

Development Consent

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

As delegate for the Minister for Planning under delegation executed on 16 February 2015, I grant consent to the Development Application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/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.



Anthea Sargeant 3/5/16
Executive Director
Key Sites and Industry Assessments

Sydney

2016

File: 15/04284

SCHEDULE 1

Application No.:	SSD 6954
Applicant:	IKEA Distribution Services Australia Pty Ltd
Consent Authority:	Minister for Planning
Land:	Lots 1, 3 and 4 in Deposited Plan 41208554, Lots 128 and 132 in Deposited Plan 1194052 and Lot 102 in Deposited Plan 1188147.
Development:	A warehouse and distribution centre comprised of the following: • construction and operation of a warehouse and distribution centre with a total gross floor area (GFA) of 70,391 m²; • 75 loading docks; • 262 on-site car parking spaces; • 6 motorcycle parking spaces; • 50 bicycle parking spaces; • on-site stormwater management; • staff amenities; • site landscaping; • construction of estate Road 5; and • construction of estate stormwater detention Basin B.

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DEFINITIONS

Act, the	<i>Environmental Planning and Assessment Act 1979</i>
Ancillary Facility	Temporary facility for construction, including for example an office and amenities compound, construction compound, batch plant (concrete or bitumen), materials storage compound, maintenance workshop, testing laboratory or material stockpile area
Applicant	IKEA Distribution Services Pty Ltd or any other person(s) entitled to act upon this consent
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
CEMP	Construction Environmental Management Plan
Certifying Authority	Means a person who is authorised under section 109D of the <i>Environmental Planning and Assessment Act 1979</i>
Council	Blacktown City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning and Environment, and its successors
Development	The development that is approved by this Development Consent and as generally described in Schedule 1
EEC	Endangered Ecological Communities
EIS	Environmental Impact Statement
Evening	The period from 6 pm to 10 pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Growth Centres DCP	Blacktown City Council <i>Growth Centre Precincts Development Control Plan 2010</i>
Heavy Vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement such as a shared associations in pastoral landscapes as well as associations linked with the mission period
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>
Incident	A set of circumstances that: • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this consent
Minister	Minister for Planning
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
OEH	Office of Environment and Heritage
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Principal Certifying Authority	Means a principal certifying authority appointed under section 109E of the <i>Environmental Planning and Assessment Act 1979</i> .
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Regulation, the	<i>Environmental Planning and Assessment Regulation 2000</i>
RTS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment, or nominee
Site	Land referred to in Schedule 1
TfNSW	Transport for NSW

SCHEDULE 2

PART A: ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

TERMS OF CONSENT

- A2. The Applicant shall carry out the development in accordance with:
- (a) State Significant Development Application SSD 6954;
 - (b) Environmental Impact Statement titled '*Proposed IKEA Multi-Function Logistics Unit and associated Civil and Infrastructure Works SSD_6954*', prepared by FDC Construction and Fit out Pty Ltd, dated 8 July 2015;
 - (c) Response to Submissions Report titled '*Response to Submissions – Proposed IKEA Multi-Function Logistics Unit and associated Estate and Civil Infrastructure Works SSD_6954*', prepared by FDC Construction and Fit out Pty Ltd dated 26 November 2015; and
 - (d) the approved plans and drawings listed at **Appendix 1**.
- A3. If there is any inconsistency between the plans and documentation referred to in Condition A2, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.
- A4. The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this consent; and
 - (b) the implementation of any actions or measures contained within these documents.

LIMITS OF CONSENT

- A5. This consent lapses five years after the date of determination, unless the development has physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under section 95 of the Act.

The Applicant shall ensure the total building area does not exceed 70,391 m², consisting of:

- (a) 69,033 m² of warehouse floor space; and
- (b) 1,358 m² of ancillary office floor space.

- A6. The sale or display of goods for retail to the general public is not permitted.

STAGING

- A7. The Applicant may elect to construct and/ or operate the development in stages. Where staging is proposed, the Applicant shall submit a Staging Report to the Secretary prior to the commencement of construction works within the first stage of the development. The Staging Report shall include the following details:
- (a) how the development will be staged, including general details of work activities associated with each stage and the general timing of when each stage will commence; and
 - (b) details of the relevant conditions of consent, which will apply to each stage and how these conditions will be complied with across and between the stages of the development.

Where staging of the development is proposed, the conditions of consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

Note: These conditions do not relate to staged development within the meaning of section 83B.

STAGED SUBMISSION OF PLANS OR PROGRAMS

- A8. With the approval of the Secretary, the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
 - (b) combine any strategy, plan or program required by this consent.
- A9. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program. A clear relationship between the strategy, plan or program that is to be combined shall be demonstrated.

EVIDENCE OF CONSULTATION

- A10. Where consultation with any public authority is required by the conditions of this consent, the Applicant shall:
- (a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the Certifying Authority for approval, where required;
 - (b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and
 - (c) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant or any person acting on this development consent.

DISPUTE RESOLUTION

- A11. In the event that a dispute arises between the Applicant and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.

STATUTORY REQUIREMENTS

- A12. The Applicant shall ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

STRUCTURAL ADEQUACY AND CERTIFICATION

- A13. The Applicant shall ensure all new buildings and structures, and any alterations or additional to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.
- A14. Under Part 4A of the Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the Regulation sets out the requirements for the certification of the development.

UTILITIES AND SERVICES

- A15. Prior to the construction of any utility works associated with the development, the Applicant shall obtain relevant approvals from service providers.
- A16. Prior to occupation of the development, the Applicant shall obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site from Sydney Water Corporation under Section 73 of the *Sydney Water Act 1994*.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A17. Prior to the commencement of construction, the Applicant shall:
- (a) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (b) submit a copy of this report to the Secretary and Council.
- A18. The Applicant shall:
- (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

COMPLIANCE

- A19. The Applicant shall ensure all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- A20. The Applicant shall be responsible for any environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

OPERATION OF PLANT AND EQUIPMENT

- A21. The Applicant shall ensure all plant and equipment used for the development is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.
- A22. The applicant shall ensure TransGrid's restrictions are applied to any crane, elevated work platform or any other plant proposed to be operated within the TransGrid transmission line easement. The Applicant shall not operate any mobile plant and equipment which exceeds a height of 4.2 metres within the TransGrid transmission line easement.

SECTION 94 CONTRIBUTIONS

- A23. In accordance with Division 6, Part 4 of the Act, the contributions contained in **Table 1** below, determined in accordance with Blacktown City Council's *Section 94 Contributions Plan No. 21 - Marsden Park Industrial Precinct*, as at the date of this consent, shall be paid to Council in full prior to the issue of any Construction Certificate for the building work (authorised by this consent).

The amounts contained in **Table 1** below are base contributions which will be indexed from the nominated base date to the date of payment. Payment of the indexed amounts shall be made to Council (by bank cheque if immediate clearance is required).

Table 1: Contribution Items

Contribution Item	Base Amount (\$)	Relevant Plan	Contributions	Base Date
(i) Stormwater Quantity				
- Marsden Creek	438,471	No. 21		Dec 2012
- Little Creek	5,375,581	No. 21		Dec 2012

(ii) Stormwater Quality			
- Marsden Creek SWQ3	62,979	No. 21	Dec 2012
- Little Creek SWQ5	7,133	No. 21	Dec 2012
- Little Creek SWQ6	325,430	No. 21	Dec 2012
(iii) Traffic Management	1,872,177	No. 21	Dec 2012
TOTAL	8,081,771		

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Consumer Price Index (Sydney All Groups).

A copy of Council's *Section 94 Contributions Plan No. 21 - Marsden Park Industrial Precinct* may be inspected/purchased from Council's Development Services Unit.

The section 94 contribution(s) have been based on a total developable area of 15.5218 hectares. Should the final plan of survey indicate any change in the total developable area, the section 94 contribution(s) will be adjusted accordingly.

- A24. If the carrying out of works to provide an item of infrastructure set out in the *Section 94 Contributions Plan No 21 - Marsden Park Industrial Precinct* is accepted in part or in full satisfaction of Condition A23 above, to pay the contribution(s) under section 94 (5) of the Act, the works shall be the subject of a works-in-kind agreement executed in accordance with the provisions of Council's *Contributions Plan No 21 - Marsden Park Industrial Precinct*.

SPECIAL INFRASTRUCTURE CONTRIBUTIONS

- A25. A special infrastructure contribution is to be made in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011* (as in force when this consent becomes operative).

A person may not apply for a Construction Certificate for works in relation to the development the subject of this consent unless the person provides the Certifying Authority with written evidence from the Department that the liability to make the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been discharged, or that arrangements are in force with respect to the discharge of the liability.

EASEMENTS

- A26. The creation of easements for services, rights of carriageway and restrictions as to user are applicable under section 88E of the *Conveyancing Act 1919*, including (but not limited to) the following:
- easements for sewer, water supply and drainage over all public services/infrastructure on private property;
 - drainage easements are to be placed over all subsurface drains and interallotment drainage, benefiting and burdening the property owners; and
 - maintenance of the subsurface drains is to be included in the 88E Instrument.

Any section 88E Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

- A27. An all-weather access track shall be constructed and maintained within the drainage easement to enable Council to access Basin B until South Street is upgraded.

PART B: ENVIRONMENTAL PERFORMANCE

TRAFFIC AND ACCESS

Operating Conditions

B1. The Applicant shall 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 and AS 2890.2;
- (b) the swept path of the longest vehicle entering and exiting the subject 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;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Access

B2. Prior to the commencement of construction works for estate Road 5, the Applicant shall obtain approval for the works under section 138 of the *Roads Act 1993*.

B3. Prior to the issue of any Occupation Certificate, the Applicant shall:

- (a) construct estate Road 5 in accordance with Council's engineering specifications; and
- (b) provide written evidence to the Certifying Authority that Council will accept the dedication of Road 5.

Estate Road 5 shall be dedicated to Council within six months of Council agreeing to accept dedication of the road, or at another time as agreed with the Council.

Parking and Amenities

B4. The Applicant shall provide:

- (a) a minimum of 262 on-site car parking spaces (including six disabled spaces) for use during operation of the development;
- (b) 6 motorcycle parking spaces;
- (c) 50 bicycle parking spaces; and
- (d) amenity and change room facilities for cyclists.

B5. In the event more than 100 staff are required on-site in any given shift, the Applicant shall submit the following information to the Secretary for approval:

- (a) a Traffic Report prepared by a suitably qualified traffic consultant that identifies the number of additional car parking spaces required to service the additional employees;
- (b) a plan identifying the location of the additional car parking spaces required to service the additional employees; and
- (c) certification from a suitably qualified traffic consultant confirming the design and layout of the additional car parking spaces complies with AS 2890.1 and AS 2890.2.

Once approved by the Secretary, the additional car parking spaces shall be provided prior to staff exceeding 100 persons in any given shift and shall remain in place for the life of the development.

Construction Traffic Management Plan

- B6. Prior to the commencement of construction, the Applicant shall prepare a Construction Traffic Management Plan (CTMP) for the development in consultation with Council, TfNSW, RMS and TransGrid, to the satisfaction of the Secretary. The plan shall form part of the CEMP required under Condition C1. The CTMP shall:
- (a) detail the measures that will be implemented to ensure road safety, network efficiency and access during construction;
 - (b) contain a drivers code of conduct to:
 - (i) minimise the impacts of construction on the local and regional road network; and
 - (ii) minimise conflicts with other road users.
 - (c) detail heavy vehicle routes, access and parking arrangements;
 - (d) detail access to the site via the Richmond Road/ Hollinsworth Road;
 - (e) demonstrate how access to private properties will be maintained at all times; and
 - (f) if necessary, detail procedures for notifying any nearby residents of any potential disruptions to routes.

Operational Traffic Management Plan

- B7. Prior to the issue of any Occupation Certificate, the Applicant shall prepare an Operational Traffic Management Plan (TMP) for the development in consultation with TfNSW and the Council, and to the satisfaction of the Secretary. The Plan shall at a minimum:
- (a) be submitted to the Secretary for approval prior to the issue of any Occupation Certificate for the warehouse building;
 - (b) be prepared by a suitably qualified and experienced expert;
 - (c) estimate the numbers and frequency of truck movements, sizes of trucks and vehicle routes;
 - (d) detail the access and parking arrangements for operational vehicles to ensure road and site safety, and demonstrate there will be no queuing on the public road network;
 - (e) specify access to the site will occur via Richmond Road/Hollinsworth Road until such time that South Street is upgraded to support heavy vehicle movements;
 - (f) include detail of proposed truck parking to ensure this is managed in an orderly manner; and
 - (g) include a Driver Code of Conduct that details traffic management measures to be implemented during operation to:
 - (i) minimise impacts of the development on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) ensure truck drivers use specified routes and minimise traffic noise during night-time hours; and
 - (iv) manage/control pedestrian movements.
- B8. The Applicant shall ensure the Operational TMP (as revised and approved by the Secretary from time to time) is implemented for the operational life of the development.

Work Place Travel Plan

- B9. Prior to the issue of an Occupation Certificate, the Applicant shall prepare a Work Place Travel Plan in consultation with TfNSW to the satisfaction of the Certifying Authority.
- B10. The Applicant shall ensure the Work Place Travel Plan endorsed by the Certifying Authority (as revised from time to time) is implemented for the operational life of the development.

SOIL AND WATER

Stormwater Management Plan

- B11. Prior to the commencement of construction works, the Applicant shall prepare and submit a Stormwater Management Plan to the satisfaction of the Secretary. The plan shall:
- (a) be prepared by a suitably qualified engineer prior to the commencement of the relevant works in consultation with Council;

- (b) be prepared generally in accordance with the:
 - (i) *Blacktown City Council Growth Centres Precincts Development Control Plan, 2010* and *Blacktown City Council's Engineering Guide for Development 2005*;
 - (ii) Civil Engineering Report (Version C), prepared by Cardno Limited, dated 9 July 2015;
 - (iii) Stormwater Management Strategy (Issue D), prepared by Calibre Consulting, dated 12 November 2015;
 - (iv) recommendations of the *Protecting Little Creek – Marsden Park Industrial Precinct Little Creek Catchment Alternate Stormwater Management Strategy*, prepared by Bligh Tanner Pty Ltd, dated 23 June 2015; and
 - (v) OEH's *Managing Urban Stormwater: Soils and Construction Guideline*;
 - (c) identify all building works to be constructed relevant to the Construction Certificate that the works relate to;
 - (d) incorporate design plans and accompanying design notes only, including any rainwater harvesting;
 - (e) incorporate bio-retention basins, bio-swales, on-site detention tanks, gross pollutant traps;
 - (f) described the measures that will be implemented to maintain this infrastructure during the life of the development; and
 - (g) include a program for maintenance and monitoring to ensure stormwater quantity and quality is maintained, and detail the procedures to be undertaken if any non-compliance is detected.
- B12. The works approved under the Stormwater Management Plan (as revised and approved by the Secretary from time to time) shall be installed prior to the issue of the Occupation Certificate for the works that they relate to, and shall be maintained by the Applicant over the life of the development. Any stormwater works within the public road reserves and Lot 3 DP 1208554 shall be constructed prior to dedication to the relevant Council.
- B13. In the event that Basin B is not connected to Council's diversion pipe prior to the issue of any Occupation Certificate for the warehouse building, the Applicant shall prepare an **Interim Stormwater Management Plan** to manage the impact of the development on the Little Creek chain of ponds. The Interim Stormwater Management Plan shall:
- (a) be submitted to the Secretary for approval prior to the issue of any Occupation Certificate for the development;
 - (b) be prepared by a suitably qualified engineer;
 - (c) be prepared in consultation with Council; and
 - (d) be prepared generally in accordance with the recommendations of the *Protecting Little Creek – Marsden Park Industrial Precinct Little Creek Catchment Alternate Stormwater Management Strategy*, prepared by Bligh Tanner Pty Ltd, dated 23 June 2015.
- B14. The works approved under the Interim Stormwater Management Plan (as revised and approved by the Secretary from time to time) shall be installed and maintained until Basin B is connected to Council's diversion pipe.

Erosion and Sediment Control

- B15. During construction works, the Applicant shall implement and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Vol. 1* (Landcom, 2004) (the Blue Book).

Pollution of Waters

- B16. The Applicant shall comply with section 120 of the POEO Act, except as may be expressly permitted by a licence under the POEO Act.

NOISE

Construction Noise and Vibration

- B17. Construction activities associated with the development shall be undertaken during the following construction hours:
- (a) 7 am to 6 pm Mondays to Fridays, inclusive; and
 - (b) 8 am to 4 pm Saturdays; and
 - (c) at no time on Sundays or public holidays.
- B18. Construction works outside of the standard construction hours identified in Condition B17 may be undertaken in the following circumstances:
- (a) construction works that generate noise that is:
 - (i) no more than 5 dB(A) above rating background level at any residence in accordance with the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009); and
 - (ii) no more than the noise management levels specified in Table 3 of the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009) at other sensitive receivers; or
 - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
 - (d) works approved through an EPL, or by the Secretary; or
 - (e) works as approved through the out-of-hours work protocol outlined in the CEMP.
- B19. Activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:
- (a) between the hours of 8 am to 5 pm Monday to Friday;
 - (b) between the hours of 8 am to 4 pm Saturday; and
 - (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.

For the purposes of this condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.

- B20. The development shall be constructed with the aim of achieving the following construction vibration goals:
- (a) for structural damage, the vibration limits set out in the German Standard *DIN 4150-3: Structural Vibration - effects of vibration on structures*; and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (Department of Environment and Conservation, 2006).
- B21. Wherever practical, piling activities shall be undertaken using quieter alternative methods than impact or percussion piling, such as bored piles or vibrated piles.
- B22. Where feasible and reasonable, operation noise mitigation measures shall be implemented at the start of construction (or at other times during construction) to minimise construction noise impacts.

Construction Noise Limits

- B23. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the management and mitigation measures in the RTS.

Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.

Operational Noise Limits

B24. The Applicant shall ensure that the noise generated by the operation of the development does not exceed the noise limits set out in **Table 1** below.

Table 1 - Maximum Operational Noise Limits

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)
All residential premises identified in Appendix 3 of this consent	47	45	43	51

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

Noise Management

B25. The Applicant shall:

- (a) implement best management practice, including all reasonable and feasible measures to prevent and minimise noise and vibration during construction and operation of the development (including low frequency noise and traffic noise);
- (b) minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;
- (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- (d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

B26. Within three months of the commencement of operations on-site, the Applicant shall undertake and submit noise testing to the satisfaction of the Secretary. The additional testing shall:

- (a) be undertaken by a suitably qualified acoustic consultant; and
- (b) assess compliance with the operational noise limits under Condition B24 at all residential receptors within 400 metres of the site.

B27. In the event the noise testing undertaken pursuant to Condition B26 demonstrates the operational noise does not comply with the noise limits identified in Condition B24, the Applicant shall submit the following information to the Secretary for approval within six weeks of the completion of the noise testing:

- (a) an Operational Noise Compliance Report, prepared by a suitably qualified acoustic consultant, identifying the mitigation and/or management measures that could be implemented to ensure compliance with the operational noise limits in Condition B24; and
- (b) a program for additional noise testing.

The recommendations of the Operational Noise Compliance Report and the noise testing program shall be implemented within two months of the Secretary's approval.

Hours of Operation

B28. The development, including the ancillary office space may operate 24 hours per day, seven days per week.

AIR QUALITY

B29. The Applicant shall:

- (a) implement best management practice, including all reasonable and feasible mitigation measures to prevent and minimise dust and odour emissions from operation of the development;
- (b) minimise any visible off-site air pollution that occurs as a result of construction and operation the development; and
- (c) ensure the development does not cause or permit the emission of any offensive odour (as defined by the POEO Act).

Dust Management

B30. During construction, the Applicant shall ensure:

- (a) all vehicles on site do not exceed a speed limit of 30 kilometres per hour;
- (b) all loaded vehicles entering or leaving the site have their loads covered; and
- (c) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.

DANGEROUS GOODS

B31. The storage of Dangerous Goods shall not exceed the thresholds outlined in the *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33*.

B32. Dangerous Goods, as defined by the *Australian Dangerous Goods Code*, shall be stored and handled strictly in accordance with all relevant Australian Standards.

WASTE

Classification

B33. The Applicant shall ensure that any waste generated on the site is classified in accordance with the EPA's *Waste Classification Guidelines* (DECCW, 2009) or any superseding document and disposed of to a facility that may lawfully accept the waste.

Waste Management

B34. For the life of the development, the Applicant shall:

- (a) monitor the amount of waste generated by the development;
- (b) investigate ways to minimise waste generated by the development; and
- (c) implement reasonable and feasible measures to minimise waste generated by the development in accordance with the Waste Management Plan entitled *Waste Management Plan – IKEA MFLU*, prepared by FDC Construction and Fit-Out dated 12 May 2015.

B35. The collection of waste generated during the operation of the development shall be undertaken between 6 am to 6 pm Monday to Saturday, and 10 am to 4 pm on Sunday and public holidays.

VISUAL AMENITY

External Lighting

B36. The Applicant shall ensure that the lighting associated with the development:

- (a) complies with the latest version of *AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage

B37. All signage shall be erected in accordance with specifications identified in the following drawings:

- (a) DA 06 Elevations (Revision D) prepared by Watson and Young and dated 8 February 2016;
- (b) DA 07 Elevations (Revision D) prepared by Watson and Young and dated 8 February 2016; and
- (c) DA 08 Elevations (Revision D) prepared by Watson and Young and dated 8 February 2016.

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

B38. The Applicant shall not erect any signage on any part of the warehouse building that is over 18 m in height.

Landscaping and Vegetation Management

B39. The Applicant shall prepare and submit a **Landscape and Vegetation Management Plan** to the Certifying Authority prior to the implementation of landscaping works on-site. The plan shall:

- (a) be prepared in consultation with Council and TransGrid and submitted to the satisfaction of the Certifying Authority prior to the implementation of landscaping works on-site;
- (b) include evidence to demonstrate the size of the trees proposed for planting will grow to a suitable size to offset the visual impacts of the development prior to the issue of any Occupation Certificate for the warehouse building;
- (c) include evidence to demonstrate no trees within or immediately adjacent to the TransGrid easement will exceed a height of 3 metres at full maturity;
- (d) provide evidence to demonstrate the proposed landscaping is suitable to manage the risk of bushfire on-site;
- (e) ensure landscaping comprises native species that require minimal water;
- (f) demonstrate planting will be undertaken in accordance the Growth Centres DCP; and
- (g) describe the on-going measures that will be implemented to maintain landscaping and vegetation on-site for the life of the development.

B40. The Applicant shall complete all site landscaping identified in the approved Landscape and Vegetation Management Plan prior to the issue of any Occupation Certificate for the warehouse building.

TRANSGRID TRANSMISSION LINE EASEMENT

B41. The Applicant shall ensure TransGrid is able to access the transmission line towers via its easement 24 hours per day, seven days per week.

Pre-Construction

B42. Prior to the issue of a Construction Certificate, the Applicant shall provide a copy of the earthing study undertaken within 30 metres of the transmission line towers within the site to the Secretary.

B43. Prior to the issue of any Construction Certificate for the warehouse building, the Applicant shall submit designs of the proposed fencing within the TransGrid transmission line to TransGrid. The fencing design shall:

- (a) be prepared in consultation with TransGrid;
- (b) be submitted to the satisfaction of TransGrid; and
- (c) be consistent with and incorporate the recommendations of the earthing study undertaken for the site.

B44. Prior to commencing construction, the Applicant shall notify TransGrid to enable a TransGrid Easement Officer to attend the site induction.

- B45. The Applicant shall ensure TransGrid is provided access to its infrastructure for the duration of construction works.
- B46. The Applicant shall establish a 20 metre exclusion zone surrounding the towers within the transmission line easement during construction. No works of any kind are permitted within the 20 metre exclusion zone.
- B47. The Applicant shall carry out the construction of the development in accordance with NSW WorkCover's *Work Near Overhead Power Lines Code of Practice, 2006*.
- B48. The Applicant shall not place any stockpile of earth or any other material within the transmission line easement during construction.
- B49. Prior to the commencement of construction works, the Applicant shall ensure all temporary fencing has been installed to prevent vehicles colliding with the transmission line towers. All temporary fencing shall be earthed and every second panel isolated.
-

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

- C1. The Applicant shall prepare a **Construction Environmental Management Plan (CEMP)** to the satisfaction of the Secretary. The CEMP shall:
- (a) be prepared by a suitably qualified and experienced person in consultation with Council;
 - (b) be approved by the Secretary prior to the commencement of construction;
 - (c) outline all environmental management practices and procedures to be followed during construction works associated with the development;
 - (d) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages;
 - (e) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (f) describe of the roles and responsibilities of all relevant employees involved in construction works associated with the development; and
 - (g) include all sub-management plans required under Condition C2 of this consent.
- C2. As part of the CEMP required under Condition C1 of this consent, the Applicant shall include the following:
- (a) Construction Traffic Management Plan (see Condition B6);
 - (b) Stormwater Management Plan(see Condition B11); and
 - (c) community consultation and complaints handling procedure.
- C3. The approved **Construction Environmental Management Plan** (as revised and approved by the Secretary from time to time) shall be implemented by the Applicant for the duration of the construction works.

ENVIRONMENTAL REPORTING

Incident Reporting

- C4. Upon detecting an exceedance of the limits/performance criteria in this consent or the occurrence of an incident that causes (or may cause) material harm to the environment, the Applicant shall immediately (or as soon as practical thereafter) notify the Secretary and other relevant agencies of the exceedance/incident. Within seven days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

- C5. The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

ADVISORY NOTES

Appeals

The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* (as amended).

Other Approvals and Permits

The Applicant shall apply to the Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other

approvals under Section 68 (Approvals) of the *Local Government Act 1993* or Section 138 of the *Roads Act 1993*.

Responsibility for other Consents/Agreements

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Long Service Levy

For work costing \$25,000 or more, a Long Service Levy shall be paid prior to the issue of each Construction Certificate issued for this development. For further information please contact the Long Service Payments Corporation on their Helpline 13 14 41.

Required Signage

Signage shall be installed in a prominent position detailing:

- (a) the name, address and telephone number of the Principal Certifying Authority for the development;
- (b) the name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- (c) unauthorised entry to the site is prohibited.

Temporary Structures

An approval under *State Environmental Planning Policy (Temporary Structures) 2007* shall be obtained from Council for the erection of any temporary structures. The application shall be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer shall be submitted to the council with the application under *State Environmental Planning Policy (Temporary Structures) 2007* to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

No guarantee is given that the proposal complies with the Commonwealth *Disability Discrimination Act 1992*. The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. *The Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* provides that a person shall not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

The determination of this development consent has not involved any assessment of compliance with the *Environment Protection and Biodiversity Conservation Act 1999*. It is the Applicant's responsibility to consult the Department of Environment to determine the need or otherwise for Commonwealth approval. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Site Contamination Issues During Construction

Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination the Department shall be immediately notified and works shall cease. Works shall not recommence on site until consultation is made with the Department.

APPENDIX 1 - SITE PLANS AND ELEVATIONS

Revised Architectural Plans Prepared by Watson Young			
Drawing No.	Revision	Name of Plan	Rev. Date
DA 01	C	Locality Plan Drawing Schedule	11/11/2015
DA 02	C	Site Plan	11/11/2015
DA 03	C	Floor Plan	11/11/2015
DA 03.1	C	Floor Plan (Continued)	11/11/2015
DA 04	D	Roof Plan	08/02/2016
DA 04.1	C	Roof Plan (Continued)	11/11/2015
DA 05	E	Overall Elevations	07/03/2016
DA 06	D	Elevations	08/02/2016
DA 07	D	Elevations	08/02/2016
DA 08	D	Elevations	08/02/2016
DA 09	C	Sections	11/11/2015
DA 10	C	Gatehouse, Satellite & Office Floor Plans	11/11/2015
DA 11	D	Gatehouse, Satellite & Offices Elevations	08/02/2016
Marsden Park Industrial Stage 3.01 Road and Drainage Design Prepared by Calibre Consulting			
Drawing No.	Reference	Name of Plan	Rev. Date
001	3	General Layout Plan	23/6/2015
002	3	Standard Notes and Legend	23/6/2015
101	3	Sediment & Erosion Control Plan	23/6/2015
102	3	Sediment & Erosion Control Notes & Details	23/6/2015
301	3	Engineering Plan Sheet 01 of 04	23/6/2015
302	3	Engineering Plan Sheet 02 of 04	23/6/2015
303	3	Engineering Plan Sheet 03 of 04	23/6/2015
304	3	Engineering Plan Sheet 04 of 04	23/6/2015
310	3	Road No. 5 Longitudinal Section Sheet 01 of 03	23/6/2015
311	3	Road No. 5 Longitudinal & Typical Cross Section Sheet 02 of 03	23/6/2015
312	3	Road No. 5 Longitudinal Section Sheet 03 of 03	23/6/2015
Revised IKEA Civil Documentation Prepared by Cardno			
Drawing No.	Revision	Name of Plan	Rev. Date
80215051-01-1001	9	Drawing Schedule	12/10/2015
80215051-01-1011	9	General Arrangement Plan	12/10/2015
80215051-01-1201	10	Civil Works Plan Sheet 1	12/10/2015
80215051-01-1202	10	Civil Works Plan Sheet 2	12/10/2015
80215051-01-1203	10	Civil Works Plan Sheet 3	12/10/2015
80215051-01-1204	10	Civil Works Plan Sheet 4	12/10/2015
80215051-01-1321	9	Pavement, Signage & Linemarking Sheet 1	12/10/2015
80215051-01-1322	9	Pavement, Signage & Linemarking Sheet 2	12/10/2015
80215051-01-1323	9	Pavement, Signage & Linemarking Sheet 3	12/10/2015
80215051-01-1324	9	Pavement, Signage & Linemarking Sheet 4	12/10/2015
80215051-01-1341	8	Civil Works Details	12/10/2015
80215051-01-1360	5	Retaining Wall Locality Plan	12/10/2015
80215051-01-1361	9	Retaining Wall Elevations Sheet 1	12/10/2015
80215051-01-1362	9	Retaining Wall Elevations Sheet 2	12/10/2015
80215051-01-1363	9	Retaining Wall Elevations Sheet 3	12/10/2015
80215051-01-1364	9	Retaining Wall Elevations Sheet 4	12/10/2015
80215051-01-1365	9	Retaining Wall Elevations Sheet 5	12/10/2015
80215051-01-1401	7	Stormwater Catchment Plan	12/10/2015
80215051-01-1421	7	Stormwater Drainage Details Sheet 1	12/10/2015
80215051-01-1422	7	Stormwater Drainage Details Sheet 2	12/10/2015
80215051-01-1423	7	Stormwater Drainage Details Sheet 3	12/10/2015
80215051-01-1424	7	Stormwater Drainage Details Sheet 4	12/10/2015

80215051-01-1461	8	Stormwater Drainage Longitudinal Sections Sheet 1	12/10/2015
80215051-01-1462	8	Stormwater Drainage Longitudinal Sections Sheet 2	12/10/2015
80215051-01-1463	8	Stormwater Drainage Longitudinal Sections Sheet 3	12/10/2015
80215051-01-1464	8	Stormwater Drainage Longitudinal Sections Sheet 4	12/10/2015
80215051-01-1465	8	Stormwater Drainage Longitudinal Sections Sheet 5	12/10/2015
80215051-01-1466	8	Stormwater Drainage Longitudinal Sections Sheet 6	12/10/2015
80215051-01-1521	7	Erosion and Sediment Control Plan	12/10/2015
Plans contained within the Stormwater Management Strategy – Stage 3.01 Marsden Park, Prepared by Calibre Consulting			
Drawing No.	Revision	Name of Plan	Rev. Date
000	01	Cover Sheet	N/A
001	01	General Layout and Catchment Plan	13/10/2015
002	01	Standard Notes and Legend	13/10/2015
101	01	Bioretention Basin B Plan	13/10/2015
102	01	Bioretention Basin E Plan	13/10/2015
103	01	Typical Details Sheet 01 of 02	13/10/2015
104	01	Typical Details Sheet 02 of 02	13/10/2015
802	01	Sediment and Water Management Notes & Details	13/10/2015
Landscape Plans prepared by Arcadia Landscape Architecture, dated 7 June 2015			
Drawing No.	Issue	Name of Plan	Rev. Date
000	A	Cover Sheet	07/05/2015
001	A	Landscape Masterplan	07/05/2015
101	A	Landscape Plan	07/05/2015
102	A	Landscape Plan	07/05/2015
103	A	Landscape Plan	07/05/2015
104	A	Landscape Plan	07/05/2015
105	A	Landscape Plan	07/05/2015
106	A	Landscape Plan	07/05/2015
107	A	Landscape Plan	07/05/2015
108	A	Landscape Plan	07/05/2015
109	A	Landscape Plan	07/05/2015
501	A	Landscape Details	07/05/2015
502	A	Landscape Details	07/05/2015

APPENDIX 2 - MANAGEMENT AND MITIGATION MEASURES

Source: RTS

Item	Mitigation Measure
Construction Certificate	
<i>TransGrid</i>	The matters shall be addressed prior to the issue of the relevant Construction Certificate for different stages of the development: ▪ Fencing within the TransGrid Easement must not be installed until the fencing design has been assessed by TransGrid. An earthing study is required to determine appropriate fencing materials that can be utilised. Any fence erected within the easement, will need to be earthed and every second panel shall be isolated from the adjoining panel. ▪ Landscaping within the easement shall not exceed a mature growth height of three (3) metres ▪ An on-grade crushed road pavement surface shall be provided between the proposed concrete hardstand and the existing TransGrid stanchions to facilitate access from the site for TransGrid vehicles within the easement. ▪ A 12 metre wide sliding gate is required as part of boundary fencing adjacent to the northern stanchion to provide access for TransGrid maintenance vehicles. Details (materials) of this gate are to be confirmed following the finalisation of an earthing study. TransGrid are to be consulted in regard to its final design prior to installation.
<i>Landscaping</i>	An appropriately qualified consultant shall provide certification of selected landscape species (and their appropriateness) in the context of the proposed Bio-Retention basin located along the western boundary of the IKEA site.
<i>Dam Embankment</i>	A Dam Break Assessment shall be prepared and submitted to the certifier prior to the issue of the relevant Construction Certificate.
Construction Commencement	
<i>Construction Management</i>	A detailed Construction Management Plan shall be prepared in consultation with Transport for NSW and submitted to the certifier prior to the commencement of works on site. This plan will include the following information: ▪ Proposed hours of work, ▪ Contact details of FDC site manager; ▪ Traffic Management: – Ingress and egress of vehicles to site; – Management of loading and unloading materials; – Number and frequency of vehicles accessing the site; – Changes to on-street parking restrictions on local roads; – Management of construction traffic and car parking demand; – Management of existing vehicular and pedestrian movements around the site throughout various stages of construction; ▪ Major event coordination / management; ▪ Dust control measures; ▪ Construction waste management; ▪ Erosion and sediment control measures; ▪ Construction noise and vibration management;

	Any other relevant information relating to construction and its potential impact on the surrounding area;
<i>TransGrid</i>	- An Earthing Study to determine the most appropriate modified earthing design must be undertaken followed by the actual earthing modifications to be undertaken taking into account the findings of the earthing study. Transgrid requires a written undertaking that the developer will reimburse TransGrid for the costs associated with the earthing study and the actual earthing modification works, before construction works can commence. All earthing modifications must be undertaken before any work can commence within 30 metres of the TransGrid towers. Works outside a distance of 30 metres from TransGrid towers are unaffected by this condition. - No mounds of earth or other materials shall be left on the easement during and after earthworks, even on a temporary basis, as doing so effectively creates a hazard by reducing the vertical clearances to the transmission lines. - During construction, traffic control measures need to be implemented to prevent vehicles colliding with TransGrid's transmission towers. Any temporary fencing shall be earthed and every second panel isolated. - Height restrictions must be applied to cranes, elevated work platforms plus any other plant and equipment proposed to operate on the easement. All mobile plant and equipment that is capable of exceeding a height of 4.2 metres is not permitted within the easement. - All works must be carried out in accordance with the NSW WorkCover 'Work near Overhead Power Lines' Code of Practice 2006. Reference should also be made to the <i>TransGrid Easement Guidelines for Third Party Development</i> and contact TransGrid in the event of any uncertainty. - Notification is to be provided to TransGrid prior to commencement.

Occupation Certificate

<i>Road Access</i>	An Interim Occupation Certification shall not be issued until construction works associated with Road 5 are complete. A Final Occupation Certificate can only be issued following the dedication of Road 5 to Blacktown City Council.
<i>Basin B Construction</i>	An Interim Occupation Certificate shall not be issued until the stormwater detention function of Basin B has been constructed. This does not include works associated with installing bio-retention functions of Basin B as proposed by Council.
<i>Basin B - Access</i>	A Final Occupation Certificate can only be issued following the registration of an interim right of way linking South Street to Basin B. This Right of Way is required to provide a legal right of access to Basin B until road widening occurs along South Street.
<i>Workplace Travel Plan</i>	A Workplace Travel Plan shall be prepared and submitted to the certifier prior to the issue of an Occupation Certificate.
<i>Section 73 Certificate</i>	A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> shall be obtained from Sydney Water. The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Operation

Acoustic

IKEA shall adopt the following protocol to minimise the potential for creating adverse noise impact at nearby residential receivers:

The company shall ensure all delivery drivers and staff are aware of the importance of entering and departing the site with a minimum of noise. The following should be avoided:

- Excessive compression braking on approach to the site entry.
- Sounding horns.
- Signage should be installed on approach to the entry from both outside and inside the site clearly advising the proximity of residences and the need to minimize excessive noise.
- Drivers shall be directed to switch off engines during loading/unloading between 10.00pm and 7.00am.
- Night time activities, especially those involving forklift reversing beepers will be restricted to warehouse internal activities.

APPENDIX 3 - NOISE RECEIVER LOCATIONS

Source: EIS

