

Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the
These conditions are required to:

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



Chris Ritchie
Executive Director
Energy, Resources and Industry Assessments

Sydney

29 May 2026

File: EF23/13792

SCHEDULE 1

Application Number:	SSD-62855708
Applicant:	The Trustee for Coombes Family Trust No.16
Consent Authority:	Minister for Planning and Public Spaces
Site:	2-4 Hale Street, Botany Lot 1 DP 562374
Development:	Demolition of existing buildings and hardstand and construction and operation of a waste transfer station

TABLE OF CONTENTS

DEFINITIONS	III
PART A ADMINISTRATIVE CONDITIONS	1
Obligation to Minimise Harm to the Environment.....	1
Terms of Consent	1
Limits of Consent.....	1
Notification of Commencement.....	1
Evidence of Consultation	1
Staging, Combining and Updating Strategies, Plans or Programs	2
Utilities, Services and Public Infrastructure.....	2
Demolition.....	2
Structural Adequacy	3
External Walls and Cladding.....	3
Compliance.....	3
Contributions to Council.....	3
Housing and Productivity Contribution.....	3
Operation of Plant and Equipment.....	3
Work as Executed Plans.....	4
Applicability of Guidelines.....	4
PART B SPECIFIC ENVIRONMENTAL CONDITIONS	5
Airport Safeguarding.....	5
Traffic and Access	6
Soils, Water Quality and Hydrology	8
Air Quality.....	10
Noise	11
Vibration	13
Aboriginal Heritage	13
Historic Heritage	14
Biodiversity	14
Hazards and Risk	14
Waste Management.....	15
Remediation	17
Contamination	17
Visual Amenity.....	18
Community Engagement	18
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING.....	19
Environmental Management.....	19
Construction Environmental Management Plan.....	19
Operational Environmental Management Plan	19
Revision of Strategies, Plans and Programs	20
Reporting and Auditing	20
Access to Information	21
APPENDIX 1 DEVELOPMENT LAYOUT PLANS.....	23
APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES.....	24
APPENDIX 3 SENSITIVE RECEIVERS	25
APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS.....	26

DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the documents titled 'Response to RFI' prepared by Element dated 30 September 2025, 'Request for Additional Information – Traffic Response' prepared by Element dated 18 December 2025 and 'Request for Additional Information – Noise Response' prepared by Element dated 13 February 2026
Applicant	The Trustee for Coombes Family Trust No.16, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Carrier	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks and erection of buildings and other infrastructure permitted by this consent
Council	Bayside 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
DCCEEW – CPHR Group	Conservation Programs, Heritage and Regulation Group of the Department of Climate Change, Energy, the Environment and Water
DCCEEW – Water Group	Water Group of the Department of Climate Change, Energy, the Environment and Water
Demolition	The deconstruction and removal of buildings, sheds, hardstand and other structures on the site
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS and Submissions Report, including the works and activities comprising demolition of existing structures and hardstand and the construction and operation of a waste transfer station, 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>Coombes Property Group & KLF Group - Waste Management Facility, Botany Environmental Impact Statement</i> ', prepared by EME Advisory dated 15 July 2024, 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
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Foreign Object Debris	Fragments of loose material (such as sand, stone, paper, wood, metal, fragments of pavement) that are detrimental to aircraft structures or engines and may impair the operation of aircraft if they strike or are ingested into an aircraft engine

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
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
Material harm	Is harm that: <ul style="list-style-type: none"> 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
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
OEMP	Operational Environmental Management Plan
Operation	The use of the waste transfer station as described in the EIS and Submissions Report
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
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
Remediation works	Works as described in the ‘Remedial Action Plan’ prepared by JBS&G Australia Pty Ltd dated 18 September 2025 (Appendix N of the Submissions Report)
Submissions Report (SR)	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>Waste Management Facility, Botany Submissions Report</i> ’, prepared by Element and dated 23 April 2025

Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TfNSW	Transport for New South Wales
Upgrading	The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation
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, Submissions Report and Additional Information;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.
- A6. The Applicant must ensure the development does not:
- (a) receive and process more than 300,000 tonnes per annum of general solid waste (non-putrescible), limited to building and demolition waste, mixed waste (recyclable), mixed waste (non-recyclable), vegetation waste, timber and wood waste, treated and untreated timbers, metals, paper and cardboard, asphalts and excavated natural materials;
 - (b) receive any general solid waste (putrescible), hazardous waste or restricted solid waste; and
 - (c) store more than 5,052 tonnes of general solid waste (non-putrescible) at any one time.

NOTIFICATION OF COMMENCEMENT

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

EVIDENCE OF CONSULTATION

- A9. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and

- (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

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

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A13. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed to support the development, to make satisfactory arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (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.

Sydney Water

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

Fibre-Ready Facilities

- A16. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
 - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.
- A17. Prior to the issue of an Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

DEMOLITION

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

STRUCTURAL ADEQUACY

A19. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

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

EXTERNAL WALLS AND CLADDING

A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A21. Prior to the issue of:

- (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.

A22. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

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

CONTRIBUTIONS TO COUNCIL

A24. Prior to the issue of a Construction Certificate for any part of the development, a payment of \$155,320.00 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council under section 7.12 of the EP&A Act and in accordance with the City of Botany Bay S94A Development Contributions Plan 2016 – Amendment 1.

HOUSING AND PRODUCTIVITY CONTRIBUTION

A25. Prior to the issue of a Construction Certificate for any part of the development, a housing and productivity contribution (HPC) in accordance with Table 1 must be paid for the development, as adjusted in accordance with condition A26.

Table 1 Housing and Productivity Contribution Amount

Housing and productivity contribution	Amount
Total housing and productivity contribution	\$62,960.69

A26. 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 *Environmental Planning and Assessment Act 1979* 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 *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

OPERATION OF PLANT AND EQUIPMENT

A27. All plant and equipment used on site, or to monitor the performance of the development, must be:

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

WORK AS EXECUTED PLANS

A28. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

A29. 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.

A30. 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

AIRPORT SAFEGUARDING

Safety and Efficiency of Sydney Airport

B1. The development must not have any impact on the safety or efficiency of the operations of Sydney Airport.

Sydney Airport Instrument Landing System Test Flight

B2. Prior to the commencement of operation of the development, the Applicant must carry out and report on the findings of a flight inspection of the development to verify the predicted impacts of the development on the Sydney Airport Instrument Landing System. The flight inspection must be carried out by a suitably qualified and experienced person in consultation with AirServices Australia and Sydney Airport.

B3. Prior to the commencement of operation of the development, the Applicant must report on the outcomes of the flight inspection required under condition B2 to the Planning Secretary. The Flight Inspection Report must:

- (a) include:
 - (i) the methodology of the flight inspection;
 - (ii) details of any additional mitigation measures required to minimise impacts on the Sydney Airport Instrument Landing System;
- (b) provide evidence of consultation with AirServices Australia and Sydney Airport regarding the proposed mitigation measures, including the outcomes of that consultation; and
- (c) be reviewed by AirServices Australia and Sydney Airport.

B4. Prior to the commencement of operation of the development, the Applicant must implement any mitigation measures identified in the Flight Inspection Report required by condition B3 to the satisfaction of the Planning Secretary.

Note: The Planning Secretary will consult with AirServices Australia and Sydney Airport during its consideration of the Flight Inspection Report required under condition B3 and the satisfactory implementation of any mitigation measures as required under condition B4.

Foreign Object Debris

B5. The waste receival building must be fitted with fast-acting automatic roller shutter doors.

B6. All roller doors to the waste receival building must be designed to be automatically closing and default to a closed position during operation to protect against wildlife attraction and Foreign Object Debris risks.

B7. All loading and unloading of waste must occur within an enclosed building.

Wildlife Hazard Management

B8. Prior to the commencement of operation of the development, the Applicant must prepare a Wildlife Hazard Management Plan to the satisfaction of the Planning Secretary. The Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified or experienced person(s) approved by the Planning Secretary;
- (b) be prepared in consultation with Sydney Airport;
- (c) address the management of both ground-based and airborne wildlife management;
- (d) describe monitoring protocols;
- (e) provide details of staff training regarding wildlife hazard awareness and management;
- (f) detail mitigation measures to minimise wildlife attraction, including those identified in the Aviation Impact Assessment dated 26 March 2024 prepared by Arup (Appendix E of the EIS);
- (g) establish trigger thresholds for investigating additional measures to reduce wildlife attraction; and
- (h) describe protocols for reducing wildlife attraction if trigger thresholds are exceeded.

B9. The Applicant must:

- (a) not commence operations until the Wildlife Hazard Management Plan is approved by the Planning Secretary; and
- (b) implement the most recent version of the Wildlife Hazard Management Plan for the duration of the development.

Note: The Airports (Protection of Airspace) Regulation 1996 applies to any intrusions into prescribed airspace, which could include:

- constructing permanent structures, such as buildings, into the protected airspace;
- temporary structures such as cranes protruding into the protected airspace; or
- activities causing non-structural intrusions into the protected airspace, such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter.

If any of the above components would result in a further impact on protected airspace, approval will need to be obtained in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulation 1996.

Notification to Airport Authorities

- B10. The date of commencement of each of the following phases of the development must be notified to the AirServices Australia and Sydney Airport in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) completion of construction;
 - (c) operation; and
 - (d) cessation of operations.
- B11. If the construction or operation of the development is to be staged, AirServices Australia and Sydney Airport must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B12. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
 - (d) detail heavy vehicle routes, access and parking arrangements;
 - (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.
- B13. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B12 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Roadworks and Access

- B14. Prior to the commencement of construction, the Applicant must:
- (a) submit design plans to the satisfaction of the relevant roads authority which demonstrate the site access driveways to the development from Hale Street are designed to:
 - (i) accommodate the turning path of a 26-metre B-double; and
 - (ii) restrict vehicle movements to left-in, right-out only; and
 - (b) obtain approval for the works outlined in condition B14(a) under section 138 of the *Roads Act 1993*.
- B15. Prior to the commencement of operation of the development, the Applicant must complete the construction of site access driveways to the development from Hale Street in accordance with the design plans prepared under condition B14 to the satisfaction of Council.

Parking

- B16. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operational Traffic Management Plan

- B17. Prior to the commencement of operation, the Applicant must finalise the Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by Condition C5 and must:
- (a) be prepared by a suitably qualified and experienced person(s) in consultation with Council;
 - (b) be consistent with the Draft Operational Traffic Management Plan prepared by Traffix, Version 03, dated 16 December 2025 (submitted with the Additional Information), except where amended to strengthen inbound vehicle management and queuing prevention measures as outlined in clause (d) of this condition;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency;
 - (d) monitor and coordinate the arrival and departure of truck vehicles to and from the site to ensure that traffic flow is not disrupted on Hale Street, including:
 - (i) how inbound heavy vehicles are scheduled, controlled and authorised to approach the site;
 - (ii) details of on-site stacking locations;
 - (iii) detail the communication and control mechanisms (such as radio contact, booking systems and real-time operational oversight) used to coordinate inbound and outbound vehicle movements;
 - (iv) identify the thresholds, triggers and decision-making procedures for delaying, rescheduling or diverting inbound vehicles where on-site capacity is constrained;
 - (e) detail heavy vehicle routes, access, and parking arrangements;
 - (f) include a program to monitor the effectiveness of these measures; and
 - (g) include an Operational Driver Code of Conduct to:
 - (i) minimise the impacts on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise;
 - (iv) inform truck drivers of the site access arrangements and use of specified haul routes; and
 - (h) include a Traffic Control Plan (TCP) detailing:
 - (i) heavy vehicle routes, road safety and efficiency measures and the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas, including front-end loaders within the waste receipt and processing areas and mitigate the potential for on-site vehicle conflict; and
 - (ii) installation of weighbridges, signage, line marking, speed limits and convex mirrors, as appropriate.
- B18. The Applicant must:
- (a) not commence operation until the Operational Traffic Management Plan required by condition B17 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the duration of the development.

Operating Conditions

- B19. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6:2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (c) the development does not result in any vehicles queuing on the public road network;
 - (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
 - (e) all vehicles are wholly contained on site before being required to stop;
 - (f) all loading and unloading of materials is carried out on-site; and
 - (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B20. The Applicant must:
- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site for use as fill;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B21. Prior to the commencement of any construction for the development, 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 CEMP required by condition C2.
- B22. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B21 for the duration of construction of the development.

Discharge Limits

- B23. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B24. Prior to the commencement of construction of the stormwater management system for the development, the Applicant must finalise its detailed design. The 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 Integrated Water Management Strategy prepared by CJ Arms dated 2 September 2025, Revision 6 (Appendix F of the Additional Information dated 30 September 2025) and the Drainage Layout Plan prepared by CJ Arms dated 28 August 2025, Drawing No.1110, Revision A (Appendix E of the Additional Information dated 30 September 2025);
 - (d) be in accordance with applicable Australian Standards; and
 - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines; and
 - (f) divert existing clean surface water around operational areas of the site.
- B25. 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 B24) and ensure the system is operational.
- B26. The Applicant must maintain the stormwater management system installed on the site under condition B25 for the duration of the development.

Flood Management

- B27. Prior to the commencement of construction of the development, the Applicant must prepare a Flood Emergency Response Plan. The Plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with the NSW State Emergency Service;
 - (c) be consistent with the Flood Emergency Management Plan prepared by CJ Arms at Appendix G of the Flood Impact Assessment prepared by CJ Arms dated 9 September 2025 Revision 6 (Appendix C of the Additional Information);
 - (d) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
 - (e) include details of:
 - (i) the flood emergency responses for both construction phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and

(vi) awareness training for employees and contractors.

B28. The Applicant must:

- (a) submit a copy of the Flood Emergency Response Plan required by condition B27 to the Planning Secretary prior to the commencement of construction; and
- (b) implement the most recent version of the Flood Emergency Response Plan for the duration of construction of the development.

B29. Prior to the commencement of operation of the development, the Applicant must update the Flood Emergency Response Plan for the purposes of operation of the development in an Operational Flood Emergency Response Plan. The Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with the NSW State Emergency Service;
- (c) be consistent with the Flood Emergency Management Plan prepared by CJ Arms at Appendix G of the Flood Impact Assessment prepared by CJ Arms dated 9 September 2025 Revision 6 (Appendix C of the Additional Information);
- (d) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and
- (e) include details of:
 - (i) the flood emergency responses for both construction and operation phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors.

B30. The Applicant must:

- (a) submit a copy of the Operational Flood Emergency Response Plan required by condition B29 to the Planning Secretary prior to the commencement of operation; and
- (b) implement the most recent version of the Operational Flood Emergency Response Plan for the operational life of the development.

B31. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.

B32. Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible materials and building components.

B33. All buildings and associated structures for the development must be designed to withstand forces of floodwaters, including debris and buoyancy forces, for all flood events up to and including a Probable Maximum Flood event, as determined by the Flood Impact Assessment prepared by CJ Arms dated 9 September 2025 Revision 6 (Appendix C of the Additional Information).

B34. Prior to the commencement of operation of the development the Applicant must install a culvert on the site consistent with the design in the following civil drawings prepared by CJ Arms at Appendix C of the Integrated Water Cycle Management Strategy dated 2 September 2025 (Appendix F of the Additional Information):

- (a) 'Drainage Layout Plan', Drawing No.1110 Revision A, dated 28/8/25; and
- (b) 'Drainage Culvert Longsection', Drawing No.6001 Revision A, dated 29/8/25.

Waterfront Land

B35. The Applicant must ensure that works within waterfront land are carried out in accordance with the DCCEEW-Water guidelines *Controlled activities – Guidelines for riparian corridors on waterfront land (2025)* to meet the requirements of the *Water Management Act 2000*.

Water Management Plan

B36. Prior to the commencement of operation of the development, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) provide details of:
 - (i) water use, metering, disposal and management on-site;
 - (ii) the management and disposal of wastewater streams on-site;
- (c) contain a Surface Water Management Plan, including;

- (i) a program to monitor surface water flows and quality;
- (ii) surface water impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and
- (iii) a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.

B37. The Applicant must:

- (a) not commence operation until the Water Management Plan required by condition B36 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

Groundwater

B38. In the event groundwater is intercepted during construction or remediation of the development, the Applicant must obtain a Water Access Licence under the *Water Management Act 2000*, unless an exemption applies.

B39. The Applicant must comply with water take recording and reporting requirements associated with the Water Access Licence exemption provisions of the Water Management (General) Regulation 2025.

B40. Prior to the commencement of construction of the development, the Applicant must prepare a Dewatering Management Plan to the satisfaction of the Planning Secretary. The Dewatering Management Plan must form part of the CEMP required under condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person;
- (b) include details of the dewatering methodology and volume;
- (c) include details of groundwater level and water quality monitoring and management, treatment and disposal measures; and
- (d) be prepared in accordance with the reporting requirements in the *Minimum requirements for building site groundwater investigations and reporting* (Department of Planning and Environment, 2022).

B41. The Applicant must:

- (a) not commence construction until the Dewatering Management Plan required by condition B40 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Dewatering Management Plan approved by the Planning Secretary for the duration of construction.

B42. Within two months of the completion of dewatering activities carried out during construction of the development, the Applicant must prepare and submit a Dewatering Completion Report to DCCEE - Water Group. The Dewatering Completion Report must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) include the following data from monitoring carried out during the construction period:
 - (i) dewatering volumes (daily meter readings);
 - (ii) groundwater levels (continuous or daily measurements); and
 - (iii) water quality (weekly sampling and analysis); and
- (c) be prepared in accordance with the reporting requirements in the *Minimum requirements for building site groundwater investigations and reporting* (Department of Planning and Environment, 2022).

AIR QUALITY

Dust Minimisation

B43. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B44. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

B45. During operation of the development, the Applicant must ensure that all trucks exit the site through an operational wheel wash to prevent any material being tracked from the development onto the public road network.

Air Quality Discharges

B46. 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 EPL applicable to the site.

Air Quality Management Plan

B47. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP 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) identify the control measures that will be implemented for each emission source, including proactive and reactive management strategies;
- (d) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators; and
- (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency and duration of monitoring;
 - (iv) record keeping;
 - (v) complaints register;
 - (vi) response procedures; and
 - (vii) compliance monitoring.

B48. The Applicant must:

- (a) not commence operation until the Air Quality Management Plan required by condition B47 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the development.

Odour Management

B49. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

NOISE

Hours of Work

B50. The Applicant must comply with the hours detailed in Table 2.

Table 2 Hours of Work

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

B51. Works outside of the hours identified in condition B50 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

B52. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise and Vibration Management Plan required under condition B53.

Construction Noise and Vibration Management Plan

- B53. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must
- be prepared by a suitably qualified and experienced noise expert;
 - describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
 - include noise management and mitigation measures, including any described in Appendix 2;
 - describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - include strategies that have been developed with the community for managing high noise generating works;
 - describe the community consultation undertaken to develop the strategies in condition B53(e) ; and
 - include a complaints management system that would be implemented for the duration of the development.
- B54. The Applicant must:
- not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B53 is approved by the Planning Secretary; and
 - implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

- B55. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 3.

Table 3 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
Any residence in Receiver Catchment RC2 Monitoring Location: 26 Erith Street, Botany	48	48	43	55
Any residence in Receiver Catchment R6 Monitoring Location: 45 Bay Street, Botany	46	46	41	52
RC3 – Botany Public School Monitoring Location: Reasonably most affected point 3-5 metres from the most exposed façade of a normally occupied teaching room	43	43	39	-

Note Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.

Operational Noise Management Plan

- B56. The Applicant must prepare an Operational Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of an OEMP in accordance with condition C5 and must:
- be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;
 - describe all noise sources from the development;
 - identify the measures that will be implemented to minimise noise emissions and to achieve the noise limits in condition B55, consistent with the recommended noise mitigation measures in the Noise and Vibration Impact Assessment prepared by E-Lab Consulting dated 11 February 2026, Revision 011 (submitted with the Additional Information);
 - describe a program to monitor compliance with the noise limits specified in condition B55; and
 - include the following:
 - a program to periodically review best management practice (BMP) and best available technology economically achievable (BATEA) measures that have the potential to minimise noise levels from the development;
 - a commitment to implement any identified BMP and BATEA measures, where considered feasible and reasonable; and

- (iii) a complaints management system that would be implemented for the duration of the development; and
- (f) incorporate a Road Traffic Noise Management Strategy (RTNMS) that includes:
 - (i) feasible and reasonable noise management strategies to reduce noise from vehicle movements associated with the facility;
 - (ii) driver training to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used near sensitive receivers;
 - (iii) best practice in the selection and maintenance of vehicle fleets;
 - (iv) movement scheduling where practicable to reduce impacts during sensitive times of the day;
 - (v) communication and management strategies for third party owned and operated vehicles to ensure the provisions of the RTNMS are implemented; and
 - (vi) specific procedures for drivers to minimise impacts at sensitive receivers.

B57. The Applicant must:

- (a) not commence operation of the development until the Operational Noise Management Plan required by condition B56 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Noise Management Plan approved by the Planning Secretary for the duration of the development.

Operational Noise Verification Report

B58. Within six months of the commencement of operation of the development, 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 and the EPA;
- (b) demonstrate that noise verification has been carried out by a suitably qualified, independent and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);
- (c) include:
 - (i) an analysis of compliance with noise limits specified in condition B55;
 - (ii) direct measurements at a receiver location and intermediate location to inform the analysis of compliance with noise limits for Receiver Catchment RC2 required under condition B58(c)(i);
 - (iii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B55; and
 - (iv) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

B59. Vibration caused by construction at any residence or structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (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).

B60. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B59.

B61. The limits in conditions B59 and B60 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

ABORIGINAL HERITAGE

B62. All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects except as authorised by this consent.

Aboriginal Cultural Heritage Management Plan (ACHMP)

B63. Prior to the commencement of any clearing or construction works for the development, including any remediation works at the site, the Applicant must prepare an ACHMP for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared:
 - (i) by a suitably qualified and experienced expert; and
 - (ii) in consultation with the Registered Aboriginal Parties and Heritage NSW;
- (b) include:
 - (i) a description of the measures that would be implemented for ongoing consultation with the Registered Aboriginal Parties;
 - (ii) details of a sub-surface archaeological investigation program to be undertaken within 2-4 Hale PAD 01 prior to the commencement of construction or remediation works, including identification of triggers for when archaeological investigation is required and at what stages of the development, and consistent with the Test Excavation Methodology prepared by Artefact Heritage Service Pty Ltd dated 29 January 2025 (Appendix I of the Submissions Report);
 - (iii) a contingency plan and reporting procedure for the management of Unexpected Heritage Finds in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (2010);
 - (iv) a contingency plan and reporting procedure for the management of Unexpected Human Remains; and
 - (v) a description of measures to ensure workers on site receive suitable heritage inductions and that records are kept of the inductions.

B64. The Applicant must:

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

Unexpected Finds Protocol

B65. If any item or object of Aboriginal heritage significance is identified on site:

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

B66. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

HISTORIC HERITAGE

B67. 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.

B68. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY

Tree Protection Measures

B69. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of Australian Standard 4970:2009 – *Protection of Trees on Development* for the duration of the development.

HAZARDS AND RISK

Pre-construction

B70. 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 a Fire Safety Study for the development. The study must:

- (a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline;
- (b) be prepared consistent with the relevant FRNSW Fire Safety Guidelines and FRNSW Technical Information Sheets with particular focus to *Fire safety in waste facilities* and *Access for fire brigade vehicles and firefighters*; and
- (c) be prepared to the satisfaction of Fire and Rescue NSW.

Note: The 'to the satisfaction of FRNSW' in condition B1(e) above means confirmation in writing from Fire and Rescue NSW that the study meets their requirements as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline.

B71. The Applicant must:

- (a) not commence construction of the development, other than preliminary works that are outside the scope of the hazard studies, until the Fire Safety Study has been approved by FRNSW and submitted to the Planning Secretary; and
- (b) implement the most recent version of the Fire Safety Study for the duration of the development.

Emergency Plan

B72. 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 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; and
- (b) be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*;
- (c) include an Emergency Services Information Package in accordance with FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans* (FRNSW, 2019), to the satisfaction of FRNSW.

B73. The Applicant must:

- (a) implement the most recent version of the Emergency Plan and the Emergency Services Information Package 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.

Dangerous Goods

B74. 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.

B75. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

- (a) all relevant Australian Standards; and
- (b) for liquids:
 - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (ii) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.

B76. In the event of an inconsistency between the requirements of conditions B75(a) and B75(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B77. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

WASTE MANAGEMENT

Construction and Demolition Waste Management

B78. Prior to the commencement of construction of the development, the Applicant must prepare a Construction and Demolition Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:

- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and

- (b) be implemented for the duration of construction works.

B79. The Applicant must:

- (a) not commence construction until the Construction and Demolition Waste Management Plan is approved by the Planning Secretary.
- (b) implement the most recent version of the Construction and Demolition Waste Management Plan approved by the Planning Secretary.

Waste Management Plan

B80. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Waste Management Plan must form part of the OEMP and be prepared in accordance with condition C5. The Plan must:

- (a) be prepared by a suitably qualified and experienced person;
- (b) detail the type and quantity of waste to be accepted and handled during operation of the development;
- (c) describe the handling, storage and disposal of all waste streams on site, consistent with the *Protection of the Environment Operations Act 1997*, Protection of the Environment Operations (Waste) Regulation 2014 and the EPA Waste Classification Guidelines;
- (d) detail the classification of each type of waste to be received, processed, and stored in accordance with the EPA Waste Classification Guidelines;
- (e) a description of the procedures for dealing with non-conforming waste and materials received at the development;
- (f) a description of how the EPA's record keeping and reporting requirements will be met;
- (g) detail the materials to be reused or recycled, either on or off site; and
- (h) include the management and mitigation measures included in Appendix 2.

B81. The Applicant must:

- (a) not commence operation until the Waste Management Plan is approved by the Planning Secretary;
- (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary.

Waste Monitoring Program

B82. From the commencement of operation of the development, the Applicant must implement a Waste Monitoring Program for the development. The program must:

- (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
- (b) include suitable provision to monitor the:
 - (i) quantity, type and source of waste received on site; and
 - (ii) quantity, type and quality of the outputs produced on site; and
- (c) ensure that:
 - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
 - (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.

Waste Reveal, Storage and Processing

B83. The Applicant must ensure that only waste authorised for receipt by an EPL is received, stored and processed at the site.

B84. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

B85. All loads of waste material must be covered at all times except during inspections carried out at the incoming weighbridge.

B86. Any stockpile at the development must not exceed:

- (a) for non-combustible material, six metres in height; and
- (b) for combustible material, four metres in height and a maximum volume of 1,000 cubic metres in accordance with *FRNSW Fire Safety Guideline – Fire Safety in Waste Facilities (FRNSW, 2020)*.

B87. All non-conforming waste must be removed from the site immediately following inspection at the incoming weighbridge.

Statutory Requirements

- B88. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).
- B89. The Applicant must dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.
- B90. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

Pests, Vermin and Priority Weed Management

- B91. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
 - (b) 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.

REMEDIATION

Site Auditor

- B92. Prior to the commencement of construction or remediation works for the development on site, the Applicant must engage a Site Auditor accredited under the *Contaminated Land Management Act 1997* NSW Site Auditor Scheme for the duration of construction and remediation works.
- B93. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced consultant(s) in accordance with the approved Remedial Action Plan (RAP) prepared by JBS&G Australia Pty Ltd dated 18 September 2024 (Appendix N of the Submissions Report), and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.
- B94. Any amendments to the approved RAP (identified in condition B93) must be reviewed and approved by the Site Auditor engaged in accordance with condition B92, in the form of an Interim Audit Advice.

Site Audit Report and Site Audit Statement

- B95. Within six months of the completion of the remediation works and prior to the commencement of operation of the development, the Applicant must obtain from the Site Auditor, a Site Audit Statement and a Site Audit Report. The documents must:
- (a) be prepared in accordance with the *NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017*, and must confirm:
 - (i) the remediation works approved under this consent have been completed in accordance with the remediation objectives listed in the approved RAP, and any amendments to the RAP approved by the Site Auditor under condition B94; and
 - (ii) the site is suitable for its intended use; and
 - (b) be submitted to the Planning Secretary and the EPA prior to the commencement of operation of the development.

Long Term Environmental Management Plan

- B96. Prior to the issue of the Site Audit Report and Site Audit Statement required under condition B95, the Applicant must prepare a Long Term Environmental Management Plan (LTEMP). The LTEMP must:
- (a) be prepared in accordance with the approved RAP prepared by JBS&G Australia Pty Ltd dated 18 September 2024 (Appendix N of the Submissions Report), and any amendments to the RAP approved by the Site Auditor under condition B93; and
 - (b) be reviewed and approved by the Site Auditor.
- B97. Upon completion of the Site Audit Statement and Site Audit Report required under condition B95, the Applicant must:
- (a) implement the Long Term Environmental Management Plan (LTEMP); and
 - (b) provide evidence to the Planning Secretary the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the *Environmental Planning and Assessment Act 1979*, for the development.

CONTAMINATION

Unexpected Finds

- B98. 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 of the CEMP in accordance with 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 within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

Asbestos

B99. 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

B100. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the development's landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of an OEMP in accordance with condition C5. The plan must:

- (a) detail the species to be planted on-site;
- (b) be consistent with the planting strategy and palette, as described with the Landscape Concept Design Report prepared by CJ Arms dated 28 August 2025 (submitted with the Additional Information);
- (c) be consistent with the Bayside Council *Landscape Technical Specification 2022*, Adopted 22 March 2023;
- (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
- (e) be consistent with the Applicant's management and mitigation measures at Appendix 2.

B101. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.
- (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B100 for the life of the development.

Lighting

B102. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019);
- (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; and
- (c) is designed to comply with the requirements of *National Airports Safeguarding Framework Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*.

Signage and Fencing

B103. All signage and fencing must be erected in accordance with the development plans included in the EIS and Submissions Report.

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

COMMUNITY ENGAGEMENT

B104. The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 3, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B12);
 - (b) Erosion and Sediment Control Plan;
 - (c) a copy of the Flood Emergency Response Plan (see condition B27);
 - (d) Dewatering Management Plan (see condition B40);
 - (e) Construction Noise and Vibration Management Plan (see condition B53);
 - (f) Aboriginal Cultural Heritage Management Plan (see condition B63);
 - (g) Construction and Demolition Waste Management Plan (see condition B78);
 - (h) a copy of the Unexpected Contamination Finds Procedure (see condition B98); and
 - (i) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:

- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Wildlife Hazard Management Plan (see condition B8);
 - (ii) Traffic Management Plan (see condition B17);
 - (iii) a copy of the Flood Emergency Response Plan (see condition B29);
 - (iv) Water Management Plan (see condition B36);
 - (v) Air Quality Management Plan (see condition B47);
 - (vi) Noise Management Plan (see condition B56);
 - (vii) Aboriginal Cultural Heritage (see condition B63); and
 - (viii) Waste Management Plan (see condition B80).

C7. The Applicant must:

- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
- (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C8. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C10;
 - (b) the submission of a Compliance Report under condition C14;
 - (c) the submission of an Independent Audit under condition C16;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.
- C9. If identified as part of the review process (see condition C8) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 4 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

- C12. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).
- C13. A non-compliance notification submitted under condition C12 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

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

Compliance Reporting

- C14. Within 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 of 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 Report

- C18. Within 12 months of the commencement of operation of the development, and annually thereafter (or as otherwise agreed by the Planning Secretary), the Applicant must submit an Annual Environmental Management Report (AEMR) to the Planning Secretary. This report must:
- (a) identify the standards and performance measures that apply to the development;
 - (b) describe the works:
 - (i) carried out in the last 12 months;
 - (ii) to be carried out in the next 12 months;
 - (c) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (d) summarise and analyse the monitoring results for the development during the past year and identify any trends in the monitoring results over the life of the development;
 - (e) identify any non-compliance during the previous year; and
 - (f) describe what actions were, or are being, taken to ensure compliance.

Monitoring and Environmental Audits

- C19. 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

- C20. 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) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated quarterly;
 - (x) the Compliance Report of the development;
 - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xii) 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

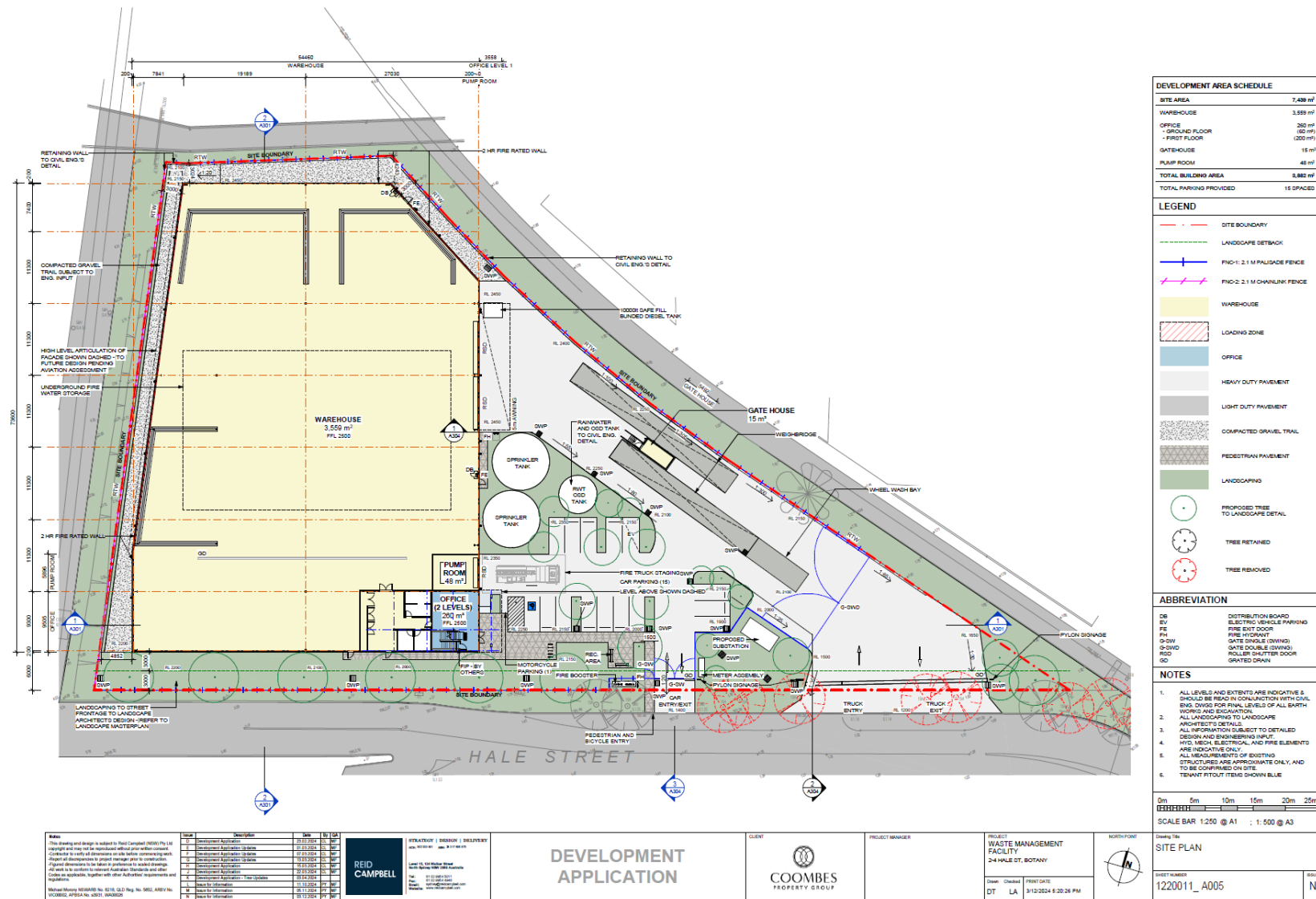


Figure 1: Site Plan(s)

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES



Waste Management Facility, Botany | SSD-62855708

CONSOLIDATED MANAGEMENT TABLE

Prepared for Coombes Property Group | 19 December 2025



el
em
ent.



Consolidated management and mitigation measures table

Reference	Mitigation measure	Timing
Aviation		
AV1	Following completion of the waste transfer building, coordinate a test flight with Airservices Australia to test the impact of the waste transfer building on ILS signals. Subject to the outcome of the test flight, incorporate a range of façade design measures into the western façade of the building to reduce any identified impact on ILS signals, to be agreed in consultation with Airservices Australia.	Construction
AV2	Obtain permits for the use of cranes during the construction phase in consultation with Sydney Airport and Airservices Australia.	Construction
AV3	Implement light fittings and lighting angles consistent with the requirements of Zones A and B to minimise off-airport lighting intensity and the risk of pilot distraction during landing.	Operation
AV4	Develop and implement a wildlife management plan in consultation with Sydney Airport to minimise the risk of wildlife attraction to the site.	Operation
Waste strategy		
WS1	Provide the site offices with designated waste and recycling storage areas and arrange for off-site transport by licensed contractors for recycling and/or disposal.	Operation
WS2	Develop a waste management plan (WMP) detailing the construction and operational waste types, expected generation and management, including the incoming waste procedure and unexpected finds protocol.	Construction/ operation
Air quality and odour		
AQ1	Develop and implement a dust management plan.	Construction
AQ2	Record all dust and air quality complaints, identify the cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.	Construction
AQ3	Undertake daily on-site and off-site inspections where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked.	Construction
AQ4	Plan site layout so that machinery and dust-causing activities are located away from receptors, as far as is possible.	Construction
AQ5	Erect solid screens or barriers around dusty activities or the site boundary which should be at least as high as any stockpiles on site.	Construction
AQ6	Fully enclose the site or specific operations where there is a high potential for dust production and the site is active for an extensive period.	Construction
AQ7	Cover, seed or fence stockpiles to prevent wind erosion.	Construction
AQ8	Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.	Construction
AQ9	Use enclosed chutes and conveyors and covered skips.	Construction
AQ10	Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.	Construction
AQ11	Soft strip inside buildings before demolition (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).	Construction
AQ12	Ensure effective water suppression is used during demolition operations.	Construction
AQ13	Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.	Construction

Reference	Mitigation measure	Timing
AQ14	Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out.	Construction
AQ15	Use water-assisted dust sweeper(s) on the access and local roads to remove, as necessary, any material tracked out of the site.	Construction
AQ16	Install hard-surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowsers, and regularly cleaned.	Construction
AQ17	Implement a wheel washing system with rumble grids.	Construction
AQ18	Use three-sided enclosures for stockpiles.	Operation
AQ19	Use a warehouse water misting system.	Operation
AQ20	Implement and maintain a complaints log.	Operation
Traffic and access		
TA1	Develop and implement management strategies within a detailed construction traffic and pedestrian management plan (CTPMP).	Construction
TA2	Implement an operational traffic management plan (OTMP).	Operation
Noise and vibration		
NV1	Consider the location of stationary plant such as concrete trucks and generators within the site to maximise their distance to industrial development along the northern boundary and residences to the east.	Construction
NV2	Switch off equipment such as trucks and concrete pumps when not in use.	Construction
NV3	Develop and implement a construction noise and vibration management plan (CNVP).	Construction
NV4	Schedule heavy vehicle movements such that peak hour movements in the traffic impact assessment (TIA) are not exceeded.	Operation
NV5	Implement speed limit signage of no more than 10 km/h in hardstand areas.	Operation
NV6	Implement signage in line with the TIA including 'no right turn' signs on both sides of Hale Street facing westbound traffic and 'no left turn' signs on the exit driveway.	Operation
NV7	Construct the warehouse with materials designed to achieve the minimum sound insulation performance listed within the noise impact assessment (NIA).	Operation
Flood risk		
FR1	Raise finished floor levels of the buildings 0.5 m above the 1% annual exceedance probability (AEP) flood level to reduce the risk of flood water ingress to buildings.	Operation
FR2	Maintain existing flood storage within the site to prevent flood afflux in a 1% AEP flood event.	Operation
FR3	Maintain existing overland flow for events greater than 1% including climate change to 2100, and probable maximum flood (PMF) through the incorporation of a culvert to divert water through the site between Hale Street and the Sydney Water drainage channel.	Operation
FR4	Design the building to withstand inundation to the PMF flood level and construct it from flood-compatible materials.	Operation
FR5	Design the fencing to be entirely flow-through or open-form fencing to prevent impeding floodwater flow.	Operation
FR6	Locate the substation at the 1% AEP flood level + 0.5 m freeboard to protect it from damage in a 1% AEP flood event.	Operation
FR7	Contain all waste within the building above 1% + 0.5 m freeboard (including the climate change scenario) and close doors during flood events to prevent building contents from being released into the flood water.	Operation
FR8	Adopt a second vehicle entry to improve the ability to evacuate the site safely.	Operation

Reference	Mitigation measure	Timing
FR9	Implement the Flood Emergency Response Plan (FERP)	Operation
Surface water		
SW1	Develop erosion and sediment controls in accordance with the Blue Book to minimise the risk of erosion of soil and transport into the stormwater system.	Construction
SW2	Establish procedures for the proper handling of materials, including bunding of material storage areas, to minimise the risk of pollution in the event of an accident or spill.	Construction
SW3	Implement the design measures from the integrated water management strategy (IWMS), including water sensitive urban design (WSUD) techniques to reduce the demand on potable water by capturing and re-using rainwater and treating water prior to discharge to meet stormwater quality standards.	Operation
Hazard and risks		
HR1	Store dangerous goods and hazardous materials in a designated storage area to comply with relevant standards.	Operation
HR2	Install adequate fire protection services, a hydrocarbon spill kit near the bunded diesel tank and a spill kit near the chemical storage area.	Operation
HR3	Lock the site securely when not in operation.	Operation
Fire and incident management		
FI1	Install the fire safety measures within the building as required by the governing deemed-to-satisfy provisions of the National Construction Code (NCC).	Operation
FI2	Construct the west and north walls per the site plans to achieve 120/120/120 fire resistance level (FRL) as part of the perimeter access performance solution.	Operation
FI3	Maintain perimeter access per the site plans where access is primarily on the eastern side of the site.	Operation
FI4	Provide a fire hydrant system in accordance with NCC Clause E1D2 and designed to Australian Standards AS2419.1-2021.	Operation
FI5	Provide hose reels in accordance with NCC Clause E1D3.	Operation
FI6	Install an automatic fire sprinkler system in accordance with NCC Clause E1D3 and would be designed to AS2118.1-2017.	Operation
FI7	Install a building occupant warning system in accordance with NCC E2D3 and AS1670.1-2018.	Operation
FI8	Install an automatic fire water run-off containment system designed to contain the total hydraulic demand of the fire hydrant system, as well as a rationalised hydraulic demand of the sprinkler system.	Operation
FI9	Incorporate the following for each internal (combustible) stockpile: <ul style="list-style-type: none"> ▪ Limit the volume to 1,000 m³. ▪ Limit the height to 6 m. ▪ Maintain a 6 m unobstructed access on all accessible sides. 	Operation
FI10	Prior to operations at the facility commencing, the operator will do as follows: <ul style="list-style-type: none"> ▪ Document and implement an operations plan for stockpile management. The operations plan shall outline on-site measures to ensure that unloading/transitory stockpiles are appropriately cleared by the end of business. A copy of the operations plan would be included within the emergency services information package (ESIP). ▪ Provide an incident response management for staff and other persons at the facility in the event of fire. ▪ Provide an ESIP for firefighters in accordance with Fire and Rescue New South Wales (FRNSW) guideline 'Emergency services information package and tactical fire plans', 2019. 	Operation
FI11	Prepare a fire safety study following development approval to confirm the suitability of the fire safety strategy.	Construction

Reference	Mitigation measure	Timing
Soils and contamination		
SC1	Implement the recommendations of the remedial action plan (RAP), including further assessment to address data gaps, actions to remediate each of the identified contamination risks and establishment of safety and environmental controls prior to remediation works.	Construction
SC2	Develop and implement a validation plan to collect data during remediation and construction works to assess the effectiveness of the implemented management actions. Document the final condition of the site at the completion of all works. Such information will enable conclusions to be drawn about the suitability of the site for the proposed use.	Construction
SC3	Implement the recommendations of the acid sulfate soils management plan (ASSMP), including further investigations to confirm the distribution of acid sulfate soils (ASS)/potential acid sulfate soils (PASS) within the site and actions to manage ASS/PASS related risks.	Construction
Aboriginal heritage		
AH1	<p>Prepare an Aboriginal cultural heritage management plan (ACHMP) to:</p> <ul style="list-style-type: none"> ▪ Provide key project approvals information for Aboriginal heritage. ▪ Facilitate ongoing consultation with registered Aboriginal parties. ▪ Establish a methodology for archaeological investigation of 2-4 Hale Street potential Aboriginal deposit (PAD) 01 and report on the results. ▪ Align the timing of archaeological investigations with contamination testing, so contamination results inform worker safety for subsequent archaeological investigations. ▪ Provide design and constructability guidance, particularly the approach to underground storage tank (UST) remediation, to inform the archaeological investigation methodology. ▪ Assess any suspected Aboriginal objects recovered during excavations. An archaeologist will complete a visual and tactile assessment, record confirmed Aboriginal objects in a catalogue and, undertake quantitative analysis where appropriate to support archaeological interpretation. Where these methods do not address the ACHMP research requirements, complete additional analysis, which may include X-ray fluorescence (XRF) analysis. ▪ Implement an unexpected finds procedure. ▪ Prepare the ACHMP in consultation with registered Aboriginal stakeholders. ▪ Identify whether archaeological salvage excavation is required before and/or as part of the main works program, depending on the results of further investigation and assessment. 	Construction
AH2	Understand the triggers for archaeological monitoring and undertake test excavation in accordance with the test excavation methodology if required.	Construction
Visual		
V1	Construct the development in line with the architectural plans, designing it to integrate with its surroundings by responding to the mix of industrial, commercial and residential zones and the nearby infrastructure precincts and corridors. Apply proportional, coherent design with disciplined material and finish selections, including recessive colours and features, to ensure the facility sits comfortably within its setting.	Operation
V2	Construct the building height in accordance with the architectural plans, setting the height in response to the surrounding environment and aviation-expert advice to achieve an outcome compatible with Sydney Airport's operational needs.	Operation
V3	Construct the warehouse consistent with the architectural plans, locating the warehouse bulk on the western side of the site to maximise separation from the closest residents to the east.	Operation

Reference	Mitigation measure	Timing
V4	Implement landscaping in accordance with the landscape plans to enhance the industrial setting with strategic green spaces, soften the site frontage and improve visual amenity along Hale Street, further reducing visual impacts.	Operation
Ecological sustainable development		
E1	Implement the following initiatives to achieve energy efficiency: <ul style="list-style-type: none"> ▪ electrification; ▪ renewable energy systems; ▪ efficient lighting systems; ▪ energy metering and monitoring; ▪ hot water from energy efficient heat pump systems; and ▪ integration of cool roofing. 	Operation
E2	Explore the following initiatives during detailed design to achieve responsible water consumption and WSUD: <ul style="list-style-type: none"> ▪ Low-flow water fixtures. ▪ Efficient irrigation systems, including underground surface drip systems, moisture sensors, and the use of native plants in the landscaping plan. ▪ A 60kL rainwater tank system to maximise rainwater reuse through irrigation, truck wheel washdown and warehouse dust suppression. Rainwater will be captured from the roof of the buildings to reduce potable water demand. 	Operation
E3	Consider the use of the following materiality as part of the design: <ul style="list-style-type: none"> ▪ Low VOC and low formaldehyde materials. ▪ Best-practice PVC. ▪ Steel from a sustainable steel manufacturer, where it is available in the market at the time of construction. ▪ Forestry Timber Council (FSC) timber throughout. ▪ Sustainable concrete to reduce embodied carbon where it is available in the market at the time of construction. 	Operation
E4	Incorporate the following initiatives to minimise the urban heat island effect and provide a more comfortable environment for employers/occupants: <ul style="list-style-type: none"> ▪ Retain existing vegetation on site where possible. ▪ Use light-coloured external materials and a roof. ▪ Design to have the minimum façade opening. ▪ Design the building fabric and glazing to address Section J Part J4 compliance requirements of the NCC. 	Operation

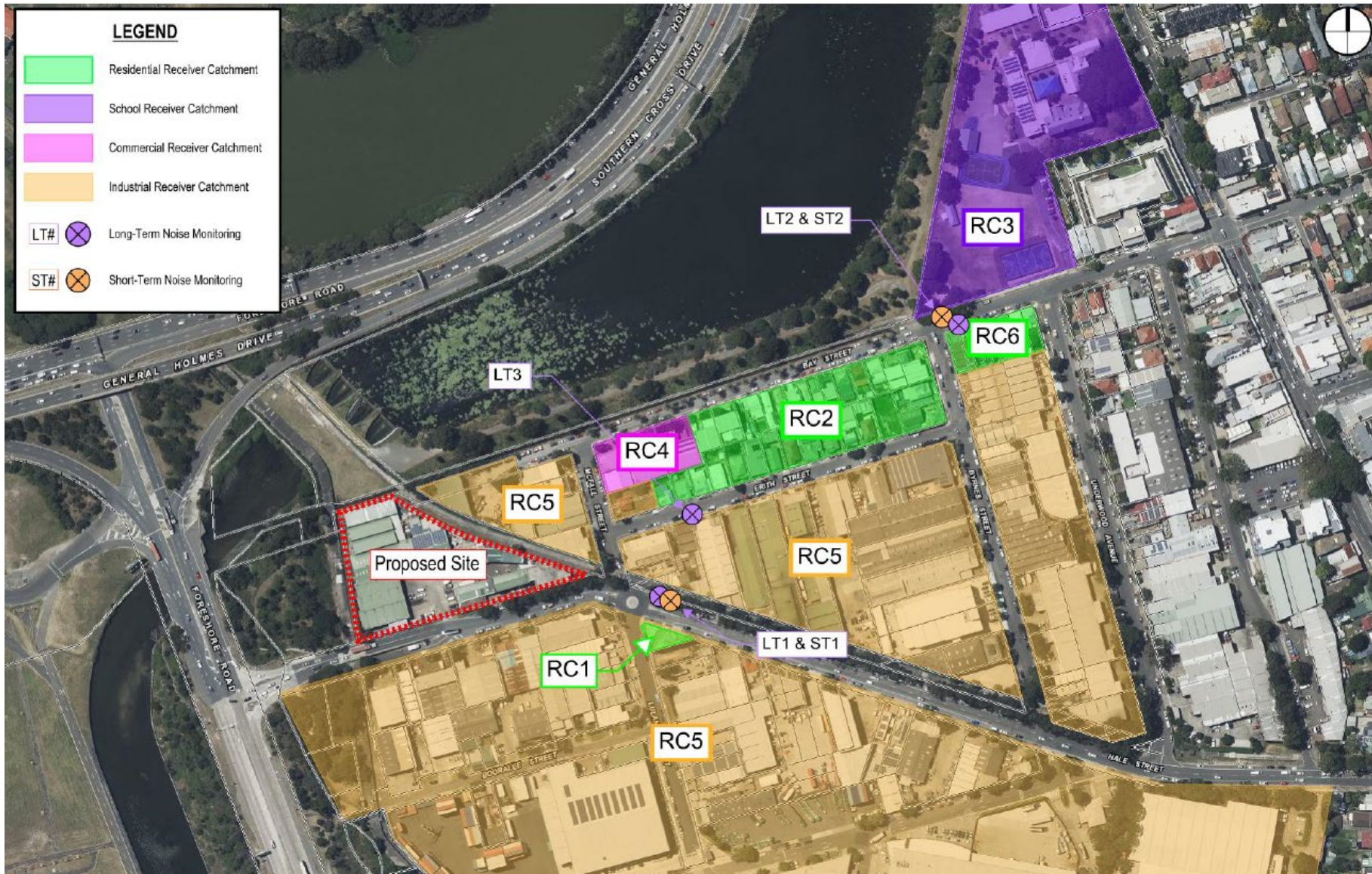


SYDNEY NEWCASTLE CENTRAL COAST TOWNSVILLE
elementenvironment.com.au





APPENDIX 3 SENSITIVE RECEIVERS



APPENDIX 4 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.