

Development Consent

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

I grant consent to the Development application referred to in Schedule A, subject to the conditions in Schedules B to D.

These conditions are required to:

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



David Gainsford
Executive Director
Priority Projects Assessments

Sydney 19th January 2016

SCHEDULE A

Application No.:	SSD 6962
Applicant:	Mirvac Projects Pty Limited
Consent Authority:	Minister for Planning and Environment
Land:	60 Wallgrove Road, Eastern Creek (Lot 1 in Deposited Plan 1040948)
Development:	Construction and operation of a warehouse and distribution facility with ancillary office, comprising the following: <ul style="list-style-type: none">• demolition of existing buildings and associated vegetation clearance;• site preparation, bulk earthworks and retaining wall construction;• construction of five buildings with a total gross floor area of 123,865 m², including 5,930 m² of ancillary office facilities for the purpose of warehouse and distribution centres, light industry, technology uses, freight logistic facilities and associated administrative office premises;• construction of a new internal access road, hardstand areas, car parking and loading docks;• ancillary infrastructure and services;• landscaping; and• subdivision.

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DEFINITIONS

Act, the Ancillary Facility	<i>Environmental Planning and Assessment Act, 1979</i> 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	Mirvac Projects Pty Limited, or any other person or persons who rely on this consent to carry out the Development that is subject to this consent
AS	Australian Standard
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Construction	The demolition of buildings or works, carrying out of works, including erection of buildings and other infrastructure covered by this consent
Council	Blacktown City Council
Dangerous Goods	As defined by the Australian Dangerous Goods Code 7 th Edition (Australian Government, 2010)
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department Development	Department of Planning and Environment The Development as described in the EIS and RTS and approved by this Development consent for the demolition of existing buildings, associated vegetation clearance, earthworks, construction of warehouse and distribution facilities with ancillary offices, car parking and associated landscaping
EIS	Environmental Impact Statement titled " <i>60 Wallgrove Road, Eastern Creek, Calibre Eastern Creek (formally Minchinbury Employment Park)</i> ", prepared by JBA Urban Planning Consultants, dated July 2015
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6pm to 10pm
Facility	Has the same meaning as Development (see above)
Feasible	Feasible relates to engineering considerations and what is practical to build
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Incident	A set of circumstances that: <ul style="list-style-type: none"> • 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, or nominee
Mitigation	Activities associated with reducing the impacts of the Development prior to or during those impacts occurring
Mitigation Measures	The Applicant's mitigation measures included in Section 7 of the EIS (see Appendix 2)
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	Department of Primary Industries – NSW Office of Water
OEH	Office of Environment and Heritage
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
RMS	Roads and Maritime Services
RTS	Response to Submissions Letter prepared by Mirvac, dated 9 October 2015
Secretary	Secretary of the Department of Planning and Environment or delegate/nominee
Site	The land referred to in Schedule A and shown in Appendix 1
WSEA	Western Sydney Employment Area

**SCHEDULE B
ADMINISTRATIVE CONDITIONS**

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- B1. In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the Development.

TERMS OF CONSENT

- B2. The Applicant must carry out the Development in accordance with the:
- (a) Concept Plan MP 09_0099, as amended;
 - (b) State significant development application SSD 6962;
 - (c) Environmental Impact Statement prepared by JBA Urban Planning Consultants, dated July 2015;
 - (d) Response to Submissions prepared by Mirvac, dated 9 October 2015;
 - (e) Schedule of Drawings (**Appendix 1**); and
 - (f) Management and Mitigation measures (**Appendix 2**).
- B3. If there is any inconsistency between the above documents referred to above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
- B4. The Applicant must 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 in these reports, plans or correspondence.
- B5. The Secretary may approve in writing, any minor amendments to the plans approved at Appendix 1 in relation to building footprints and layouts and architectural treatment, including finishes and materials, but only if the Secretary considers the amendments minor and where amendments are consistent with Urban Design Report and Design Guidelines, prepared by AECOM, dated June 2015.

LIMITS OF CONSENT

- B6. 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 the date on which the consent would otherwise lapse under section 95 of the Act.
- B7. This consent is limited to the construction and operation of the facility as described in the EIS and RTS only.
- B8. The Applicant must ensure that the total building area does not exceed:
- (a) 117,935m² of warehouse and distribution uses; and
 - (b) 5,930m² of ancillary office area.

STAGED SUBMISSION OF PLANS OR PROGRAMS

- B9. 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.
- B10. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must 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 are to be combined must be demonstrated.

DEVELOPER CONTRIBUTIONS

- B11. The draft Planning Agreement between the Minister for Planning, Mirvac Capital Pty Limited and Mirvac Commercial Sub SPV Pty Limited shall be executed prior to the issue of the first Construction Certificate for a building (other than a Construction Certificate issued for demolition, clearance of vegetation, earthworks/retaining walls and site services).
- B12. Development contributions towards the provision of regional transport infrastructure and services are payable as set out in Schedule 4 of the executed Planning Agreement and prior to the earlier of:
- (a) the issue of an Occupation Certificate for the building located in each stage; or
 - (b) the occupation or use of such building.

BIODIVERSITY

- B13. Prior to the clearance of any vegetation from the site, 76 biobanking credits in accordance with Biobanking Credit Report DI: 0057/2009/D001, and any modifications approved by the Office of Environment and Heritage, must be purchased and retired in full.

DISPUTE RESOLUTION

- B14. 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

- B15. The Applicant must 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

- B16. The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.
- B17. Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

UTILITIES

- B18. Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.
- B19. Prior to occupation 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 from Sydney Water Corporation.

PROTECTION OF PUBLIC INFRASTRUCTURE

- B20. Prior to the commencement of construction, the Applicant must:
- (a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (b) submit a copy of this report to the Secretary and Council.
- B21. The Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.

COMPLIANCE

- B22. The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- B23. The Applicant must 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

- B24. The Applicant must ensure that all plant and equipment used for the Development is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

WORKS-AS-EXECUTED PLANS FOR STORMWATER DRAINAGE

- B25. Prior to the issue of an Occupation Certificate for each relevant building or road, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to Council.

SUBDIVISION

B26. The Applicant shall subdivide the land in accordance with the subdivision plan prepared by LTS Lockley, Sheet 1 of 1, dated 9 June 2015 (see **Appendix 1**).

SCHEDULE C
ENVIRONMENTAL PERFORMANCE CONDITIONS

TRAFFIC AND ACCESS

Operating Conditions

- C1. The Applicant must ensure that:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the relevant standards and the latest versions of AS 2890.1, AS 2890.2 and AS/NZS 2890.6;
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS;
 - (c) the Development does not result in any vehicles queuing on the public road network;
 - (d) heavy vehicles associated with the Development do not park or stand on local roads or footpaths in the vicinity of the site;
 - (e) all vehicles are wholly contained on site before being required to stop;
 - (f) all vehicles enter and exit the site in a forward direction;
 - (g) all loading and unloading of materials is carried out on site; and
 - (h) the proposed loading areas and turning areas in the car park are kept clear of any obstacles, including parked vehicles, at all times.

Access

- C2. Prior to the issue of the first Construction Certificate, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed access to the development is designed to accommodate the turning path of a vehicle, PBS Level 2B (up to 30 m in length).
- C3. Prior to the occupation of any building, the signalised site access intersection with Wallgrove Road shall be completed and be operational.

Parking and Amenities

- C4. The Applicant must provide:
- (a) a minimum of 471 on-site car parking spaces (including provision for disabled spaces in accordance with AS 2890.6: 2009 *Off – Street Parking for People with Disabilities*) for use during operation of the Development;
 - (b) Class 3 bicycle rails, and amenity and change room facilities for cyclists in accordance with AS 2890.3: 1993 – *Bicycle Parking Facilities* and RMS's *NSW Bicycle Guidelines*; and
 - (c) car parking and amenities for future buildings generally in accordance with the *Urban Design Report and Design Guidelines*, prepared by AECOM, dated June 2015.

Construction Traffic Management Plan

- C5. Prior to the commencement of construction, the Applicant shall prepare a **Construction Traffic Management Plan** (CTMP) for the development in consultation with Council, TfNSW and RMS, to the satisfaction of the Secretary. The plan shall form part of the CEMP required under Condition D1. The CTMP shall:
- (a) detail the measures that would 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) demonstrate that access to private properties will be maintained at all times; and
 - (e) if necessary, detail procedures for notifying any nearby residents of any potential disruptions to routes.

Traffic Management Plan

- C6. Prior to the issue of an Occupation Certificate for each building, the Applicant shall prepare an **Operational Traffic Management Plan** (TMP) for the development in consultation with Transport for NSW and the Council, and to the satisfaction of the Secretary. The Plan must at a minimum:
- (a) be prepared by a suitably qualified and experienced expert;
 - (b) estimate the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
 - (c) detail the access and parking arrangements for operational vehicles to ensure road and site safety, and demonstrate that there will be no queuing on the public road network;
 - (d) include detail of proposed truck parking to ensure this is managed in an orderly manner; and
 - (e) 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.

C7. The Applicant must ensure that the **Operational TMP** (as revised and approved by the Secretary from time to time) is implemented for the life of the development.

SOIL AND WATER

Stormwater Management

- C8. Prior to the commencement of construction works for each building or road, the Applicant must prepare and submit a **Stormwater Management Plan** to the satisfaction of the Secretary. Each Plan must:
- (a) be prepared by a suitably qualified engineer prior to the commencement of the relevant works in consultation with Blacktown City Council;
 - (b) be prepared generally in accordance with the:
 - (i) the Civil Infrastructure Report, prepared by AT&L and Associates Pty Ltd, dated June 2015;
 - (ii) Blacktown City Council's *Development Control Plan Part R 2006 and Engineering Guide for Development 2005*; and
 - (iii) OEH's *Managing Urban Stormwater: Soils and Construction Guideline*;
 - (c) identify all building and roadworks 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 would 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.
- C9. The works approved under each **Stormwater Management Plan** (as revised and approved by the Secretary from time to time) must be installed prior to the issue of the Occupation Certificate for the works that they relate to, and must be maintained by the Applicant over the life of the development. Any stormwater works within the public road reserves must be constructed prior to dedication to the relevant Council.

Erosion and Sediment Control

- C10. During construction works, the Applicant must 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 Guideline*.

Pollution of Waters

- C11. The Applicant must comply with Section 120 of the POEO Act, except as may be expressly permitted by a licence under the POEO Act.

Rainwater Harvesting

- C12. The Applicant must ensure that the rainwater reuse/harvesting system for the Development is designed, constructed and operated in accordance with the *Civil Infrastructure Report*, prepared by AT&L and Associates Pty Ltd, dated June 2015 at Appendix D of the EIS.

NOISE

Construction Noise and Vibration

- C13. Construction activities associated with the Development shall be undertaken during the following standard construction hours:
- (a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and
 - (b) 8:00am to 1:00pm Saturdays; and
 - (c) at no time on Sundays or public holidays.
- C14. Construction works outside of the standard construction hours identified in condition C13 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;

- (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;
 - (c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm;
 - (d) works approved by the Secretary; or
 - (e) works as approved through the out-of-hours work protocol outlined in the CEMP.
- C15. Activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) must only be undertaken:
- (a) between the hours of 8:00 am to 5:00 pm Monday to Friday;
 - (b) between the hours of 8:00 am to 1:00 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.

- C16. The Development must 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).
- C17. Wherever practical, piling activities must be undertaken using quieter alternative methods than impact or percussion piling, such as bored piles or vibrated piles.
- C18. Where feasible and reasonable, operation noise mitigation measures must be implemented at the start of Construction (or at other times during Construction) to minimise Construction noise impacts.

Construction Noise Limits

- C19. The development must be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009) and summarised in Table 1. All reasonable and feasible 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 commitments within the EIS.

Noise Limits

- C20. The Applicant must ensure that the noise generated by the operations of the facility does not exceed the limits in Table 1.

Table 1: Noise impact assessment criteria dB(A)

Receiver	Day (7 am to 6 pm)	Evening (6 pm to 10 pm)	Night (10 pm to 7 am)	Night Sleep Disturbance (10 pm to 7 am)
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1}
R1	54	50	45	62
R2	57	50	46	62
R3	50	50	50	N/A
R4	70	70	70	N/A

Notes:

- To identify the exact residential receiver location, refer to Appendix N of the EIS and Appendix 3 of this consent; and
- 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

- C21. The Applicant must:
- (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) assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

HOURS OF OPERATION

- C22. The approved hours of operation for the use of the Development, including ancillary offices, are 24-hours-per-day seven-days-per-week.
- C23. Any proposed showroom/factory outlet shall operate between the hours of 9:00am to 7:00pm daily.

AIR QUALITY

- C24. The Applicant must:
- (a) implement best management practice, including all reasonable and feasible mitigation measures to prevent and minimise dust and odour emissions from the construction and operation of the Development; and
 - (b) minimise any visible off-site air pollution that occurs as a result of the Development during its construction and operation.

Odour

- C25. The Applicant must:
- (a) ensure the Development does not cause or permit the emission of any offensive odour (as defined by the POEO Act);
 - (b) design ventilation of the facility, including exit velocity of potentially odorous streams and stack height in accordance with:
 - a. Australian Standard AS 1668.2 – 1991: The use of mechanical ventilation and air conditioning in buildings. Part 2 Mechanical ventilation for acceptable indoor air quality;
 - b. NSW DEC (2006) "Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW". November 2006;
 - c. NSW DECCW Local Government Air Quality Toolkit: Air Quality Guidance Note for Food Outlets; and
 - (c) design ventilation to enable the release of any potentially odorous emissions as free vertical discharges through stacks, with a rain cap in place that does not restrict vertical discharge.

DANGEROUS GOODS

- C26. The storage of Dangerous Goods must not exceed the thresholds outlined in the Hazardous and Offensive Development Application Guidelines: Applying SEPP 33.
- C27. Dangerous Goods, as defined by the *Australian Dangerous Goods Code*, must be stored and handled strictly in accordance with all relevant Australian Standards.

GREENHOUSE GAS

- C28. The Applicant must implement all reasonable and feasible measures to minimise:
- (a) energy use on site; and
 - (b) greenhouse gas emissions produced on-site.

WASTE

Classification

- C29. The Applicant must 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

- C30. For the life of the Development, the Applicant must:
- (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.

HERITAGE AND ARCHAEOLOGY

- C31. To ensure that Aboriginal heritage is appropriately managed, the conclusions and recommendations of the *Aboriginal Heritage Management Plan*, prepared by Curio Project Pty Ltd, dated October 2015 are to be implemented during the construction of the approved development.
- C32. Prior to the commencement of demolition work or excavation, the Applicant shall undertake a photographic archival recording of the Quarantine Station, including all buildings and landscape elements, and submitted to the satisfaction of the NSW Heritage Branch.
- C33. If intact archaeological deposits, objects and/or State significant relics which were not previously identified in the *Aboriginal Heritage Management Plan*, prepared by Curio Project Pty Ltd, dated October 2015, are discovered during construction, where relevant the Applicant must:
- cease work in the affected area(s) until it has received confirmation from the Heritage Council that works may continue within the affected area(s) and address any requests for information made by the Heritage Council, and provide copies of this information to the Secretary;
 - immediately notify the National Parks and Wildlife Service (NPWS) and obtain any necessary approvals to continue work and comply with any requests made by NPWS to cease work for the purpose of archaeological recording; and
 - update any relevant plans or strategies if required by the Secretary.

VISUAL AMENITY AND LANDSCAPING

Lighting

- C34. The Applicant must ensure that the lighting associated with the Development:
- complies with the latest version of *AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
 - 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

- C35. The Applicant must ensure that the design, installation and operation of any signage or advertising structure, or any sign or advertisement listed as exempt Development, is:
- consistent with the approved Wayfinding Strategy, prepared by Diadem, 28 May 2015; and
 - consistent with the Urban Design Report and Design Guidelines, prepared by AECOM, June 2015.
- C36. Any signage visible from a public road must not have or incorporate any of the follows:
- flashing lights;
 - electronically changeable or variable message;
 - animated displays, moving parts or simulated movements;
 - complex displays that hold motorists attention;
 - displays resembling or imitating road traffic signs or signals;
 - a method or level of illumination that distracts or dazzles; and
 - instructions to passing traffic (i.e. 'halt', 'stop' or the like).

Landscaping and Vegetation Management

- C37. Prior to the commencement of construction works for each building or road, the Applicant shall prepare **Landscaping and Vegetation Management Plans** for the development to the satisfaction of the Secretary. The plans must:
- be prepared in consultation with Council and submitted to the Secretary for approval;
 - detail any landscaping treatments at the site, including fencing and retaining wall details, with particular attention to minimising the visibility of the site from residences and public vantage points and minimising bushfire risk;
 - demonstrate that suitable landscape screening is provided to satisfactorily screen fire tanks, rainwater tanks and pump rooms where visible from the M4 Motorway and Wallgrove Road corridors and any public vantage points;
 - ensure that the development is undertaken generally in accordance with the Landscape Plans, prepared by Habit8, contained in the EIS;
 - ensure landscaping with native species that require minimal water;
 - demonstrate that planting will be undertaken in accordance with the relevant Australian Standards; and
 - describe the on-going measures (e.g. weed control and regular pruning) that would be implemented to maintain landscaping and vegetation on the site for the life of the development.
- C38. The Applicant must ensure all landscaping identified in the approved **Landscaping and Vegetation Management Plans** (as revised and approved by the Secretary from time to time) is installed prior to the issue of the Occupation Certificate for each new building on-site, or prior to the dedication of each public road to Council. All landscaping remaining under private ownership must be maintained by the Applicant over the life of the development.

**SCHEDULE D
ENVIRONMENTAL MANAGEMENT AND REPORTING**

ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

- D1. The Applicant shall prepare a Construction Environmental Management Plan to the satisfaction of the Secretary. The Plan must:
- (a) be prepared in consultation with RMS and Blacktown City Council;
 - (b) be approved by the Secretary prior to commencement of construction;
 - (c) identify the statutory approvals that apply to the development;
 - (d) outline all environmental management practices and procedures to be followed during construction works associated with the development;
 - (e) describe all activities to be undertaken on the site during construction of the development, including a clear indication of the construction stages;
 - (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (g) describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and
 - (h) include all management plans required under Condition D2 of this consent.
- D2. As part of the Construction Environmental Management Plan for the Development, required under Condition D1 of this consent, the Applicant shall include the following:
- (a) dust management (see Condition C22);
 - (b) traffic management (see Condition C5);
 - (c) noise and vibration management (see Conditions C13 to C19 and C21);
 - (d) soil and water management (see Conditions C8, C10 and C12); and
 - (e) community consultation and complaints handling.
- D3. The approved **Construction Environmental Management Plan** (as revised and approved by the Secretary from time to time) must be implemented by the Applicant for the duration of the construction works.
- D4. The Applicant must prepare a Work Place Travel Plan for each building to the satisfaction of PCA prior to the issue of the Occupation Certificate for each new building on-site.
- D5. The Applicant must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the development.

ENVIRONMENTAL REPORTING

Incident Reporting

- D6. 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 Department 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

- D7. 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.

Independent Environmental Audit

- D8. Within two years of the commencement of operations of the Development, and every three years thereafter if requested by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:

- (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (b) include consultation with the relevant agencies;
 - (c) assess the environmental performance of the Development and assess whether it is complying with the relevant requirements in this consent (including site landscaping and any other plan or program required under this consent);
 - (d) review the adequacy of any plans or programs required under this consent; and, if appropriate;
 - (e) recommend measures or actions to improve the environmental performance of the Development, and/or any plan or program required under this consent; and
 - (f) be led by a suitably qualified auditor and include experts in any fields specified by the Secretary
- D9. Within 6 weeks of completing any Independent Environmental Audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

**APPENDIX 1
SCHEDULE OF APPROVED DRAWINGS**

Drawing No.	Rev.	Date	Title
Plan of Subdivision Prepared by LTS Lockley			
Sheet 1 of 1	N/A	09.06.15	Plan of Proposed Subdivision Lot 1 DP 1040948
Architectural Drawings Prepared by SB Architects			
DA 001	D	13.07.15	Location / Cover Sheet
DA 002	M	13.07.15	Site Plan
DA 101	D	15.07.15	Lot 1 – Site & Building Floor Plan
DA 102	B	10.06.15	Lot 1 – Building Roof Plan
DA 103	D	13.07.15	Lot 1 – Building Elevations
DA 104	B	10.06.15	Lot 1 – Building Sections
DA 105	E	10.06.15	Lot 1 – Office Floor Plans
DA 106	C	10.06.15	Lot 1 – Office Floor Plans
DA 201	B	10.06.15	Lot 2 – Site & Building Floor Plan
DA 202	B	10.06.15	Lot 2 – Building Roof Plan
DA 203	C	10.06.15	Lot 2 – Building Elevations
DA 204	B	10.06.15	Lot 2 – Building Sections
DA 205	C	10.06.15	Lot 2 – Office Floor Plans
DA 301	B	10.06.15	Lot 3 – Site & Building Floor Plan
DA 302	B	10.06.15	Lot 3 – Building Roof Plan
DA 303	C	10.06.15	Lot 3 – Building Elevations
DA 304	B	10.06.15	Lot 3 – Building Sections
DA 305	B	10.06.15	Lot 3 – Office Floor Plans
DA 401	B	10.06.15	Lot 4 – Site & Building Floor Plan
DA 402	B	10.06.15	Lot 4 – Building Roof Plan
DA 403	C	10.06.15	Lot 4 – Building Elevations
DA 404	B	10.06.15	Lot 4 – Building Sections
DA 405	B	10.06.15	Lot 4 – Office Floor Plans
DA 501	B	10.06.15	Lot 5 – Site & Building Floor Plan
DA 502	B	10.06.15	Lot 5 – Building Roof Plan
DA 503	C	10.06.15	Lot 5 – Building Elevations
DA 504	B	10.06.15	Lot 5 – Building Sections
DA 505	B	10.06.15	Lot 5 – Office Floor Plans
Landscape Drawings Prepared by Habit8			
L000	D	05.06.15	Title Page
L001	D	05.06.15	Landscape Masterplan
L002	D	05.06.15	Entry Landscape
L003	D	05.06.15	Planting Images
L004	D	05.06.15	Landscape Sections – Wallgrove Road
L005	D	05.06.15	Landscape Sections – Access Road
L006	E	03.07.15	Landscape Sections – Boundary
L007	D	05.06.15	Landscape Elevations – Boundary
L008	D	05.06.15	Precedent Images
Civil Drawings Prepared by AT&L			
DAC001	B	28.05.15	Cover Sheet and Locality Plan
DAC002	B	28.05.15	Notes and Legends
DAC005	B	28.05.15	Project Staging Plan
DAC010	B	28.05.15	General Arrangement Plan
DAC011	B	28.05.15	Typical Site Sections Sheet 1
DAC012	B	28.05.15	Typical Site Sections Sheet 2
DAC013	B	28.05.15	Typical Site Sections Sheet 3
DAC014	B	28.05.15	Typical Site Sections Sheet 4
DAC015	B	28.05.15	Typical Site Sections Sheet 5
DAC016	B	28.05.15	Typical Site Sections Sheet 6
DAC017	B	28.05.15	Typical Site Sections Sheet 7
DAC025	B	28.05.15	Typical Road Sections
DAC030	B	28.05.15	Bulk Earthworks Cut To Fill Plan
DAC031	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 1
DAC032	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 2
DAC033	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 3
DAC034	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 4
DAC035	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 5

Drawing No.	Rev.	Date	Title
DAC036	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 6
DAC037	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 7
DAC038	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 8
DAC039	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 9
DAC040	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 10
DAC041	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 11
DAC042	B	28.05.15	Siteworks and Stormwater Drainage Plan Sheet 12
DAC050	B	28.05.15	Road MC03 Longitudinal Section
DAC071	B	28.05.15	Pavement Plan Sheet 1
DAC072	B	28.05.15	Pavement Plan Sheet 2
DAC073	B	28.05.15	Pavement Plan Sheet 3
DAC074	B	28.05.15	Pavement Plan Sheet 4
DAC075	B	28.05.15	Linemarking and Signage Plan
DAC081	B	28.05.15	Pre/Post Development Catchment Plan
DAC082	B	28.05.15	Overall Catchment Plan
DAC083	B	28.05.15	Onsite Detention Tank Plan and Details
DAC084	B	28.05.15	Bio-retention Basin Plan and Details
DAC085	B	28.05.15	Bio-swale Plan and Details
DAC091	B	28.05.15	Services Coordination Plan Sheet 1
DAC092	B	28.05.15	Services Coordination Plan Sheet 2
DAC093	B	28.05.15	Services Coordination Plan Sheet 3
DAC101	B	28.05.15	Erosion and Sediment Control Plan Sheet 1
DAC102	B	28.05.15	Erosion and Sediment Control Plan Sheet 2
DAC103	B	28.05.15	Erosion and Sediment Control Plan Sheet 3
DAC104	B	28.05.15	Erosion and Sediment Control Plan Sheet 4
DAC111	B	28.05.15	Vehicle Turning Path Plan

APPENDIX 2 SUMMARY OF MITIGATION MEASURES

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- 1) Mirvac shall implement all practical measures to prevent and/or minimise any harm to the environment that may result from the construction of the development.

TERMS OF APPROVAL

- 2) Mirvac shall carry out the development generally in accordance with the:
 - (a) Environmental Impact Statement
 - (b) Plans and Elevations (see Appendices B, C and D);
 - (c) these Statement of Commitments; and
 - (d) the Conditions of Approval
- 3) If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.

STRUCTURAL ADEQUACY

- 4) All new buildings and structures will be designed and constructed in accordance with the relevant requirements of the Building Code of Australia.

STAGED DEVELOPMENT

- 5) The development will be delivered on a staged basis.
 - (a) Interim Occupation Certificates will be obtained prior to the occupation of each building (or part thereof). An Interim Occupation Certificate will only be issued once all of the works associated with occupation of the building (or part thereof) have been completed.
 - (b) A Final Occupation Certificate will be obtained upon completion of all construction works.
- 6) The new traffic signalised intersection on Wallgrove Road will be constructed and brought into operation as early as practical and prior to occupation of the first warehouse.

CONSTRUCTION MANAGEMENT PLAN

- 7) A Construction Management Plan will be prepared prior to the issue of each construction certificate. The Construction Management Plan will address the following:
 - (a) Describe the construction methods and site management measures;
 - (b) Air Quality Management;
 - (c) Noise Management;
 - (d) Waste Management;
 - (e) Erosion and Sediment Control.

CONSTRUCTION TRAFFIC MANAGEMENT

- 8) Detailed Construction Traffic Management Plans will be prepared in consultation with the RMS prior to the commencement of construction. These plans will:
 - (a) provide details on anticipated traffic movements onto and from the site during construction;
 - (b) estimate numbers, frequency and measures to ensure the acceptable ongoing operations of Wallgrove Road;
 - (c) include measures to minimise the impact of construction traffic on the surrounding traffic network, including driver behaviour and vehicle maintenance; and
 - (d) be prepared to the satisfaction of RMS.
- 9) Any required traffic control will be provided by RMS qualified Traffic Controller and will be subject to Traffic Control Plans.
- 10) Temporary construction access to the site from Wallgrove Road will be approved by RMS.

LEAD-IN INFRASTRUCTURE SERVICES

- 11) Lead-in services shall be constructed in accordance with Authority requirements and specifications, and are subject to appropriate negotiations being undertaken with adjoining and other affected property owners.

OPERATION OF PLANT AND EQUIPMENT

- 12) Mirvac will ensure that all plant and equipment used on site is maintained and operated in a proper and efficient manner, and in accordance with relevant Australian Standards.

ADJOINING PROPERTY

- 13) Reasonable measures will be implemented during construction to protect and minimise damage to adjoining property. Where damage does occur, this damage is to be rectified at the developers expense and to the satisfaction of the adjoining owner.

NOISE

- 14) Construction work that generates noise that is audible from adjoining properties will be limited to standard construction hours of 7am to 6pm Monday to Fridays and 7am to 1pm Saturdays. No construction work is permitted on Sundays and Public Holidays.
- 15) Noise management mitigations measures will be implemented generally in accordance with the Noise & Vibration Assessment prepared by Wilkinson Murray Pty Ltd as required to ensure compliance with the following noise criteria:

Location	Day Noise Goal (<i>L_{eq} 15 minute</i>)	Evening Noise Goal (<i>L_{eq} 15 minute</i>)	Night Noise Goal (<i>L_{eq} 15 minute</i>)	Sleep Disturbance Noise Goal (<i>L_{max}</i>)
Eskdale Street	54	50	45	62
Pikes Lane	57	50	56	62
Cemetery – Oaks Drive	50	50	N/A	N/A
Cemetery – Melville Drive	50	50	N/A	N/A
Industrial precinct to the south	70	70	70	N/A

AIR QUALITY

- 16) Mirvac will implement air quality control measures during construction generally in accordance with the Air Quality Impact Assessment dated 27th May 2015 prepared by SLR Consulting Australia Pty Ltd.

EROSION AND SEDIMENT CONTROL

- 17) Mirvac will implement erosion and sediment control measures generally in accordance with the Erosion and Sediment Control Plans and Notes dated 28th May 2015 prepared by AT&L Pty Ltd.

BULK EARTHWORKS AND EXCAVATION

- 18) Bulk Earthworks and Excavation will be carried out with consideration for the recommendations of the Geotechnical and Salinity Investigation dated 27th May 2015 prepared by Douglas Partners Pty Ltd.

WASTE

- 19) Construction and operational waste management will be managed generally in accordance with the Waste Management Plan dated 19th May 2015 prepared by SLR Consulting Australia Pty Ltd.

VISUAL AND LANDSCAPING

- 20) Landscaping and visual screening to the site boundaries will be implemented generally in accordance with the Landscape Plans prepared by Habit8 Pty Ltd, for each stage of the development.

SIGNAGE

- 21) Estate signage will be implemented generally in accordance with Signage Strategy dated 28th May 2015 prepared by Diadem DDM Pty Ltd.

ECOLOGICAL SUSTAINABLE DESIGN

- 22) The development will incorporate ecological sustainable development principles and will be designed generally in accordance with the objectives, targets and strategies of the ESD Report dated 9th June 2015 prepared by Cundall Johnstone and Partners Pty Ltd.

**APPENDIX 3
NOISE RECEIVER LOCATIONS**

Receivers	Type	Address	Description
R1	Residential	Eskdale Street, Minchinbury	Residential properties in R2 Low Density Residential zone
R2	Rural Residential	Pikes Lane, Huntingwood (Western Sydney Parklands)	Rural residential properties in Western Sydney Parklands (unzoned)
R3	Passive Recreation (Cemetery)	Pinegrove Memorial Park, Cemetery and Crematorium, Kington Street, Minchinbury	Cemetery in SP1 Special Activities – Cemetery and Crematorium zone
R4	Industrial	Interchange Drive, Eastern Creek	Industrial properties in IN1 General Industrial zone

