's CTMP (see condition B42) is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Access

B44. A Road Occupancy Licence (ROL) must be obtained from TfNSW for any works that may impact traffic flows on Reservoir Road or the Great Western Highway during construction.

Note: For information on the ROL process and to lodge an ROL application, please visit:
<https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

B45. The Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the main site access point has been designed to accommodate the turning path of a 19-metre articulated vehicle.

Parking

B46. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the operation of the development does not utilise (for parking purposes) public roads or public parking facilities in the vicinity of the site.

Operating Conditions

B47. The Applicant must ensure:

- (a) internal roads 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 2890.6:2022 – *Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2022);
- (b) suitable bicycle parking facilities are provided in accordance with the latest version of AS 2890.3:2015 – *Parking facilities Bicycle parking* (Standards Australia, 2015);
- (c) 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;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site; and
- (g) turning areas in the car park and loading areas are kept clear of any obstacles, including parked vehicles, at all times.

Green Travel Plan

B48. Prior to the commencement of operation, the Applicant must prepare a Green Travel Plan to encourage the use of sustainable and active transport options by operational staff. The Green Travel Plan must form part of the development's OEMP (see condition C5) and must:

- (a) be submitted to the Planning Secretary;
- (b) outline facilities and measures to:
 - (i) promote public transport usage, such as car share schemes and employee incentives; and
 - (ii) promote the use of low and/or zero emissions vehicles; and
- (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B49. The Applicant must:

- (a) not commence operation until the Green Travel Plan (see condition B48) is submitted to the Planning Secretary; and
- (b) implement the most recent version of the Green Travel Plan submitted to the Planning Secretary for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B50. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site for use as fill during bulk earthworks;
 - (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

- B51. Prior to the commencement of any construction, the Applicant must install 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 development's CEMP (see condition C2).
- B52. The Applicant must maintain the erosion and sediment control measures installed on-site (see condition B51) for the duration of construction of the development.

Discharge Limits

- B53. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence or in accordance with any applicable regulations under the POEO Act.

Stormwater Management System

- B54. Prior to the commencement of construction of the development's stormwater management system, the Applicant must finalise the system's detailed design. The final stormwater management system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be designed in consultation with Council;
 - (c) be generally in accordance with the conceptual design in the Additional Information;
 - (d) be in accordance with applicable Australian Standards; and
 - (e) ensure:
 - (i) 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; and
 - (ii) there is no discharge of cooling water to the stormwater management system.
- B55. 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 B54) and ensure the system is operational.
- B56. The Applicant must maintain the stormwater management system installed on the site under condition B55 for the duration of operation of the development.

Stormwater Pipeline Extension Works

- B57. Prior to the commencement of construction of the stormwater pipeline extension works described in the Additional Information, the Applicant must obtain approval from TfNSW for the works under section 138 of the *Roads Act 1993*.
- B58. Prior to the commencement of operation, the Applicant must complete the stormwater pipeline extension works (see condition B57).

ABORIGINAL HERITAGE

- B59. The Applicant must ensure all reasonable steps are taken so as not to harm, modify or otherwise impact Aboriginal objects, except as authorised by this development consent.

Aboriginal Cultural Heritage Management Plan

- B60. Prior to the commencement of construction, the Applicant must prepare an Aboriginal Cultural Heritage Management Plan (ACHMP) for the development. A copy of the ACHMP must be included in the development's CEMP (see condition C2) and must:
- (a) outline the measures which would be implemented to ensure:
 - (i) ongoing consultation with the Registered Aboriginal Parties is undertaken;
 - (ii) construction works do not impact upon site HDC-24 CMT 1 (AHIMS# 45-5-5863); and
 - (iii) on-site workers receive heritage inductions prior to carrying out any works on site, and that records are kept of these inductions; and

- (b) include a contingency plan and reporting procedure for the management of unexpected heritage finds and human remains prepared by a suitably qualified and experienced consultant.

B61. The Applicant must:

- (a) not commence construction until the development's ACHMP (see condition B60) is submitted to the Planning Secretary; and
- (b) implement the most recent version of the ACHMP submitted to the Planning Secretary for the duration of construction.

Unexpected Finds Protocol

B62. 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;
- (c) Heritage NSW must be contacted immediately; and
- (d) management of the item or object must be integrated into the development's ACHMP (see condition B60).

B63. Work in the immediate vicinity of the Aboriginal item or object (see condition B62) must not recommence until this has been authorised by Heritage NSW.

HISTORIC HERITAGE

Protection of Honeman Close

B64. The Applicant must ensure that Honeman Close is not used to facilitate any construction, landscaping or operational activities at the site.

Unexpected Finds Protocol

B65. 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.

B66. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) (see condition B65) must not recommence until this has been authorised by Heritage NSW.

WASTE MANAGEMENT

Statutory Requirements

B67. Waste generated by the development must be secured and maintained within designated on-site waste storage areas until it is removed from the site.

B68. The Applicant must assess and classify all liquid and non-liquid wastes to be removed from the site in accordance with the latest version of the EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).

B69. The Applicant must ensure:

- (a) all e-waste materials removed from the site are directed to a reuse or recycling facility lawfully permitted to accept the materials (or as otherwise agreed to by the Planning Secretary); and
- (b) all other waste materials removed from the site are directed to a waste management facility or premises lawfully permitted to accept the materials.

B70. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

Pests, Vermin and Priority Weed Management

B71. 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.

CONTAMINATION

Remediation

- B72. The Applicant must ensure all on-site remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with all relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.
- B73. Within one month of the completion of the remediation works for the development, the Applicant must submit a validation report/letter to the satisfaction of the Planning Secretary, which has been prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

Unexpected Finds

- B74. 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:
- (a) form part of the development's CEMP (see condition C2); and
 - (b) ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulations.
- Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary in accordance with the timeframe nominated in the procedure.

Asbestos

- B75. The Applicant must ensure that any asbestos encountered during the remediation and construction works for the development is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:
- (a) Work Health and Safety Regulation 2017;
 - (b) *SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace* (December 2022);
 - (c) *SafeWork NSW Code of Practice – How to Safely Remove Asbestos* (December 2022); and
 - (d) Protection of the Environment Operations (Waste) Regulation 2014.

VISUAL AMENITY

Landscaping

- B76. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the development's revegetation and landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of the development's OEMP (see condition C5), and must:
- (a) detail the species to be planted on-site;
 - (b) be generally consistent with the planting schedule, species, pot size, number of plants as described within the landscape plans included in Appendix 1 of this consent;
 - (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
 - (d) be consistent with the relevant Management and Mitigation Measures included in Appendix 5 of this consent.
- B77. The Applicant must:
- (a) not commence operation until the LMP (see condition B76) is approved by the Planning Secretary;
 - (b) 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 most recent version of the approved LMP for the life of the development.

Lighting

- B78. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of *AS/NZS 4282:2023 – Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2023); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

- B79. All signage and fencing must be erected in accordance with the development plans included 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) a condition compliance table for that plan;
 - (b) detailed baseline data (where required);
 - (c) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development;
 - (ii) trends in the monitoring data over the life of the development; and
 - (iii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (i) a protocol for periodic review of the plan.

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) details of the community consultation and complaints handling procedure to be implemented during construction;
 - (b) Construction Noise and Vibration Management Plan (see condition B16);
 - (c) Construction Traffic Management Plan (see condition B42);
 - (d) Erosion and Sediment Control Plan(s) (see condition B51); and
 - (e) a copy of the development's:
 - (i) Fauna Management Plan (see condition B8);
 - (ii) Vegetation Management Plan (see condition B10);
 - (iii) Aboriginal Cultural Heritage Management Plan (see condition B60); and
 - (iv) Unexpected Contamination Finds Procedure (see condition B74).
- C4. The Applicant must:
- (a) not commence construction until the development's CEMP (see condition C2) is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) a description of the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) a description of the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints, including a protocol for investigating noise complaints through monitoring conducted in accordance with the *Approved Methods for the Measurement and Analysis of Environmental Noise in NSW* (EPA, 2022);
 - (iii) ensure heavy vehicle deliveries are organised outside of transport peak periods to ensure that road safety and transport operations are maintained;
 - (iv) resolve any disputes that may arise;
 - (v) respond to any non-compliance;
 - (vi) respond to emergencies;
 - (c) a copy of the Vegetation Management Plan (see condition B10);
 - (d) Air Quality Management Plan (see condition B27);
 - (e) Sustainability Management Plan (see condition B32);
 - (f) a copy of the Green Travel Plan (see condition B48); and
 - (g) Landscape Management Plan (see condition B76).
- C7. The Applicant must:
- (a) not commence operation until the development's OEMP (see condition C5) is approved by the Planning Secretary; and
 - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C8. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C10;
 - (b) the submission of a Compliance Report under condition C14;
 - (c) the submission of an Independent Audit under condition C16;
 - (d) the Annual Environmental Management Report under condition C18;
 - (e) the submission of a Back-up Generator Notification Report under condition C19;
 - (f) the approval of any modification of the conditions of this consent; or
 - (g) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.
- C9. If identified as part of the review process (see condition C8), or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary.

The revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review process taking place, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident, including:
- (a) the date, time and location;

- (b) a brief description of what occurred and why it has been classified as an incident;
- (c) a description of what immediate steps were taken in relation to the incident; and
- (d) identifying a contact person for further communication regarding the incident.

C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 6 of this consent.

Non-Compliance Notification

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

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

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

Compliance Reporting

C14. Within one year after the commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Department. Compliance Reports must be prepared in accordance with the Department's Compliance Reporting Post Approval Requirements in force at the time the compliance review commences, as approved by the Planning Secretary and published on the Department's website.

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

Independent Audit

C16. Within six months after the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements in force at the time the Audit commences, as approved by the Planning Secretary and published on the Department's website.

C17. The Applicant must make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Annual Environmental Management Report

C18. Within fifteen (15) months of the commencement of operation, and annually thereafter (or as otherwise agreed by the Planning Secretary), the Applicant must prepare and submit an Annual Environmental Management Report (AEMR) for the development to the Planning Secretary. This report must:

- (a) identify the standards and performance measures that apply to the development;
- (b) include:
 - (i) a summary of any complaints received during the past year, and a comparison of any trends in complaints received in previous years;
 - (ii) an operations log for the back-up generators, detailing the date, time, duration and purpose of each use;
 - (iii) a diesel fuel storage log, documenting the quantity of diesel fuel stored on site at any one time in litres and tonnes, with monthly recorded values, expressed in litres and tonnes, for the reporting period;
 - (iv) details regarding the:
 - total number of hours the back-up generators were operated for; and
 - total quantity of diesel fuel used by the back-up generators;
- (c) summarise and analyse the monitoring results for the development, including the annual emissions testing (see condition B25) undertaken during the reporting period;
- (d) identify any trends in the monitoring results over the life of the development;
- (e) identify any non-compliance during the reporting period, including in relation to conditions A7 and A8, conditions B18 to B20 and condition B24; and
- (f) describe what environmental management targets and strategies were, or will be implemented for the following reporting period, taking into account the identified environmental performance of the development, to ensure compliance.

Back-up Generator Notification Report

C19. Within 30 days of the back-up generators being used to power any part of the development during an unplanned power outage event (or as otherwise agreed to by the Planning Secretary), the Applicant must prepare and submit a Back-up Generator Notification Report for the development to the satisfaction of the Planning Secretary. The report must include:

- (a) details regarding the:
 - (i) date and time of the unplanned power outage event;
 - (ii) date and time of back-up generator operation;
 - (iii) identification of the back-up generators used and the total number of generators operated;
 - (iv) duration of operation for each generator and the total duration of generator use;
 - (v) total quantity of diesel fuel used by the back-up generators;
 - (vi) total amount of electricity produced by the back-up generators;
- (b) if relevant, confirmation regarding whether neighbouring properties were made aware that the development's back-up generator system was operating (see condition B27(f));
- (c) an assessment of any air quality impacts resulting from the operation of the back-up generators; and
- (d) assessment and recommendation of additional measures that could be implemented to reduce future impacts, including but not limited to reduced likelihood of generator operation and retrofit of generator emission controls.

Monitoring and Environmental Audits

C20. 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.

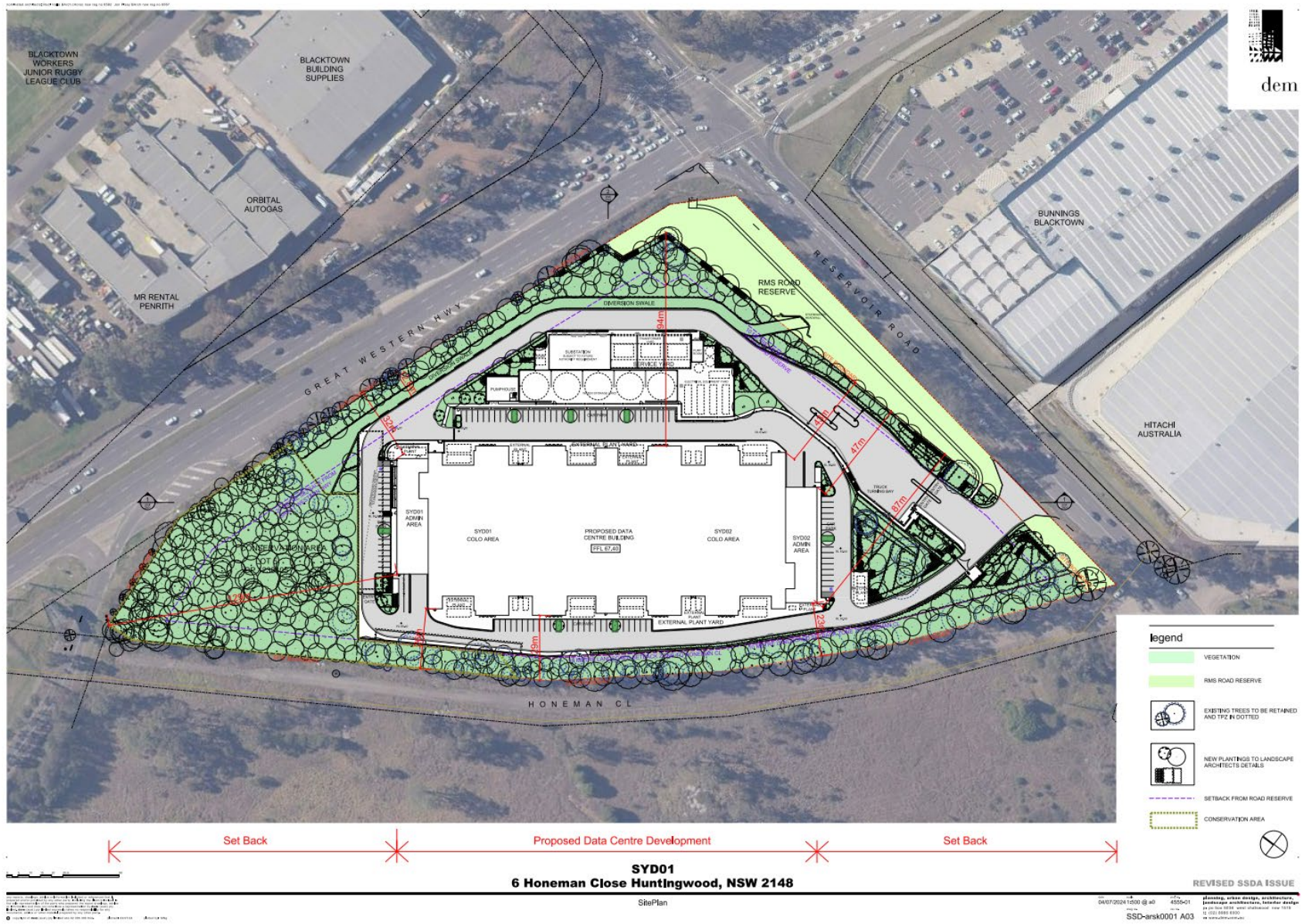
Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

C21. 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 with the exception of any hazard and risk related documents;
 - (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaints register, updated quarterly;
 - (ix) copies of the following reports:
 - the Compliance Report (see condition C14);
 - audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report (see condition C16);
 - the Annual Environmental Management Report (see condition C18); and
 - the Back-up Generator Notification Report (see condition C19);
 - (x) 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



Job No.	Drawing Number	Drawing Title	Drawing Issue	Date
Architectural Drawings prepared by DEM (Aust) Pty Ltd				
4555-01	SSD-arsk0001	Site Plan	A03	04/07/24
4555-01	SSD-arsk0100	Site Clearing Plan	A03	04/07/24
4555-01	SSD-arsk1200	Ground Floor Plan	A03	04/07/24
4555-01	SSD-arsk1201	Level 1 Floor Plan	A03	04/07/24
4555-01	SSD-arsk1202	Level 2 Flood Plan	A03	04/07/24
4555-01	SSD-arsk1203	Typical Floor Plan (Level 3-4)	A03	04/07/24
4555-01	SSD-arsk1204	Roof Plan	A04	17/07/24
4555-01	SSD-arsk1205	Upper Roof Plan	A05	28/08/26
4555-01	SSD-arsk2500	Site Elevations	A05	15/09/26
4555-01	SSD-arsk2600	Southwest & Northeast Elevations	A05	15/09/26
4555-01	SSD-arsk2601	Northwest & Southeast Elevation	A05	15/09/26
4555-01	SSD-arsk2700	Services Block – Elevations & Sections	A04	15/09/26
4555-01	SSD-arsk9000	Façade Materials Module and Selection	A05	15/09/26
4555-01	SSD-arsk9100	Retaining Wall Module and Selection	A03	04/07/24
Civil Drawings prepared by Acor Consultants Pty Ltd				
NSW201213	SYD01-02-C-A-S0008	Survey and Services Plan	C	08.07.24
NSW201213	SYD01-02-C-B-S0000	Overall Bulk Earthworks	D	08.07.24
NSW201213	SYD01-02-C-C-S0000	Overall Siteworks and Grading Plan	C	08.07.24
NSW201213	SYD01-02-C-D-S0000	Overall Stormwater Management Plan	C	08.07.24
NSW201213	SYD01-02-C-D-S0007	Stormwater Overland Flow Path Plan	C	08.07.24
NSW201213	SYD01-02-C-S-S0000	Soil and Water Management Plan	C	08.07.24
NSW201213	SYD01-02-C-V-S0000	Overall Vehicle Turning Path Plan	C	08.07.24
NSW201213	SYD01-C-W-S0000	Overall Retaining Wall Plan	A	08.07.24

APPENDIX 2 LOCATION OF THE CONSERVATION AREA

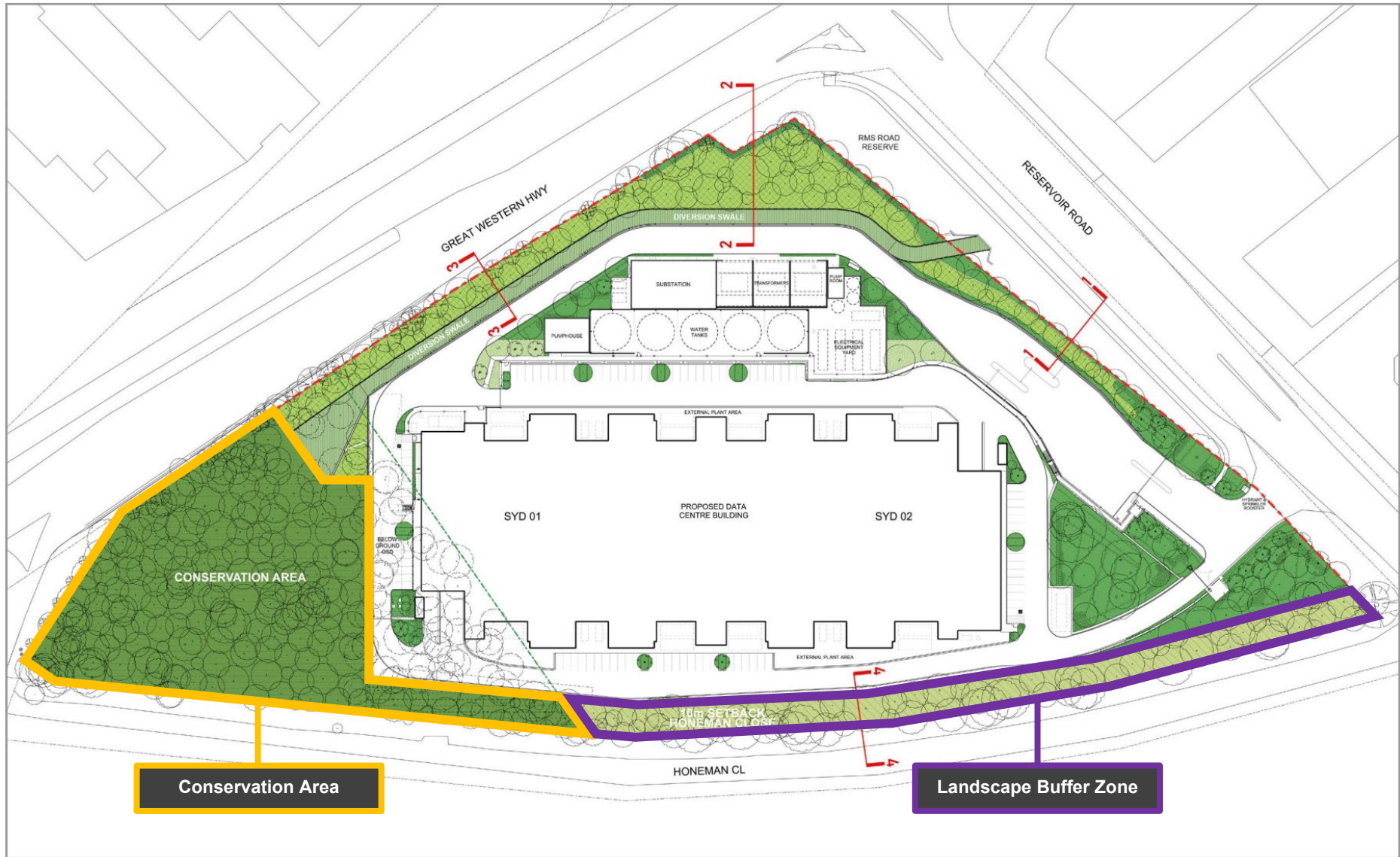


Figure 2: Location of the Conservation Area and the Landscape Buffer Zone

APPENDIX 3 BIODIVERSITY CREDITS

Table 8 Ecosystem Credits Required to be Retired

Plant community type (PCT)	Impact area (ha)	Required credits
835 – Cumberland Riverflat Forest	0.02	1
847 – Cumberland Shale Plains Woodland	0.32	10

Table 9 Species Credits Required to be Retired

Common name	Scientific name	Impact area (ha)	Required credits
Cumberland Plain Land Snail	<i>Meridolum corneovirens</i>	0.34	9
Sydney Plains Greenhood	<i>Pterostylis saxicola</i>	0.34	13
Swift Parrot	<i>Lathamus discolor</i>	0.29	2

APPENDIX 4 SENSITIVE RECEIVER LOCATIONS



Figure 3: Sensitive Receiver Locations

APPENDIX 5 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

MITIGATION MEASURES

SSD-58601963 – Honeman Close Data Centre

Table 1. Proposed Mitigation Measures													
Item / Impact	Supporting Documentation	Recommended Mitigation Measures											
Construction and operational impacts	Plan of management (proposed)	- Plans of Management (PoM) will be prepared which describe the proposed mitigation measures at the construction and operational phases of the project, and which formalise the recommendations from technical consultants which are outlined further in this table and also describes safety measures intended for the development site. Two POMs are proposed: - A Construction PoM, which is able to be prepared prior to the issue of a Construction Certificate; and - An Operational PoM, which is able to be prepared prior to the issue of an Occupation Certificate which includes details of monitoring of operational impacts, including operational traffic, noise, urban heat and air pollution.											
Noise	Acoustic Assessment Report	The following noise control measures and noise management practices are recommended to be adopted as part of this proposed construction works. <table><tr><th>Procedure</th><th>Description</th></tr><tr><td>General Management Measures</td><td>Introduce best-practice general mitigation measures in the workplace which are aimed at reducing the acoustic impact onto the nearest affected receivers.</td></tr><tr><td>Project Notification</td><td>Issue project updates to stakeholders, discussing overviews of current and upcoming works. Advanced warning of potential disruptions can be included. Content and length to be determined on a project-by-project basis.</td></tr><tr><td>Verification Monitoring</td><td>Monitoring to comprise attended or unattended acoustic surveys. The purpose of the monitoring is to confirm measured levels are consistent with the predictions in the acoustic assessment, and to verify that the mitigation procedures are appropriate for the affected receivers. If the measured levels are higher than those predicted, then the measures will need to be reviewed and the management plan will need to be amended.</td></tr><tr><td>Complaints Management System</td><td>Implement a management system which includes procedures for receiving and addressing complaints from affected stakeholders.</td></tr></table>		Procedure	Description	General Management Measures	Introduce best-practice general mitigation measures in the workplace which are aimed at reducing the acoustic impact onto the nearest affected receivers.	Project Notification	Issue project updates to stakeholders, discussing overviews of current and upcoming works. Advanced warning of potential disruptions can be included. Content and length to be determined on a project-by-project basis.	Verification Monitoring	Monitoring to comprise attended or unattended acoustic surveys. The purpose of the monitoring is to confirm measured levels are consistent with the predictions in the acoustic assessment, and to verify that the mitigation procedures are appropriate for the affected receivers. If the measured levels are higher than those predicted, then the measures will need to be reviewed and the management plan will need to be amended.	Complaints Management System	Implement a management system which includes procedures for receiving and addressing complaints from affected stakeholders.
Procedure	Description												
General Management Measures	Introduce best-practice general mitigation measures in the workplace which are aimed at reducing the acoustic impact onto the nearest affected receivers.												
Project Notification	Issue project updates to stakeholders, discussing overviews of current and upcoming works. Advanced warning of potential disruptions can be included. Content and length to be determined on a project-by-project basis.												
Verification Monitoring	Monitoring to comprise attended or unattended acoustic surveys. The purpose of the monitoring is to confirm measured levels are consistent with the predictions in the acoustic assessment, and to verify that the mitigation procedures are appropriate for the affected receivers. If the measured levels are higher than those predicted, then the measures will need to be reviewed and the management plan will need to be amended.												
Complaints Management System	Implement a management system which includes procedures for receiving and addressing complaints from affected stakeholders.												

Table 1. Proposed Mitigation Measures

Item / Impact	Supporting Documentation	Recommended Mitigation Measures	
		Specific Notification	Individual letters or phone calls to notify stakeholders that noise levels are likely to exceed noise objectives. Alternatively, contractor could visit stakeholders individually in order to brief them in regards to the noise impact and the mitigation measures that will be implemented.
		Respite Offer	Offer provided to stakeholders subjected to an ongoing impact.
		Alternative Construction Methodology	Contractor to consider alternative construction options that achieve compliance with relevant criteria. Alternative option to be determined on a case-by-case basis. It is recommended that the selection of the alternative option should also be determined by considering the assessment of on-site measurements (refer to Verification Monitoring above).
Air Quality / Emissions	Air Quality Impact Assessment	CONSTRUCTION PHASE The Construction Environmental Management Plan (CEMP) will incorporate all highly recommended site-specific mitigation management measures contained within the AQIA. Operation phase - mitigation and monitoring - Maintenance should be undertaken as per the testing schedule outlined in Section 1.2.2 of the AQIA with operation of emergency standby generators during testing and maintenance to be minimised as far as practicable. In the event of a loss of mains power, all practical measures should be taken to reduce the duration of the outage to ensure that emergency standby generators operate for the least amount of time possible. - The design, installation and operation of the emergency standby generators does not preclude the ability for air pollution emission controls to be retrofitted in the future. - To ensure air quality impacts experienced at sensitive receptors resulting from the operation of the Proposal site are minimised, maintenance under the testing schedule must be performed as outlined in Section 1.2.2 of the AQIA.	
Aboriginal Heritage	Aboriginal Cultural Heritage Assessment	Adoption of recommendations within 10.3 of the Aboriginal Cultural Heritage Assessment.	
Tree protection	Arboricultural impact assessment	Adoption of recommendations contained within part 5 of the Arboricultural impact assessment.	
Traffic	-	Preparation of a final construction pedestrian and traffic management plan.	
European heritage	Statement of heritage impact	Adoption of the following mitigation measures:	

Table 1. Proposed Mitigation Measures

Item / Impact	Supporting Documentation	Recommended Mitigation Measures
		• Adoption built heritage measures pertaining to vegetation retention and planting within the buffer zone fronting Honeman Close. • Adoption of archeological measures including an unexpected finds protocol and human remains protocol.
Social Impacts	Social Impact Assessment	Continue to engage with surrounding community members and relevant stakeholders to ensure they are aware of construction time frames and expected impacts. This may allow them to plan their daily activities accordingly.

APPENDIX 6 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

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

INCIDENT REPORT REQUIREMENTS

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