

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 approve the development application referred to in Schedule A, subject to the conditions specified 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.

Anthea Sargeant 6/7/16
Executive Director
Key Sites and Industry Assessments

Sydney 6 July .

2016

SCHEDULE A

Application No.:	SSD 7235
Applicant:	Commercial and Industrial Property Constructions (NSW) Pty Ltd and Bieson Pty Ltd
Consent Authority:	Minister for Planning
Land:	2 Hume Highway (Lot 12 in Deposited Plan 834734) and 12 Hume Highway (Lot 1020 in Deposited Plan 871836), Chullora
Development:	Construction and operation of a 24 hour, seven days per week warehouse and distribution facility, associated five-storey multi-level car park and office building, overhead conveyor system, undergrounding of Sydney Trains' transmissions lines and easement adjustments, ancillary internal access and circulation and site landscaping.

TABLE OF CONTENTS

DEFINITIONS	2
ADMINISTRATIVE CONDITIONS	3
Obligation to Minimise Harm to the Environment	3
Terms of Consent	3
Limits of Consent	3
Staging	3
Staged Submission of Plans or Programs	3
Evidence of Consultation	4
Developer Contributions	4
Dispute Resolution	4
Statutory Requirements	4
Structural Adequacy	4
Utilities	4
Protection of Public Infrastructure	5
Compliance	5
Operation of Plant and Equipment	5
Works-as-Executed Plans for Stormwater Drainage	5
Easements	5
ENVIRONMENTAL PERFORMANCE CONDITIONS	6
Sydney Trains	6
Traffic and Access	6
Soil and Water	8
Noise	9
Air Quality	10
Dangerous Goods Storage	10
Waste	10
Heritage and Archaeology	10
Visual Amenity and Landscaping	11
ENVIRONMENTAL MANAGEMENT AND REPORTING	14
Environmental Management	14
Environmental Reporting	15
APPENDIX 1: SCHEDULE OF DRAWINGS	
APPENDIX 2: MANAGEMENT AND MITIGATION MEASURES	
APPENDIX 3: NOISE RECEIVER LOCATIONS	
APPENDIX 4: BUSH REGENERATION LOCATIONS	
APPENDIX 5: WORTH STREET TRAFFIC WORKS	

DEFINITIONS

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	Commercial and Industrial Property Constructions (NSW) Pty Ltd and Bieson Pty Ltd, or any other person or persons who rely on this consent to carry out the development 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	Bankstown-Canterbury Council
Dangerous Goods	As defined by the <i>Australian Dangerous Goods Code 7th 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, and its successors
Development	The development as described in the EIS and RTS and approved by this Development Consent for the construction and operation of a warehouse distribution facility with ancillary office space
EIS	Environmental Impact Statement titled <i>Proposed Warehouse & Distribution Facility 2 Hume Highway, Chullora</i> , prepared by Willowtree Planning and dated 9 October 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 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: - 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
Night	The period from 10 pm to 7 am on Mondays to Saturdays, and 10 pm to 8 am on Sundays and public holidays
NOW	Department of Primary Industries – NSW Office of Water
OEH	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 correspondence and appendices prepared by Willowtree Planning and dated 15 January 2016 and 3 March 2016
Secretary	Secretary of the Department of Planning and Environment, or 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) State significant development application SSD 7235;
 - (b) Environmental Impact Statement;
 - (c) Response to Submissions; and
 - (d) the approved plans at **Appendix 1**.
- B3. If there is any inconsistency between the plans and 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 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 EP&A Act.
- B6. This consent does not approve business identification signage. Separate approval for any business identification signage must be obtained for this development, if required under the EP&A Act.

STAGING

- B7. 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 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 of the EP&A Act.

STAGED SUBMISSION OF PLANS OR PROGRAMS

- B8. 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.

- B9. 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 are to be combined shall be demonstrated.

EVIDENCE OF CONSULTATION

- B10. 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.

DEVELOPER CONTRIBUTIONS

- B11. Pursuant to section 80A(1) of the EP&A Act, and the former Bankstown City Council's *Section 94A Development Contributions Plan 2009* (Section 94A Plan), a contribution of \$852,000 shall be paid to Council prior the issue of any Construction Certificate.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A Plan.

DISPUTE RESOLUTION

- B12. In the event 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 parties.

STATUTORY REQUIREMENTS

- B13. The Applicant shall ensure 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

- B14. The Applicant shall ensure 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.
- B15. 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

- B16. Prior to the construction of any utility works associated with the development, the Applicant shall obtain relevant approvals from service providers.
- B17. 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

- B18. 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.
- B19. 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 public infrastructure that needs to be relocated as a result of the development.

COMPLIANCE

- B20. 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.
- B21. The Applicant shall be responsible for any environmental impacts resulting from the actions of all persons it invites onto the site, including contractors, sub-contractors and visitors.

OPERATION OF PLANT AND EQUIPMENT

- B22. 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.

WORKS-AS-EXECUTED PLANS FOR STORMWATER DRAINAGE

- B23. Prior to the issue of an Occupation Certificate, works-as-executed drawings signed by a Registered Surveyor demonstrating the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to Council.

EASEMENTS

- B24. 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:
- (a) easements for sewer, water supply and drainage over all public services/infrastructure on private property;
 - (b) drainage easements are to be placed over all subsurface drains and interallotment drainage, benefiting and burdening the property owners; and
 - (c) maintenance of the subsurface drains is to be included in the section 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 carriageway to be revoked, varied or modified only with the consent of Council.

SCHEDULE C ENVIRONMENTAL PERFORMANCE CONDITIONS

SYDNEY TRAINS

- C1. Prior to the commencement of any bulk earthworks or construction works within 10 metres of the current Sydney Trains easement, the Applicant shall obtain final approval from Sydney Trains for the undergrounding of the existing high voltage powerline (unless prior approval has been obtained from Sydney Trains for these works).
- C2. The undergrounding of the powerlines shall be:
- (a) to Asset Standards Authority and Sydney Trains' requirements/standards;
 - (b) be located in the alignment of the current overhead powerlines (or in a location as agreed by Sydney Trains);
 - (c) be constructed at the Applicant's cost; and
 - (d) commissioned and accepted by Sydney Trains.
- C3. Following the receipt of approval from Sydney Trains for the undergrounding of the powerlines, the current easement and easement conditions shall be amended (at the Applicant's cost) to the satisfaction of Sydney Trains.
- C4. In the event Sydney Trains refuses to permit the undergrounding of the existing overhead powerlines, the design of the overhead conveyor system would need to be modified to accommodate Sydney Trains' existing powerlines and easement (to Sydney Trains satisfaction).

TRAFFIC AND ACCESS

Construction

- C5. A Road Occupancy Licence shall be obtained from the Transport Management Centre for any works that impact on traffic flows on the Hume Highway during construction activities. All demolition and construction vehicles are to be contained wholly within the site and vehicles shall enter the site before stopping. A construction zone will not be permitted on the Hume Highway.

Operating Conditions

- C6. The Applicant shall ensure:
- (a) all 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, shall be 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 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;
 - (h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
 - (i) the proposed loading areas and turning areas in the car park are kept clear of any obstacles, including parked vehicles, at all times.

Access

- C7. To ensure all vehicle movements are undertaken in a safe manner, the Applicant shall:
- (a) facilitate the construction of a new median turning lane and associated traffic signage on Worth Street at the site's entry/exit consistent with Concept Plan drawing No. BTC 1774, dated April 2016 (refer to **Appendix 5**) and to the satisfaction of Council;
 - (b) ensure the design of the median turning lane and associated traffic signage is finalised prior to the issue of the first Construction Certificate;
 - (c) ensure the design and construction of all works is undertaken in consultation with Council;
 - (d) ensure the construction of the median turning lane and associated traffic signage is completed to the satisfaction of Council prior to the issue of any Occupation Certificate; and
 - (e) ensure all costs associated with the design, construction and installation the new median turning lane and associated traffic signage are borne by the Applicant.
- C8. All works/regulatory signposting associated with the development are to be at no cost to Council or RMS.

Parking and Amenities

- C9. Prior to the issue of the Occupation Certificate, the Applicant shall demonstrate to the satisfaction of the Certifying Authority the provision of:
- (a) a minimum of 352 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) a minimum 84 truck trailer parking spaces and 24 pick-up and delivery vehicle parking spaces for use during the operation of the development; and
 - (c) Class 3 bicycle racks, and amenity and change room facilities for cyclists in accordance with *AS 2890.3: 1993 – Bicycle Parking Facilities* and *RMS NSW Bicycle Guidelines*.

Construction Traffic Management Plan

- C10. Prior to the commencement of construction, the Applicant shall prepare a **Construction Traffic Management Plan** (CTMP) for the development in consultation with Council and be submitted to the Secretary. The plan shall form part of the Construction Environmental Management Plan required under Condition D1. 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) demonstrate 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.
- C11. The Applicant shall ensure the **CTMP** is implemented for the duration of the construction works.

Operational Traffic Management Plan

- C12. Prior to the commencement of operation, the Applicant shall prepare an **Operational Traffic Management Plan** (Operational TMP) for the development in consultation with Council and be submitted to 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) quantify the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
 - (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) include detail of proposed truck parking to ensure it is managed in an orderly manner; and
- (f) include a Driver Code of Conduct that details traffic management measures to be implemented during operation to:
 - (i) minimise the 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.

C13. The Applicant shall ensure the **Operational TMP** is implemented for the life of the development.

SOIL AND WATER

Stormwater and Flooding

- C14. Prior to the commencement of construction works, the Applicant shall prepare and submit a **Stormwater Management Plan (SMP)** 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) Civil Engineering Report, prepared by Costin Roe Consulting and dated 23 October 2015;
 - (ii) Council's *Development Engineering Standards, June 2009*; and
 - (iii) OEH's *Managing Urban Stormwater: Soils and Construction Guideline*;
 - (c) identify all works to be constructed relevant to the Construction Certificate 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, and gross pollutant traps;
 - (f) describe the measures that will be implemented to maintain the stormwater management infrastructure during the life of the development;
 - (g) demonstrate to the satisfaction of Council the development will not generate any adverse off-site flooding impacts; and
 - (h) 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.
- C15. The works approved under the **SMP** (as approved by the Secretary, and revised from time to time) shall be installed prior to the issue of the Occupation Certificate for the works they relate to, and shall be maintained by the Applicant over the life of the development. Any stormwater works within the public road reserves shall be constructed prior to dedication to the relevant roads authority.
- C16. Should the post-development stormwater discharge into the RMS drainage system exceed the pre-development discharge levels, detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to RMS for approval, prior to the commencement of any works in the RMS road reserve.

Details should be forwarded to:

The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before RMS approval is issued. With regard to the Civil Works requirement please contact the RMS Project Engineer, External Works Ph: 8849 2114 or Fax: 88492766.

- C17. The Applicant shall be responsible for all public utility adjustment/relocation works, necessitated by any stormwater drainage works as required by the various public utility authorities and/or their agents.

Erosion and Sediment Control

- C18. During construction works, the Applicant shall implement and maintain best practice 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*.

Remediation

- C19. Prior to the commencement of any construction works, the area of environmental concern shall be remediated in accordance with the approved Remedial Action Plan (RAP) prepared by SLR Consulting and dated 30 October 2015. Upon completion of remedial works, the Applicant shall submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement shall verify the relevant part of the site is suitable for the commercial/industrial land use and be provided to the satisfaction of the Certifying Authority.

Pollution of Waters

- C20. The Applicant shall comply with the requirements of section 120 of the POEO Act, except as may be expressly permitted by a licence under the POEO Act.

Rainwater Harvesting

- C21. The Applicant shall ensure the rainwater reuse/harvesting system is designed, constructed and operated in accordance with the Integrated Water Management Strategy, prepared by Umow Lai and dated 9 October 2015.

NOISE

Construction Noise and Vibration

- C22. Construction activities associated with the development shall be undertaken within the following standard construction hours:
- (a) 7 am to 6 pm Mondays to Fridays, inclusive; and
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays or public holidays.
- C23. Construction works outside the standard construction hours identified in Condition B22 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;
 - (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 by the Secretary; or
 - (e) if works are inaudible outside the standard construction hours at the nearest receiver (identified at **Appendix 3**).
- C24. Activities resulting in impulsive or tonal noise emission 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 1 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.

- C25. 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).
- C26. Wherever practical, piling activities shall be undertaken using quieter alternate methods than impact or percussion piling, such as bored piles or vibrated piles.
- C27. Where feasible and reasonable, 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

- C28. 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 management and mitigation measures outlined in the EIS.

Noise Limits

- C29. The Applicant shall ensure the noise from the operation of the Development does not exceed the limits in **Table 1** below at all privately owned residential premises.

Table 1: Maximum Operational Noise Limits

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)	LA1
All privately owned residential premises	50	49	46	56

Notes:

- To identify the residential receiver locations, refer to Appendix 8 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 (INP). Appendix 9 of the INP sets out the meteorological conditions under which this criterion applies.

Noise Management

- C30. 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 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.

Hours of Operation

- C31. The development, including the ancillary office, warehousing, sortation and distribution, may operate 24 hours per day seven days per week.

AIR QUALITY

- C32. 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; and
 - (b) minimise any visible off-site air pollution that occurs as a result of this development.

DANGEROUS GOODS

- C33. The storage of Dangerous Goods shall not exceed the thresholds outlined in the *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33*.
- C34. 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

- C35. The Applicant shall ensure 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

- C36. 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 titled *Development Application Waste Management Plan*, prepared by Commercial and Industrial Property Constructions (NSW) Pty Ltd.

HERITAGE AND ARCHAEOLOGY

- C37. Prior to works commencing, the Applicant shall determine the exact location of the Sydney Water Pressure Tunnels to avoid unnecessary impact on their heritage significance, and the *Heritage and Archaeological Impact Assessment*, prepared by Artefact Heritage and dated October 2015, shall be updated accordingly. Details shall be submitted to the satisfaction of the Certifying Authority prior to works commencing.
- C38. If substantial intact archaeological deposits and/or State significant relics which were not previously identified in the *Heritage and Archaeological Impact Assessment*, prepared by Artefact Heritage and dated October 2015, are discovered during construction, the Applicant shall:
- (a) immediately cease works in the affected area(s) and contact a suitably qualified and experienced archaeologist to assess the finds;
 - (b) not commence work until the Heritage Council has confirmed works may continue within the affected area(s);
 - (c) address any request for information made by the Heritage Council, and provide copies of this information to the Secretary; and
 - (d) update any relevant plans or strategies if required by the Secretary.

VISUAL AMENITY AND LANDSCAPING

Lighting

- C39. 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.

Note: These requirements do not apply to temporary construction-related and safety-related signage.

Landscaping and Vegetation Management

- C40. Prior to the commencement of off-site landscaping works, the Applicant shall prepare a Street Planting Management Plan in consultation with, and to the satisfaction of Council. The Plan shall specify the following:
- (a) Street planting on 700 metres of Muir Road comprising:
 - (i) 45 x 400 litre *Ficus macrocarpa* var. *Hi//ii* (Weeping Hills Fig);
 - (ii) planting at 15 metre intervals;
 - (iii) completion of a Soil Preparation Plan prior to planting providing a soil analysis; and
 - (iv) a 12 month maintenance period following planting.
 - (b) Street planting on Worth Street comprising:
 - (i) 100-200 litre *Eucalyptus crebra* (narrow-leaved ironbark) infill planting to replace removed or failing trees, subject to an arborist using the methodology outlined in Council's Tree Management Manual; and
 - (ii) a 12 month maintenance period following planting.
- C41. Prior to the commencement of off-site landscaping works, the Applicant shall prepare a Bush Regeneration Management Plan in consultation with and to the satisfaction of Council. The Plan shall specify the following:
- (a) 0.5 hectares of regeneration works in Lansdowne Reserve (refer to **Appendix 4, Figure 1**) and 1.2 hectares of regeneration works in Walshaw Reserve (refer to **Appendix 4, Figure 2**) comprising:
 - (i) canopy trees with a minimum 45 litre pot size (1 per 25 m²); and
 - (ii) the remaining canopy tree plantings ratio to be tube stock (1 per 5 m²), shrubs (1 per 2 m²), and grasses (8 per 1 m²);
 - (b) a 3 year maintenance period following planting;
 - (c) soil preparation and weed management measures; and
 - (d) relevant treatments based on site conditions.
- C42. Prior to the commencement of site landscaping works, the Applicant shall prepare a **Landscaping and Vegetation Management Plan (LVMP)** 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 development from the Hume Highway and public vantage points, and to enhance the heritage significance of the Remembrance Driveway corridor;
 - (c) ensure landscaping is undertaken generally in accordance with the Landscape Concept Plan (Issue D), prepared by Lange Design, dated 2 February 2016;
 - (d) ensure landscaping comprises native species that require minimal water;
 - (e) demonstrate 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 will be implemented to maintain landscaping and vegetation on the site for the life of the development.
- C43. The Applicant shall ensure all landscaping identified in the Street Planting Management Plan and Bush Regeneration Management Plan (approved by Council) and **LVMP** (as approved by

the Secretary and revised from time to time) is installed prior to the issue of any Occupation Certificate. All street tree planting and bush regeneration works shall be undertaken to the satisfaction of Council. All landscaping remaining under private ownership shall 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 (CEMP)** to the satisfaction of the Secretary. The Plan shall:
- (a) be prepared by a suitably qualified and experienced expert in consultation with 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 **CEMP** for the development, required under Condition C1 of this consent, the Applicant shall include the following:
- (a) traffic management (see Condition C10);
 - (b) noise and vibration management (see Conditions C22 to C28);
 - (c) soil and water management (see Conditions C14, C18); and
 - (d) community consultation and complaints handling procedure.
- D3. The approved **CEMP** (as approved by the Secretary and revised from time to time) shall be implemented by the Applicant for the duration of the construction works.

Work Place Travel Plan

- D4. The Applicant shall prepare a Work Place Travel Plan to the satisfaction of Certifying Authority prior to the issue of any Occupation Certificate.
- D5. The Applicant shall ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the development.

Operational Environmental Management Plan

- D6. The Applicant shall prepare and implement an **Operational Environmental Management Plan (OEMP)** for the development and be submitted to the Secretary prior to the commencement of operations. This Plan shall:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) include a copy of all relevant management plans and monitoring requirements and programs relevant under this consent;
 - (d) outline all environmental management practices and procedures to be followed during operation;
 - (e) describe all activities to be undertaken on the site during operation;
 - (f) detail how the environmental performance of the operation of the development will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (g) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (h) describe the procedures that will be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;

- (iii) resolve any disputes that may arise during the course of the development;
- (iv) respond to any non-compliance;
- (v) respond to emergencies;
- (vi) include copies of any strategies, plans and programs approved under the conditions of this consent; and
- (vii) a clear plan depicting all the monitoring required to be carried out under the conditions of this consent.

D7. The approved **OEMP** shall be implemented by the Applicant 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 annual 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.

Access to Information

D10. The Applicant shall make the following information publicly available on its website and keep the information up to date:

- (a) the EIS;
- (b) current statutory approvals for the Development;
- (c) approved strategies, plans or programs;
- (d) a complaints register, updated on an annual basis; and
- (e) any other matter required by the Secretary.

Note: This condition does not require any confidential information to be made available to the public.

**APPENDIX 1
SCHEDULE OF APPROVED DRAWINGS**

Drawing No.	Issue.	Date	Title
Architectural Drawings Prepared by Pace Architects			
140204-DA050	E	16.02.16	Site Plan
140204-DA100	C	23.10.15	Warehouse Floor Plan
140204-DA105	C	23.10.15	Warehouse Fitout Plan
140204-DA110	C	23.10.15	Office Car Park Floor Plan
140204-DA111	C	23.10.15	Upper Level Floor Plans
140204-DA112	C	23.10.15	Office Floor Plans
140204-DA113	C	23.10.15	Warehouse Office Plan/Detail
140204-DA200	C	23.10.15	Warehouse Elevations
140204-DA210	C	23.10.15	Office Elevations
140204-DA220	C	23.10.15	Building Sections
140204-DA220	C	23.10.15	Site Sections
Civil Engineering Drawings Prepared by Costin Roe			
C012891.00-DA10	C	22.10.15	Drawing List and General Notes
C012891.00-DA20	D	22.10.15	Erosion and Sediment Control Plan
C012891.00-DA25	C	22.10.15	Erosion and Sediment Control Details – Sheet 1
C012891.00-DA26	C	22.10.15	Erosion and Sediment Control Details – Sheet 2
C012891.00-DA41	E	22.10.15	Concept Stormwater Drainage Plan – Sheet 1
C012891.00-DA42	E	22.10.15	Concept Stormwater Drainage Plan – Sheet 2
C012891.00-DA45	C	22.10.15	Drainage Details – Sheet 1
C012891.00-DA46	E	22.10.15	Drainage Details – Sheet 2
C012891.00-DA51	F	22.10.15	Concept Finished Level Plan – Sheet 1
C012891.00-DA52	F	22.10.15	Concept Finished Level Plan – Sheet 2
C012891.00-DA65	C	22.10.15	Retaining Wall Detail

APPENDIX 2 MANAGEMENT AND MITIGATION MEASURES

by Commercial & Industrial Property Pty Ltd (CIP)
in relation to Proposed Warehouse & Distribution Facility
at 2 Hume Highway, Chullora, Lot 12 in DP834734

Construction and operation of the proposed facility will be undertaken in accordance with the following commitments.

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	Canterbury-Bankstown Council
Department	NSW Department of Planning and Environment
Secretary-General	Secretary-General of the Department (or delegate)
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
CIP	Commercial & Industrial Property Pty Ltd
Project	The development described in this EIS
Site	Land to which the project application applies
WorkCover	NSW WorkCover

ADMINISTRATIVE COMMITMENTS

Commitment to Minimise Harm to the Environment

1. 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.

Terms of Approval

2. CIP will carry out the project generally in accordance with the:
 - a) Environmental Impact Statement by Willowtree Planning;
 - b) Drawings prepared by PACE Architects and Costin Roe Consulting;
 - c) Management and Mitigation Measures; and
 - d) Any 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. CIP will ensure that all new buildings and structures on the site are constructed in accordance with the Building Code of Australia.

Operation of Plant and Equipment

5. The Proponent and/or Operator 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.

Heritage Impacts

6. CIP will implement an Unexpected Finds Protocol during site works.

SPECIFIC ENVIRONMENTAL COMMITMENTS

Air and Odour Impacts

Construction Traffic

7. During construction:
 - a) all trucks entering or leaving the site with loads have their loads covered;
 - b) trucks associated with the project will not track dirt or spill any deleterious matter onto public roads.

Spill Management

8. A Construction Environmental Management Plan will be developed by CIP prior to any construction works commencing on site. This will detail all the relevant controls to manage any spills at the site.

Dust Management

9. During the construction phase of the project, all reasonable and feasible measures will be implemented to minimise dust impacts on adjoining lands generated by the project.

Waste Management

10. The Proponent and/or Operator will ensure that all waste generated on site is classified in accordance with the Office of Environment and Heritage's Waste Classification Guidelines: Part 1 Classifying Waste and disposed of to a facility that may lawfully accept the waste.

The map shows the Australia Post Facility and 2 Hume Highway, Chullora. Key features include:

- Australia Post Facility**: A large white building with a blue roof.
- 2 Hume Highway, Chullora**: A road with a blue water drop icon.
- Noise logger (57 Lawford St)**: A green arrow pointing to a house.
- Attended noise monitoring**: Green arrows pointing to houses.
- Nearest residences**: A green arrow pointing to a house.
- Streets**: Lawford St, Terry St, Waterloo Way, and others.

APPENDIX 4 BUSH REGENERATION LOCATIONS

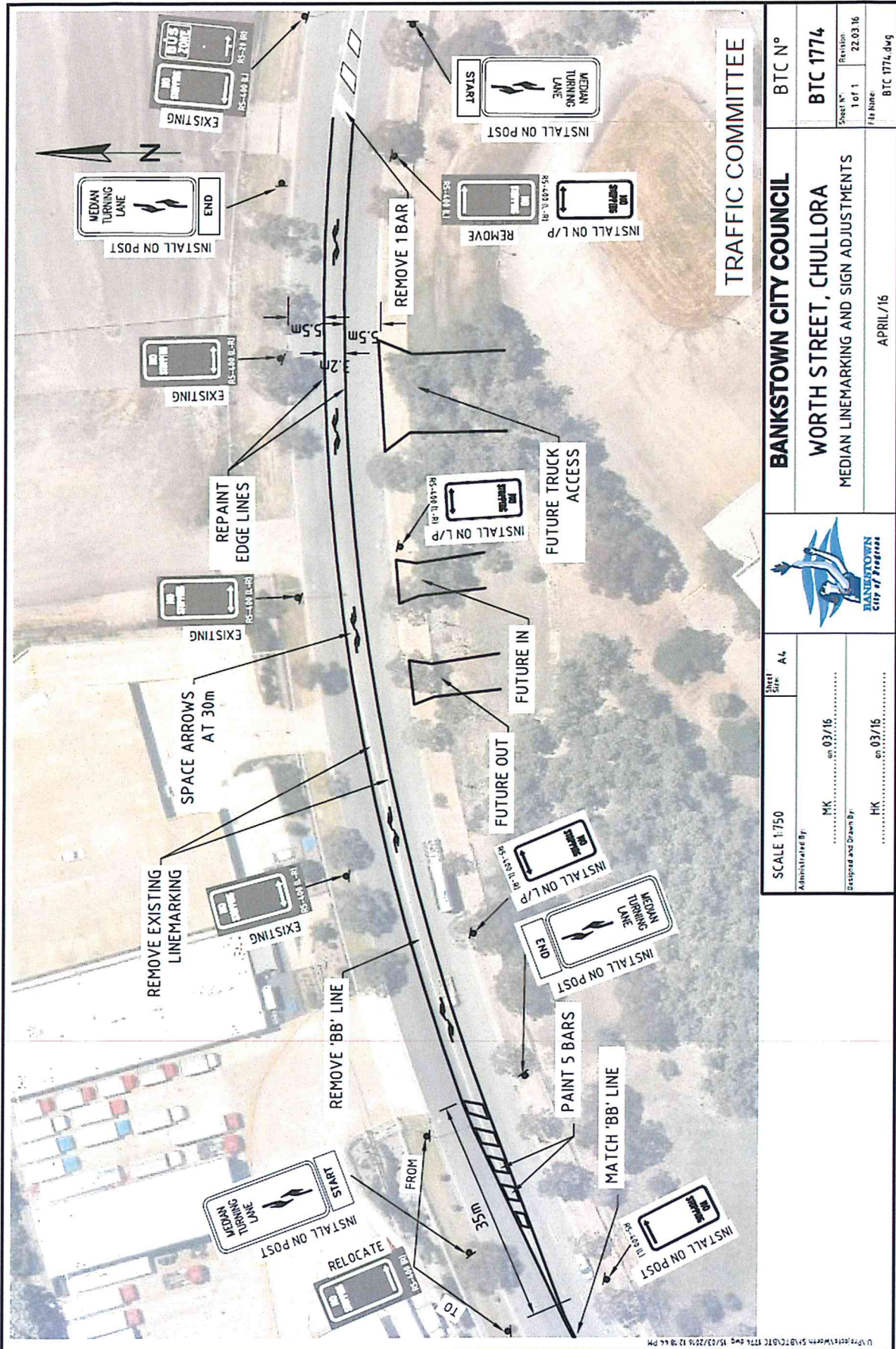
Figure 1: Part of Lansdowne Reserve (as shown highlighted)



Figure 2: Part of Walshaw Reserve (as shown highlighted)



APPENDIX 5 WORTH STREET TRAFFIC WORKS



SCALE 1:750		Sheet Size A4		BANKSTOWN CITY COUNCIL	BTC N°	
Administrative By: MK on 03/16		BTC 1774				
Designed and Drawn By: HK on 03/16		MEDIAN LINEMARKING AND SIGN ADJUSTMENTS				
		APRIL /16				
					Sheet N° 1 of 1	Revision 22.03.16
					File Name	BTC 1774.dwg