

# 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**  
**A/Executive Director**  
**Key Sites and Industry Assessments**

Sydney 14th December 2015

### SCHEDULE A

<b>Application No.:</b>	SSD 7078
<b>Applicant:</b>	Frasers Property
<b>Consent Authority:</b>	Minister for Planning
<b>Land:</b>	Lots 23 (part), 24 (part), 25, 28B, 30, 30A, 30B, 32 and 32A in DP 13961, Lots 1 – 5 in DP 1098128, Lot 100 in DP 879680, Lot 1 in DP 1036933, Lot 10 in DP 879209 and Lot C DP 103755.
<b>Development:</b>	<p>Construction and operation of a warehouse and distribution facility with ancillary office, comprising the following:</p> <ul style="list-style-type: none"><li>• a 15,427 m<sup>2</sup> warehouse;</li><li>• hardstand areas, car parking and loading docks</li><li>• a two storey office;</li><li>• ancillary infrastructure and services; and</li><li>• landscaping.</li></ul>

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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	Fraser's Property Australia, 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	Fairfield City Council
Dangerous Goods	As defined by the <i>Australian Dangerous Goods Code 7<sup>th</sup> Edition</i> (Australian Government, 2010)
Day	The period from 7 am to 6 pm on Mondays to Saturdays, and 8 am to 6 pm on Sundays and public holidays
Department	Department of Planning and Environment
Development	The development as described in the EIS and RTS and approved by this development consent for the construction and operation of a warehouse and distribution centre with ancillary office
EIS	Environmental Impact Statement titled "Two Staged Proposed Warehouse / Distribution and Industrial Facility: Horsley Drive Business Park", dated August 2015 and prepared by McKenzie Group
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 6 pm to 10 pm
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"> <li>• causes or threatens to cause material harm to the environment; and/or</li> <li>• breaches or exceeds the limits or performance measures/criteria in this consent.</li> </ul>
Minister	Minister for Planning, or nominee
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Management and Mitigation Measures	The Applicant's mitigation measures included at Part G of the EIS (see Appendix 2 of this development consent)
Night	The period from 10 pm to 7 am on Mondays to Saturdays, and 10 pm to 8 am on Sundays and public holidays
DPI Water	Department of Primary Industries – Water
OEI	Office of Environment and Heritage
PCA	Principal Certifying Authority
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
Secretary	Secretary of the Department of Planning and Environment, or delegate/nominee
Site	The land referred to at Schedule A and shown in the drawings referenced at Appendix 1

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

### **TERMS OF CONSENT**

- B2. The Applicant shall carry out the development in accordance with the:
- (a) Environmental Impact Statement prepared by McKenzie Group, dated August 2015;
  - (b) Response to Submissions prepared by Willowtree Planning, submitted October 2015;
  - (c) plans and elevations (see **Appendix 1**); and
  - (d) Management and Mitigation measures (**Appendix 2**).
- B3. If there is any inconsistency between the documents referred to above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
- B4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- (a) any reports, plans, 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.

### **LIMITS OF CONSENT**

- B5. 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.
- B6. The Applicant must ensure that the total building area does not exceed:
- (a) 15,427 m<sup>2</sup> of warehouse and distribution uses; and
  - (b) 3,132 m<sup>2</sup> of ancillary office area.

### **STAGED SUBMISSION OF PLANS OR PROGRAMS**

- B7. With the approval of the Secretary, the Applicant may:
- (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
  - (b) combine any strategy, plan or program required by this consent.

#### **Notes:**

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

### **DISPUTE RESOLUTION**

- B8. In the event that a dispute arises between the Applicant, 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**

- B9. 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.

## CONSTRUCTION CERTIFICATE REQUIRED

- B10. Prior to the commencement of any building and construction works, the Applicant must obtain a Construction Certificate from the Certifying Authority.

## STRUCTURAL ADEQUACY

- B11. The Applicant shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA, including section J, and AS1428.1 and the Disability (Access to Premises – Buildings) Standards.

### Notes:

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

## UTILITIES

- B12. Prior to the construction of any utility works associated with the development, the Applicant shall obtain relevant approvals from service providers.
- B13. 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

- B14. Prior to the commencement of construction, the Applicant shall:
- prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - submit a copy of this report to the Secretary and Council.
- B15. The Applicant shall:
- repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

## COMPLIANCE

- B16. The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.
- B17. The Applicant shall be responsible for any environmental impacts resulting from the actions of all persons they invite onto the site, including contractors, sub-contractors and visitors.

## OPERATION OF PLANT AND EQUIPMENT

- B18. The Applicant shall ensure that all plant and equipment used for the development is:
- maintained in a proper and efficient condition; and
  - operated in a proper and efficient manner.

## SECTION 94A LEVY DEVELOPMENT CONTRIBUTIONS

- B19. Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of section 94A Levy Contributions shall be submitted to the Certifying Authority. The Section 94A Levy as determined at the date of this consent is **\$339,557.00**.

The contribution amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales).

## REQUIRED SIGNAGE

- B20. Signage shall be installed in a prominent position detailing:
- the name, address and telephone number of the principal certifying authority for the work; and

- (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) Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building work is being carried out and must be removed when the work has been completed.

#### **INTERIM/FINAL OCCUPATION CERTIFICATE**

- B21. Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued by the Principal Certifying Authority.

Prior to the issue of the final Occupation Certificate, the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the Development Consent, Construction Certificate or Complying Development Certificate.

#### **INTERIM/FINAL FIRE SAFETY CERTIFICATE**

- B22. Prior to the issue of any interim or final Occupation Certificate, an interim or final fire safety certificate shall be submitted to and approved by the Principal Certifying Authority.

**Notes:** *An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.*

#### **WORKS-AS-EXECUTED PLANS FOR STORMWATER DRAINAGE**

- B23. Prior to the issue of the Final Occupation Certificate, 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.
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**SCHEDULE C  
ENVIRONMENTAL PERFORMANCE CONDITIONS**

**TRAFFIC AND ACCESS**

**Operating Conditions**

- C1. The Applicant shall ensure that:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the relevant standards and the latest versions of AS 2890.1-2004, AS 2890.2-2002 and AS/NZS 2890.6-2009;
  - (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 commencement of works, the Applicant shall 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).

**Parking and Amenities**

- C3. The Applicant shall provide:
- (a) a minimum of 250 on-site car parking spaces (including 2 disabled spaces) for use during operation of the development;
  - (b) bicycle parking; and
  - (c) amenity and change room facilities for cyclists.

**Construction Traffic Management Plan**

- C4. Prior to the commencement of construction, the Applicant shall prepare a Construction Traffic Management Plan (CTMP) for the development. The plan shall be prepared in consultation with Council and RMS, and 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.

The Applicant shall ensure that the CTMP (as revised and approved by the Secretary from time to time) is implemented for the life of the development.

**Operational Traffic Management Plan**

- C5. Prior to the issue of an Occupation Certificate, the Applicant shall prepare an Operational Traffic Management Plan (OTMP) for the development in consultation with the Council, RMS and TfNSW and to the satisfaction of the Secretary. The Plan shall at a minimum:

- (a) be prepared by a suitably qualified and experienced expert;
- (b) detail 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 construction and 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.

C6. The Applicant shall ensure that the OTMP (as revised and approved by the Secretary from time to time) is implemented for the life of the development.

## **SOIL AND WATER**

### **Erosion and Sediment Control**

C7. 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 Guideline*.

### **Contamination**

C8. Prior to the commencement of any construction works onsite, the Applicant must provide the Secretary with a Site Validation Report and Site Audit Statement issues by an accredited EPA Site Auditor verifying that the site has been remediated and is suitable to accommodate warehouse and distribution uses.

### **Method of Stormwater Drainage**

C9. The stormwater drainage generated from the development shall be directed on-site detention basin No. 1 and 2 by connecting to the respective drainage basins of the approved SSD 5169 Catchment Plan.

**Notes:** *Drainage lines across the footpath shall be of 75 mm x 200 mm galvanised R.H.S laid at a fall not exceeding 1:40 (A 100 mm sewer grade pipe is an acceptable alternative for single lot residential applications).*

*If a street outlet is required it shall be constructed using a 100 mm x 50 mm galvanised rectangular connector laid into the kerb with the invert of the converter to be 10 mm above the invert of the gutter.*

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

### **Pollution of Waters**

C10. The Applicant shall comply with section 120 of the POEO Act, except as may be expressly permitted by a licence under the POEO Act.

### **Drain Stencilling**

C11. All stormwater drains/pits on the site shall be provided and maintained with the message; "This pit drains to the Georges River". Lettering shall be 100 mm high block bold yellow painted lettering. Paints used shall be of road line marking standard.

### **Truck Wash**

C12. Prior to the issue of an Occupation Certificate the Applicant shall provide a covered and bunded truck wash. If off-site discharge of any waste water is proposed the truck wash facility is to be drained to the sewer in accordance with a Trade Waste agreement from with Sydney Water Corporation.



## Rainwater Harvesting

- C13. The Applicant shall ensure that the rainwater reuse/harvesting system for the development is designed, constructed and operated in accordance with the Civil Engineering Report prepared by Costin Roe Consulting at Appendix 5 of the EIS.

## NOISE

### Construction Noise and Vibration

- C14. Construction activities associated with the development shall be undertaken during the following standard construction hours:
- (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive; and
  - (b) 8:00 am to 1:00 pm Saturdays; and
  - (c) at no time on Sundays or public holidays.
- C15. Construction works outside of the standard construction hours identified in Condition C14 may be undertaken in the following circumstances:
- (a) construction works that generate noise that is:
    - (iii) 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
    - (iv) 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;
  - (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) if works are inaudible outside of the standard construction hours at the residential receiver (identified at Appendix 3).
- C16. Activities resulting in impulsive or tonal noise emission shall 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.

- C17. 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).

### Construction Noise Limits

- C18. 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 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

C19. The Applicant shall ensure that the noise generated by the operation of the development 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 <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (period)	L <sub>Aeq</sub> (period)	L <sub>A1</sub>
1570 The Horsley Drive	56	50	45	61

**Notes:**

- To identify the exact residential receiver location, refer to Appendix 9 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

C20. The Applicant shall:

- 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);
- minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;
- maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

## AIR QUALITY

C21. The Applicant shall:

- 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
- minimise any visible off-site air pollution that occurs as a result of this development.

## Odour

C22. The Applicant shall:

- ensure the development does not cause or permit the emission of any offensive odour (as defined by the POEO Act);
- design ventilation of the facility, including exit velocity of potentially odorous streams and stack height in accordance with:
  - 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;*
  - NSW DEC (2006) Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW, November 2006; and*
  - NSW DECCW Local Government Air Quality Toolkit: Air Quality Guidance Note for Food Outlets.*
- 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.

## STORAGE OF GOODS INCLUDING DANGEROUS GOODS

C23. At any time the storage of Dangerous Goods must not exceed the thresholds outlined in the *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33*.

- C24. Dangerous Goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with all relevant Australian Standards, including but not limited to, *AS2022 – 2003, Anhydrous Ammonia – Storage and Handling*, Standards Association of Australia, and *AS1677.2 – 1998, Refrigerating Systems Part 2: Safety requirements for fixed applications*, Standards Association of Australia.

## **GREENHOUSE GAS**

- C25. The Applicant shall implement all reasonable and feasible measures to minimise:
- (a) energy use on site; and
  - (b) greenhouse gas emissions produced on-site.

## **WASTE**

### **Classification**

- C26. For the life of the development, 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**

- C27. For the life of the development, the Applicant shall:
- (a) monitor the amount of waste generated by the development;
  - (b) investigate ways to minimise waste generated by the development;
  - (c) implement reasonable and feasible measures to minimise waste generated by the development; and
  - (d) undertake waste management in accordance with the *Waste Management Plan* prepared by SLR Consulting Australia Pty Ltd and dated 30 July 2015.

## **VISUAL AMENITY AND LANDSCAPING**

### **Lighting**

- C28. 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**

- C29. The Applicant shall prepare a detailed Signage Strategy for the site, to the satisfaction of the Secretary. The Strategy must:
- (a) be prepared in consultation with Council and be submitted to the Secretary for approval prior to installation of any permanent signage on the site;
  - (b) include detailed design/guidelines for business identification signage within the site; and
  - (c) for the life of the development, signage shall be installed in accordance with the Signage Strategy.

**Notes:** *This commitment does not apply to temporary construction-related and safety-related signage.*

### **Landscaping and Vegetation Management**

- C30. Prior to the commencement of construction works for each building or road, the Applicant shall prepare a Landscaping and Vegetation Management Plan for the development to the satisfaction of the Secretary. The plan shall:
- (a) be prepared in consultation with Council and submitted to the Secretary for approval;
  - (b) detail any landscaping treatments at the site, with particular attention to minimising the visibility of the site from residences and public vantage points and minimising bushfire risk;
  - (c) ensure that the development is undertaken generally in accordance with the Landscape Plans contained in the EIS;
  - (d) ensure landscaping with native species that require minimal water;
  - (e) demonstrate that planting will be undertaken in accordance with the relevant Australian Standards;
  - (f) comply with the requirements of Agriculture NSW for weed management and the destruction or removal of noxious weeds during construction and operation; and
  - (g) 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.

- C31. The Applicant shall ensure all landscaping identified in the approved Landscaping and Vegetation Management Plan (as revised and approved by the Secretary from time to time) is installed prior to the issue of any Occupation Certificate, or as otherwise agreed by the Secretary, and maintained by the Applicant over the life of the development.

#### **HOURS OF OPERATION**

- C32. The approved hours of operation for the use of the premises for warehousing purpose are 24-hours-per-day seven-days-a-week.
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**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 Fairfield 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 Conditions C21 and C22);
  - (b) traffic management (see Condition C4);
  - (c) noise and vibration management (see Conditions C14 to C18 );
  - (d) soil and water management (see Condition C7); and
  - (e) community consultation and complaints handling.
- D3. The Applicant shall carry out the construction of the development in accordance with the CEMP approved by the Secretary, unless otherwise agreed by the Secretary
- D4. Prior to 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;
  - (b) be prepared generally in accordance with the:
    - (i) Stormwater Management Strategy as depicted in the EIS;
    - (ii) Civil Engineering Report (Costin Roe, August 2015);
    - (iii) Concept Stormwater Drainage Plan (Costin Roe, July 2015);
    - (iv) AS3500; and
    - (v) Council's Stormwater Drainage Policy;
  - (c) incorporate design plans and accompanying design notes only; and
  - (d) incorporate gross pollutant traps and provide for all stormwater to be directed towards Basin 1 or Basin 2, in accordance with the stormwater management strategy.
- D5. The works approved under the 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 building and must be maintained by the Applicant over the life of the development.
- D6. The Applicant shall prepare a Work Place Travel Plan to the satisfaction of the PCA prior to the issue of the Occupation Certificate for the building.
- D7. The Applicant shall 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**

- D8. 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

- D9. 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

- D10. Within two years of the commencement of operations of the development, and every three (3) 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 recommend measures or actions to improve the environmental performance of the development, and/or any plan or program required under this consent.

**Notes:** *This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.*

- D11. Within six 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 their response to any recommendations contained in the audit report.
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**APPENDIX 1  
SCHEDULE OF APPROVED DRAWINGS**

Drawing No.	Issue	Date	Title
<b>Architectural Drawings Prepared by Australand</b>			
MB-WSPT-DA-000	B	-	TITLE SHEET
MB-WSPT-DA-001	A	June 2015	LOCATION PLAN
MB-WSPT-DA-002	B	August 2015	SITE ANALYSIS PLAN
MB-WSPT-DA-003	B	August 2015	SITE PLAN
MB-WSPT-DA-004	B	August 2015	STAGING DIAGRAM
MB-WSPT-DA-005	B	August 2015	TRUCK TURNING DIAGRAMS
MB-WSPT-DA-100	B	August 2015	WAREHOUSE PLAN
MB-WSPT-DA-110	B	August 2015	OFFICE GROUND FLOOR PLAN
MB-WSPT-DA-111	B	August 2015	OFFICE FIRST FLOOR PLAN
MB-WSPT-DA-112	B	August 2015	RECEIVING OFFICE FLOOR PLAN
MB-WSPT-DA-200	B	August 2015	ELEVATIONS
MB-WSPT-DA-210	B	August 2015	SECTIONS
MB-WSPT-DA-500	B	August 2015	COLOURED ELEVATIONS
MB-WSPT-DA-602	B	August 2015	VIEW 01
MB-WSPT-DA-603	A	July 2015	VIEW 02
MB-WSPT-DA-604	A	July 2015	VIEW 03
MB-WSPT-SK-0052	A	October 2015	TRUCK TURNING DIAGRAM 30M B-DOUBLE
<b>Landscape Drawings Prepared by habit8</b>			
L01	B	July 2015	LANDSCAPE PLAN
L02	B	July 2015	PROPOSED PLANTING SCHEDULE
<b>Civil Drawings Prepared by Costin Roe Consulting</b>			
CO11492.09-DA10	C	July 2015	DRAWING LIST AND GENERAL NOTES
CO11492.09-DA20	C	July 2015	EROSION AND SEDIMENT CONTROL PLAN
CO11492.09-DA25	C	July 2015	EROSION AND SEDIMENT CONTROL DETAILS
CO11492.09-DA40	C	July 2015	CONCEPT STORMWATER DRAINAGE PLAN
CO11492.09-DA45	C	July 2015	CONCEPT STORMWATER DRAINAGE DETAILS – SHEET 1
CO11492.09-DA46	C	July 2015	CONCEPT STORMWATER DRAINAGE DETAILS – SHEET 2
CO11492.09-DA50	C	July 2015	FINISHED LEVELS PLAN

## APPENDIX 2 MANAGEMENT AND MITIGATION MEASURES

### Environmental Impact Statement

Two Staged Proposed Warehouse/Distribution & Industrial Facility  
Horsley Drive Business Park

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### PART G MANAGEMENT AND MITIGATION MEASURES

*by* Australand Industrial Constructions Pty Ltd  
*in relation to* Proposed Warehouse/Distribution & Industrial Facility  
*at* Proposed lots 5 and 6, Horsley Drive Business Park

Australand will undertake the construction and operation of the proposed facility in accordance with the following:

The following defines some of the terms and abbreviations used in this statement:

Approval	The Minister's approval of the Project
BCA	Building Code of Australia
Council	Fairfield City Council
Department	Department of Planning and Environment
Secretary-General	Secretary-General of the Department (or delegate)
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Australand	Australand Industrial Constructions Pty Ltd
Project	The development as described in the EIS
Site	Land to which the project application applies
WorkCover	NSW WorkCover

### ADMINISTRATIVE COMMITMENTS

#### *Commitment to Minimise Harm to the Environment*

1. Australand will 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 project.

#### *Occupation Certificate*

2. Australand will ensure a staged Interim and Final Occupation Certificate is obtained prior to the occupation of the for both Stage 1 and Stage 2 facilities.

#### *Terms of Approval*

3. Australand will carry out the project generally in accordance with the:
  - a) Environmental Impact Statement;
  - b) Drawings prepared by Australand
  - c) Management and Mitigation Measures;
  - d) Any Conditions of Approval.
4. If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.
5. Australand will ensure compliance with any reasonable requirement/s of the Secretary-General of the Department of Planning and Environment arising from the Department's assessment of:



## **Environmental Impact Statement**

Two Staged Proposed Warehouse/Distribution & Industrial Facility  
Horsley Drive Business Park

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- a) Any reports, plans, programs, strategies or correspondence that are submitted in accordance with this Approval; and
- b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.

### **Structural Adequacy**

- 6. Australand will ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.

### **Operation of Plant and Equipment**

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

## **SPECIFIC ENVIRONMENTAL COMMITMENTS**

### **Noise**

- 8. Construction on the site will only be undertaken between 7am and 6pm Monday to Friday, and 7am and 6pm on Saturdays. No construction will be allowed on site on Sundays or public holidays.

### **Air**

#### **Construction Traffic**

- 9. During construction:
  - a) all trucks entering or leaving the site with loads have their loads covered;
  - b) trucks associated with the project do not track dirt onto the public road network; and
  - c) the public roads used by these trucks are kept clean.

#### **Dust Management**

- 10. During the construction phase of the project, all reasonable and feasible measures to minimise the dust generated by the project.

#### **Waste Management**

- 11. Australand will ensure that all waste generated on site during operation is classified in accordance with the Office of Environmental and Heritage's *Waste Classification Guidelines: Part 1 Classifying Waste* and disposed of to a facility that may lawfully accept the waste.

### APPENDIX 3 NOISE RECEIVER LOCATIONS

Type	Address	Description
Residential	1570 The Horsley Drive	Rural property with a dwelling

