

# Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Anthea Sargeant  
**Executive Director**  
**Key Sites and Industry Assessments**

Sydney

23 February 2018

*The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.*

*The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.*

**CONSOLIDATED CONSENT**

**SCHEDULE 1**

<b>Application Number:</b>	SSD-8209
<b>Applicant:</b>	Costco Wholesale (Australia) Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	Lot 3 DP 1229850
<b>Development:</b>	<p>15 Ottelia Road, Kemps Creek</p> <p>Construction and operation of a warehouse and distribution centre in two stages, comprising the following:</p> <ul style="list-style-type: none"><li>• a warehouse and distribution building;</li><li>• ancillary office space;</li><li>• car parking;</li><li>• stormwater and rainwater infrastructure; and</li><li>• landscaping.</li></ul>

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### SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-8209-MOD-1	17 August 2018	A/Director, Industry Assessments	Minor amendments to the design and layout of the warehouse and ancillary buildings
SSD-8209-MOD-2	3 December 2018	Director, Industry Assessments	Modification to the approved depot office including the removal of the first-floor component and minor design amendments, with the inclusion of a temporary optical lab and submission of a revised Sustainability Management Plan
SSD-8209-MOD-3	20 December 2022	Team Leader, Industry Assessments	Modification to Stage 2 of the approved building including the extension of the building by 2.55 metres, increase the gross floor area by 212 square metres, increase the building height by 4.59 metres from 9.66 m to 14.25 m and minor design amendments
SSD-8209-MOD-4	31 January 2024	Team Leader, Industry Assessments	Modification to increase individual car parking space sizes, resulting in a total of 266 car spaces (removal of 62 car parking spaces)

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## DEFINITIONS

<b>Applicant</b>	Costco Wholesale (Australia) Pty Ltd, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certifying Authority</b>	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
<b>Construction</b>	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
<b>Council</b>	Penrith City Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Demolition</b>	The removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure
<b>Development</b>	The development described in the EIS and RTS and depicted in Appendix A, being for the construction and operation of a warehouse and distribution centre in two stages, as modified by the conditions of consent
<b>DPI</b>	NSW Department of Primary Industries
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	Environmental Impact Statement titled “ <i>Warehouse and Distribution Facility, Precinct 4, Site 4A, Oakdale South Estate, Costco Wholesale</i> ”, prepared by Hawes and Swan Pty Ltd, dated 8 August 2017
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>EPL</b>	Environment Protection Licence issued by the EPA under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Heavy vehicle</b>	Any vehicle with a gross vehicle mass of five tonnes or more
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National</i>

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	<i>Parks and Wildlife Act 1974</i>
<b>Incident</b>	A set of circumstances causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this consent
<b>Land</b>	In general, the definition of land is consistent with the definition in the EP&A Act
<b>Management &amp; Mitigation Measures</b>	The Applicant's management and mitigation measures contained in the EIS/RTS and included in Appendix B of this development consent
<b>Material harm to the environment</b>	Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Modification Assessments</b>	<p>The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&amp;A Act:</p> <p>SSD 8209 MOD 1 prepared by Hawes &amp; Swan and dated 25 June 2018</p> <p>SSD 8209 MOD 2 prepared by The Planning Hub and dated 23 August 2018</p> <p>SSD 8209 MOD 3 prepared by Ethos Urban and dated 6 September 2022</p> <p>SSD-8209-MOD-4 prepared by Ethos Urban and dated 27 September 2023</p>
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>OEH</b>	Office of Environment and Heritage
<b>OEMP</b>	Operational Environmental Management Plan
<b>PCA</b>	Principal Certifying Authority authorised under section 109D of the EP&A Act
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Relates to the application of judgment in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
<b>RMS</b>	Roads and Maritime Services
<b>RTS</b>	Response to Submissions, prepared by Hawes and Swan Pty Ltd, dated 20 November 2017 and all appendices
<b>Secretary</b>	<del>Secretary of the Department (or nominee)</del> Planning Secretary under the EP&A Act, or nominee
<b>Sensitive Receivers</b>	A location where people are likely to work or reside, this may include a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land listed in Schedule 1
<b>SSD 8209</b>	The development as described in Schedule 1, the EIS and the RTS

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<b>TfNSW</b>	Transport for NSW
<b>VENM</b>	Virgin Excavated Natural Material as defined in the POEO Act
<b>Waste</b>	As defined in the POEO Act

FOR INFORMATION

## SCHEDULE 2

### PART A: ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

#### TERMS OF CONSENT

- A2. The Development may only be carried out:
- (a) In compliance with the conditions of consent;
  - (b) In accordance with all written directions of the Secretary;
  - (c) In accordance with the EIS and Response to Submissions;
  - (d) In accordance with Modification Assessments;
  - (e) In accordance with the Development Layout in Appendix A; and
  - (f) In accordance with the management and mitigation measures in Appendix B.
- A3. If there is any inconsistency between the above documents, 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.
- A4. The Applicant must comply with all written requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents); and
  - (b) the implementation of any actions or measures contained within these documents.

#### LIMITS OF CONSENT

- A5. This consent lapses five years after the date 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.
- A6. The total building area must not exceed:
- (a) 33,716 m<sup>2</sup> of warehouse and distribution uses;
  - (b) 1,344 m<sup>2</sup> of office area and ancillary structures; and
  - (c) 169 loading docks.

#### STAGING

- A7. Prior to the commencement of construction, a Staging Report must be prepared to the satisfaction of the Secretary including details of:
- (a) how the development will relate to other construction stages as described in the Construction Environmental Management Plan for Stage 1 (SSD 6917) approved by the Director, Industry Assessments, on 5 December 2016 (as amended);
  - (b) general timing of construction stages that impact upon the timing of the development subject of this consent; and
  - (c) details of the relevant conditions of the Concept Approval (SSD 6917), which would apply to the development subject of this consent.

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- A8. Prior to the commencement of operation, evidence must be provided to the satisfaction of the Secretary that internal estate roads, utilities and stormwater infrastructure (Stages 4 and 5 of the Infrastructure Staging Plan, Drawing No. SKC224 dated 17 August 2016) has been constructed to the extent required to service the site.

**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

- A9. 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.
- A10. 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 is to be combined must be demonstrated.

### EVIDENCE OF CONSULTATION

- A11. Where consultation with any public authority is required by the conditions of this consent, the Applicant must:
- (a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the PCA for approval;
  - (b) submit evidence of such consultation as part of the relevant documentation required by the conditions of this consent;
  - (c) describe how matters raised by the public authority have been addressed and identify matters that have not been resolved; and
  - (d) 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.

### STATUTORY REQUIREMENTS

- A12. The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained 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 approval/consents.

### DEMOLITION

- A13. The Applicant must ensure that all demolition associated with the Development is carried out in accordance with Australian Standard AS 2601:2001: *The Demolition of Structures*, or its latest version and the requirements of the *Work Health and Safety Regulation, 2011*.

### STRUCTURAL ADEQUACY AND CERTIFICATION

- A14. The Applicant must 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.



- A15. 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 AND SERVICES

- A16. Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.
- A17. Prior to operation of the Development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

### PROTECTION OF PUBLIC INFRASTRUCTURE

- A18. Prior to the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and/or provider of services that are likely to be affected by the Development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (c) submit a copy of this report to the Secretary and Council.
- A19. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the Development; and
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Development.

### COMPLIANCE

- A20. 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.

### EASEMENTS

- A21. 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 inter-allotment drainage on the site, benefiting and burdening the property owners;
  - (c) maintenance of the subsurface drains is to be included in the 88E Instrument;
  - (d) restriction as to user and positive covenant relating to the:
    - i. on-site detention system/s;
    - ii. stormwater pre-treatment system/s;
    - iii. overland flowpath works; and
  - (e) flood control works.

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

## OPERATION OF PLANT AND EQUIPMENT

- A22. 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

- A23. Prior to the issue of a final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating the stormwater drainage, rainwater harvesting system and finished ground levels have been constructed as approved must be submitted to the Certifying Authority.

## DEVELOPER CONTRIBUTIONS

- A24. The Applicant must provide all monetary contributions and/or works-in kind under section 94EF of the EP&A Act as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between the Minister for Planning and Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 8 Pty Ltd, and BGAI 2 Pty Limited and executed on 12 March 2015 (VPA), and as amended by the letter of offer dated 23 January 2017 as attached at **Appendix C**.
- A25. The use of the optical lab is limited to the manufacture and maintenance of eyewear comprising cutting of pre-manufactured lenses and fitting to frames including functions ancillary to the use such as administration, receiving, shipping and storage.

## PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

### TRAFFIC AND ACCESS

#### Construction Traffic Management Plan

- B1. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the Development to the satisfaction of the secretary. The plan must form part of the CEMP required by Condition C1 and be prepared in accordance with Condition C6. The CTMP must:
- (a) be prepared by a suitably qualified and experienced person(s), in consultation with Council and RMS;
  - (b) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
  - (c) detail the traffic control measures to prevent vehicles colliding with TransGrid's transmission towers;
  - (d) detail heavy vehicle routes, access and parking arrangements;
  - (e) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (f) include a program to monitor the effectiveness of these measures; and
  - (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the CTMP required by Condition B1 is approved by the Secretary; and
  - (b) implement the most recent version of the CTMP approved by the Secretary for the duration of construction.

#### Operational Traffic Management Plan

- B3. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the Development to the satisfaction of the secretary. The plan must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The OTMP must:
- (a) be prepared by a suitably qualified and experienced person(s), in consultation with Council and RMS;
  - (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 there will be no queuing on the public road network;
  - (d) include details of proposed truck parking to ensure it is managed in an orderly manner;
  - (e) include a loading dock management plan including measures to prevent conflicts between heavy vehicles loading/unloading at the eastern docks and heavy vehicles performing a U-turn; and
  - (f) include a Driver's Code of Conduct which details traffic management measures to be implemented during operation to:

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- (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.

**B4. The Applicant must:**

- (a) not commence operation until the OTMP required by Condition B3 is approved by the Secretary; and
- (b) implement the most recent version of the OTMP approved by the Secretary for the duration of the development.

### Parking and Amenities

**B5. Prior to the commencement of operation of Stage 1, the Applicant must provide:**

- (a) a minimum of ~~238~~ 191 on-site car parking spaces including ~~6~~ 7 accessible spaces for use during operation of the Development and constructed in accordance with the latest version of AS 2890; and
- (b) Class 3 bicycle rails to accommodate a minimum of 10 bicycles and amenity and change room facilities for cyclists in accordance with the latest version of AS 2890.3 – *Bicycle Parking Facilities* and RMS' *NSW Bicycle Guidelines*.

**B6. Prior to the commencement of operation of Stage 2, the Applicant must provide a minimum of ~~90~~ 75 car parking spaces, in addition to the requirements of Condition B5.**

**B7. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the Development does not utilise public and residential streets or public parking facilities.**

### Operating Conditions

**B8. The Applicant must ensure:**

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest version of AS 2890.1 and AS 2890.2;
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the Development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the Development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) forklifts must not be operated outside the warehouse and distribution building;
- (g) all vehicles, including forklifts, must only be fitted with broadband reversing alarms;
- (h) all loading and unloading of materials is carried out on-site;
- (i) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (j) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

### Workplace Travel Plan

- B9. The Applicant must prepare a Workplace Travel Plan to the satisfaction of the Certifying Authority prior to the issue of an Occupation Certificate.
- B10. The Applicant must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the duration of the Development.

### SOILS, WATER QUALITY AND HYDROLOGY

#### Stormwater Management Plan

- B11. Prior to the commencement of construction, the Applicant must prepare a Stormwater Management Plan (SWMP) to the satisfaction of the Secretary. The SWMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The SWMP must:
- (a) be prepared by a suitably qualified engineer, in consultation with Council.
  - (b) be prepared generally in accordance with the:
    - (i) *Stormwater Management Report*, prepared by at&I, rev 05, report no 16-379-R001 dated August 2016 as modified by the *Civil, Stormwater and Infrastructure Services Strategy*, rev 11, report no 14-193-R001, prepared by at&I, dated September 2016, and accompanying drawings; and
    - (ii) relevant requirements of Council;
  - (c) identify all buildings and roadworks to be constructed relevant to the Construction Certificate to which the works relate;
  - (d) incorporate design plans and accompanying design notes, including any water sensitive urban design measures;
  - (e) describe the measures which would be implemented to maintain the infrastructure during the life of the Development, including maintenance, monitoring and annual reporting; and
  - (f) include a final MUSIC model.
- B12. The Applicant must:
- (a) not commence construction until the SWMP required by Condition B11 is approved by the Secretary; and
  - (b) implement the most recent version of the SWMP approved by the Secretary for the duration of the Development.

#### Erosion and Sediment Control

- B13. Prior to the commencement of construction, the Applicant must install 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* and the Erosion and Sediment Control Plan included in the CEMP required by Condition C1.

#### Imported Soil

- B14. The Applicant must:
- (a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site;
  - (a) keep accurate records of the volume and type of fill to be used; and
  - (b) make these records available to the Department upon request.

#### Works-as-Executed Drawings – Stormwater Drainage

- B15. On completion of the drainage works and prior to commencement of operation, works-as-executed (WAE) plans certified by a Registered Surveyor must be submitted to the Department demonstrating that the drainage works have been completed in accordance with the approved plans. All relevant details are to be on the WAE plans and must be marked in red on a copy of the original plan approved at the Construction Certificate stage.

### Flooding

- B16. All finished floor levels must achieve a minimum 500 mm freeboard above the 100 year ARI flood level.

### Rainwater Harvesting

- B17. The Applicant must ensure that rainwater re-use/harvesting system is designed and constructed in accordance with the Civil Plans and *Water Management Plan* prepared by Acor Consultants (Revision B dated November 2017) at Appendix C of the RTS. A rainwater re-use plan is to be prepared and certified by an experienced hydraulic engineer. A signed works-as-executed Rainwater Re-use Plan is to be provided to Council prior to the issue of any Occupation Certificate.

## AIR QUALITY

### Dust Minimisation

- B18. The Applicant must implement all reasonable and feasible measures to minimise dust generated during demolition, earthworks, construction and operation of the Development.
- B19. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the Development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### Odour Management

- B20. The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

### Energy Efficiency and Greenhouse Gases

- B21. The Applicant must include all sustainability measures outlined in the *Sustainability Management Plan, Oakdale South Industrial Estate, Costco Depot* dated 6 April 2017 prepared by SLR Consulting Australia Pty Ltd (as revised and approved by the Secretary from time to time) in the Construction Certificate drawings for the development prior to the issue of any Occupation Certificate.

## NOISE

### Hours of Work

- B22. The Applicant must comply with the hours detailed in **Table 1**.



**Table 1: Hours of Work**

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

- B23. Works outside of the hours identified in Condition B22 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
  - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
  - (c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.
- B24. 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 and 5:00 pm Monday to Friday;
  - (b) between the hours of 8:00 am and 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 conditions, '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.

## Construction Noise Limits

- B25. The Development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the EIS.
- B26. Where feasible and reasonable, noise mitigation measures must be implemented at the start of construction (or at other times during construction) to minimise construction noise impacts.

## Construction Noise Management Plan

- B27. Prior to the commencement of construction, the Applicant must prepare a Construction Noise Management Plan (CNMP) to the satisfaction of the Secretary. The CNMP must form part of the CEMP required by Condition C1 and be prepared in accordance with Condition C6. The CNMP must:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in the EPA's *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009);
  - (c) describe the measures to be implemented to manage high noise generating works such as piling in close proximity to sensitive receivers;
  - (d) include strategies that have been developed with nearby sensitive receivers for managing high noise generating works, including options for respite periods;

- (e) describe the consultation with the nearby sensitive receivers undertaken to develop the strategies in d) above; and
- (f) include a complaints management system that would be implemented for the duration of the Development, including direct contact details for a representative to manage any noise complaints.

B28. The Applicant must:

- (a) not commence construction (of each stage of the development) until the CNMP required by Condition B27 is approved by the Secretary; and
- (b) implement the most recent version of the CNMP approved by the Secretary for the duration of the Development.

B29. Should residential receivers commence occupation of the RU4 zoned land or the Capitol Hill Subdivision to the south of the site prior to the commencement of construction of Stage 1 or Stage 2 of the Development, the CNMP must be updated to account for these receivers to the satisfaction of the Secretary.

## Operational Noise Limits

B30. The Applicant must ensure that noise generated by operation of the Development does not exceed the noise limits in **Table 2**.

**Table 2: Noise Limits dB(A)**

Location	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)	Night L <sub>A1</sub> (1 minute)
L1 North of Warragamba Pipeline	37	37	37	47
L2 Horsley Park	39	39	39	49
L3 Kemps Creek, Mt Vernon, Jacfin and Capitol Hill	40	40	40	48

**Note:** Noise generated by the Development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. Refer to the plan in Appendix D of this consent for the location of residential sensitive receivers.

## Noise Management

B31. Within six months of the commencement of operations of both Stage 1 and Stage 2 of the Development, the Applicant must undertake noise monitoring and prepare a Noise Validation Report. The noise validation report must:

- (a) be prepared by an appropriately qualified and experienced noise expert;
- (b) be submitted to the satisfaction of the Secretary;
- (c) include an analysis of compliance with the noise limits specified in Table 2;
- (d) include an outline of management actions to be taken to address any exceedances of the limits specified in Table 2 including the need for further monitoring; and
- (e) include a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

## VIBRATION

### Vibration Criteria



- B32. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, German Standard *DIN 4150 Part 3 Structural Vibration in Buildings. Effects 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).
- B33. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in Condition B32.
- B34. The limits in Conditions B32 and B33 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by Condition C1 of this consent.

### HAZARDS AND RISK

#### Dangerous Goods

- B35. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

- B36. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B37. The Dangerous Goods Transport Incident Management Strategy prepared by ason group, reference 0393r02, dated 22/03/17 shall be implemented for the duration of the development.

#### Bunding

- B38. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook*.

#### External Walls and Cladding Flammability

- B39. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate and Occupation Certificate the Certifying Authority must:
- (a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
  - (b) ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

A copy of the documentation required under (b) must be provided to the Secretary within 7 days of being accepted by the Certifying Authority.

### CONTAMINATION

- B40. The Applicant must implement the *Unexpected Finds Protocol, Oakdale South Estate*, prepared by Aecom Australia Pty Ltd dated 9 September 2016 for the broader Oakdale South Estate (SSD 6917) to ensure that potentially contaminated material is appropriately managed. Any material identified as contaminated must be disposed of off-site, with the disposal location and results of testing submitted to the Certifying Authority, prior to its removal from the site.

### WASTE MANAGEMENT

#### Waste Management Plan

- B41. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan (WMP) for the Development. The WMP must:
- (a) detail the type and quantity of waste to be generated during construction and operation of the Development;
  - (a) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
  - (b) detail the materials to be reused or recycled, either on or off site; and
  - (c) include the Management and Mitigation Measures included in Appendix B.

### VISUAL AMENITY

#### Landscaping

- B42. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, to the satisfaction of the Secretary. The LMP must form part of the OEMP in Condition C4 and be prepared in accordance with Condition C6. The LMP must:
- (a) be prepared in consultation with Council;
  - (b) be in accordance with the approved Landscape Plans;
  - (c) detail the species to be planted on-site;
  - (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works for the life of the development;
  - (e) demonstrate landscaping in accordance with the relevant Australian Standards; and
  - (f) be consistent with the Applicant's Management and Mitigation Measures at Appendix B.
- B43. The Applicant must:
- (a) not commence operation until the LMP required by Condition B42 is approved by the Secretary; and
  - (b) implement the most recent version of the LMP approved by the Secretary for the duration of the Development.
- B44. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by Condition B42 for the life of the Development.

## Lighting

B45. The Applicant must ensure 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 and Fencing

B46. All signage and fencing must be erected in accordance with the Development plans included in the EIS/RTS.

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

## FIRE SAFETY

B47. At the commencement of building works and in perpetuity, the entire site shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of "Planning for Bush Fire Protection 2006" and the NSW Rural Fire Service's document "Standards for Asset Protection Zones".

B48. All water, electricity and gas infrastructure are to comply with section 4.1.3 of "Planning for Bush Fire Protection 2006".

B49. All public Road access shall comply with section 4.1.3(1) of "Planning for Bush Fire Protection 2006".

B50. The northern, eastern and western elevation(s) and roof of Warehouse 4A shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of "Planning for Bush Fire Protection 2006".

B51. The southern elevation(s) of Warehouse 4A shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of "Planning for Bush Fire Protection 2006".

## TRANSMISSION EASEMENT

B52. All works must follow the "Work Near Overhead Power Lines Code of Practice 2006".

B47. Any construction and maintenance works within the easement must observe the 6 metre safe approach distance to the exposed conductors when performing work which requires that plant to approach electrical apparatus.

B49. The proposed work must be carried out by accredited person in presence of safety observer.

B50. Mobile plant is required to be earthed when operated within the easement.

## CONSOLIDATED CONSENT

B51. The Applicant shall advise TransGrid of any amendments or modifications to the proposed work.

B52. Existing ground level must be retained in the original condition after completion of work.

FOR INFORMATION

## PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must:
- (a) be approved by the Secretary prior to the commencement of construction;
  - (a) identify the statutory approvals that apply to the Development;
  - (b) outline all environmental management practices and procedures to be followed during construction works associated with the Development;
  - (c) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages;
  - (d) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - (e) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Development; and
  - (f) include the management plans required under Condition C2 of this consent.
- C2. As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see Condition B1);
  - (b) Stormwater Management Plan (see Condition B11);
  - (c) Erosion and Sediment Control Plan (see Condition B13);
  - (d) Construction Noise Management Plan (see Condition B27); and
  - (e) Community Consultation and Complaints Handling.
- C3. The Applicant must:
- (a) not commence construction of the Development until the CEMP is approved by the Secretary; and
  - (b) carry out the construction of the Development in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time).

### OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Secretary. The OEMP must:
- (a) be submitted to the Secretary for approval prior to the commencement of operation;
  - (b) provide the strategic framework for environmental management of the Development;
  - (c) identify the statutory approvals that apply to the Development;
  - (d) include a copy of all relevant management plans and monitoring programs under this consent;
  - (e) outline all environmental management practices and procedures to be followed during operation;
  - (f) describe all activities to be undertaken on the site during operation;
  - (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 would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development;
    - (ii) receive, handle, respond to, and record complaints;
    - (iii) resolve any disputes that may arise;

- (iv) respond to any non-compliance;
  - (v) respond to emergencies;
  - (vi) include copies of any strategies, plans and programs approved under the conditions of this consent; and
  - (vii) a clear plan depicting all monitoring required to be carried out under the conditions of this consent.
- (i) include the following environmental management plans:
- (i) Operational Traffic Management Plan (see Condition B3); and
  - (ii) Landscape Management Plan (see Condition B42).
- C5. The Applicant must operate the Development in accordance with the OEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

### MANAGEMENT PLAN REQUIREMENTS

- C6. The Applicant must ensure that the environmental management plans required under Condition C4 of this consent are prepared by a suitably qualified person or persons in accordance with best practice and include:
- (a) detailed baseline data;
  - (b) a description of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures/criteria; and
    - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;
  - (c) a description of the management measures that would be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria;
  - (d) a program to monitor and report on the:
    - (i) impacts and environmental performance of the Development; and
    - (ii) effectiveness of any management measures (see (c) above);
  - (e) a contingency plan to manage any unpredicted impacts and their consequences;
  - (f) a program to investigate and implement ways to improve the environmental performance of the Development over time;
  - (g) a protocol for managing and reporting any:
    - (i) incidents;
    - (ii) complaints;
    - (iii) non-compliances with statutory requirements; and
    - (iv) exceedances of the impact assessment criteria and/or performance criteria; and
  - (h) a protocol for periodic review of the plan.

### REPORTING

#### Incident Reporting

- C7. Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report must be supplied to the Department outlining the basic facts. A further detailed report must be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Secretary no later than 14 days after the incident or potential incident.

## CONSOLIDATED CONSENT

- C8. The Applicant must maintain a register of accidents, incidents and potential incidents. The register must be made available for inspection at any time by the independent Hazard Auditor and the Department.

### Regular Reporting

- C9. The Applicant must 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.

### ACCESS TO INFORMATION

- C10. The Applicant must:

- (a) make copies of the following publicly available on its website:
  - (i) the documents referred to in Condition A2;
  - (ii) all current statutory approvals for the Development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (v) a complaints register updated on a monthly basis;
  - (vi) the annual reviews of the Development;
  - (vii) any independent environmental audit of the Development and the Applicant's response to the recommendations in any audit;
  - (viii) any other matter required by the Secretary; and
- (b) keep this information up to date, to the satisfaction of the Secretary.



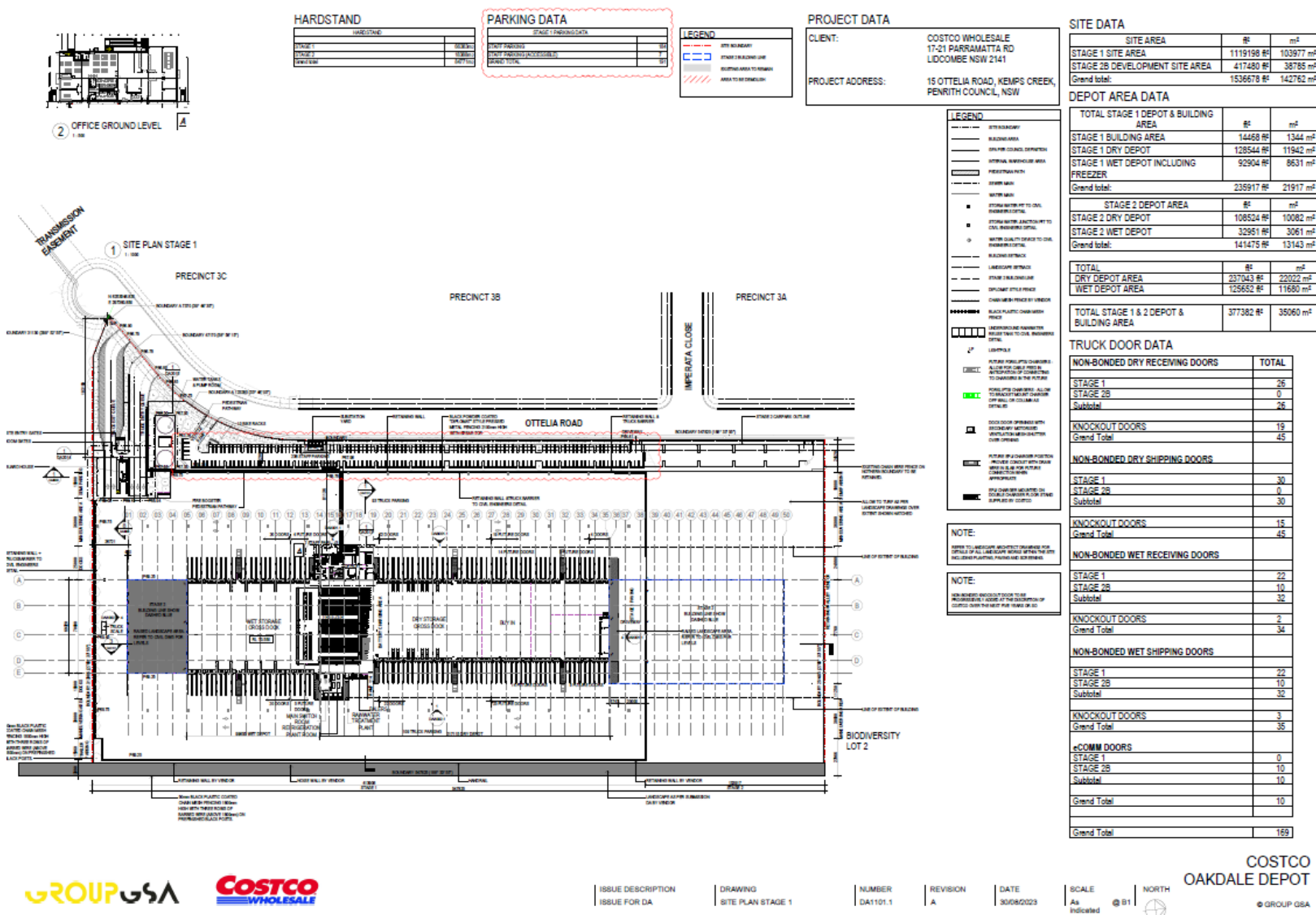
# CONSOLIDATED CONSENT

## APPENDIX A APPROVED PLANS

Architectural Plans prepared by Group GSA			
Drawing No.	Revision	Name of Plan	Date
DA1101.1	A	Site Plan Stage 1	30/08/2023
DA1101	A	Site Plan Stage 2B	30/08/2023
DA1103.1	A	Area Floor Plan Stage 1	30/08/2023
DA1103	A	Area Floor Plan Stage 2B	30/08/2023
DA2001	B	Overall Plan – Detail Callout Plan	12/04/2022
DA2002.1	K	Roof Plan Stage 1	08/08/2018
DA2002	C	Roof Plan Stage 2B	05/09/2022
DA2011	B	Ground Floor Plan – Zone A	12/04/2022
DA2013	B	Ground Floor Plan – Office	12/04/2022
DA2014	E	Ground Floor Plan – Zone E	16/05/2018
DA2020	B	Ground Floor Plan – Stage 2B ECOMM	12/04/2022
DA3001.1	F	Concept Elevation Stage 1	08/08/2018
DA3001	C	Concept Elevation Stage 2B	05/09/2022
DA3002.1	F	Concept Elevation Stage 1	08/08/2018
DA3003	E	Concept Elevation	16/05/2018
DA3011	B	Concept Elevation Stage 2B – Wet Area	12/04/2022
DA3014	C	Concept Elevation Stage 2B – Dry Area	05/09/2022
DA3020	B	Concept Elevation Callout	12/04/2022
DA3101	J	Overall Sections	08/08/2018
DA3102	B	Stage 2B Overall Sections	12/04/2022
DA8200	B	External Materials and Finishes Board	12/04/2022
Landscape Plans prepared by Group GSA			
Drawing No.	Revision	Name of Plan	Date
L-1000.1	B	Landscape Site Plan – Stage 1	06/11/2017
L-1000.1	A	Landscape Site Plan – Stage 1	23/08/2023
L-1000	A	Landscape Site Plan	23/08/2023
L-1101	A	Landscape Plan Sheet 1	23/08/2023
L-1102.1	A	Landscape Plan Sheet 2.1	23/08/2023
L-1102	A	Landscape Plan Sheet 2	23/08/2023
L-1111	A	Landscape Plan Sheet 3	23/08/2023
L-3001	A	Landscape Sections Sheet 1	23/08/2023
L-4001	A	Landscape Details Sheet 1	23/08/2023
L5000	A	Planting Schedule	26/08/2022
L5001	A	Landscape Planting Plan Planting Plan 01	26/08/2022
L6001	A	Landscape Sections	26/08/2022
L7001	A	Landscape Details 01	26/08/2022
L7002	A	Landscape Details 02	26/08/2022
L-8001	A	Landscape Planting Schedules	23/08/2023



## CONSOLIDATED CONSENT



**Figure 1: Site Plan Stage 1**

# CONSOLIDATED CONSENT

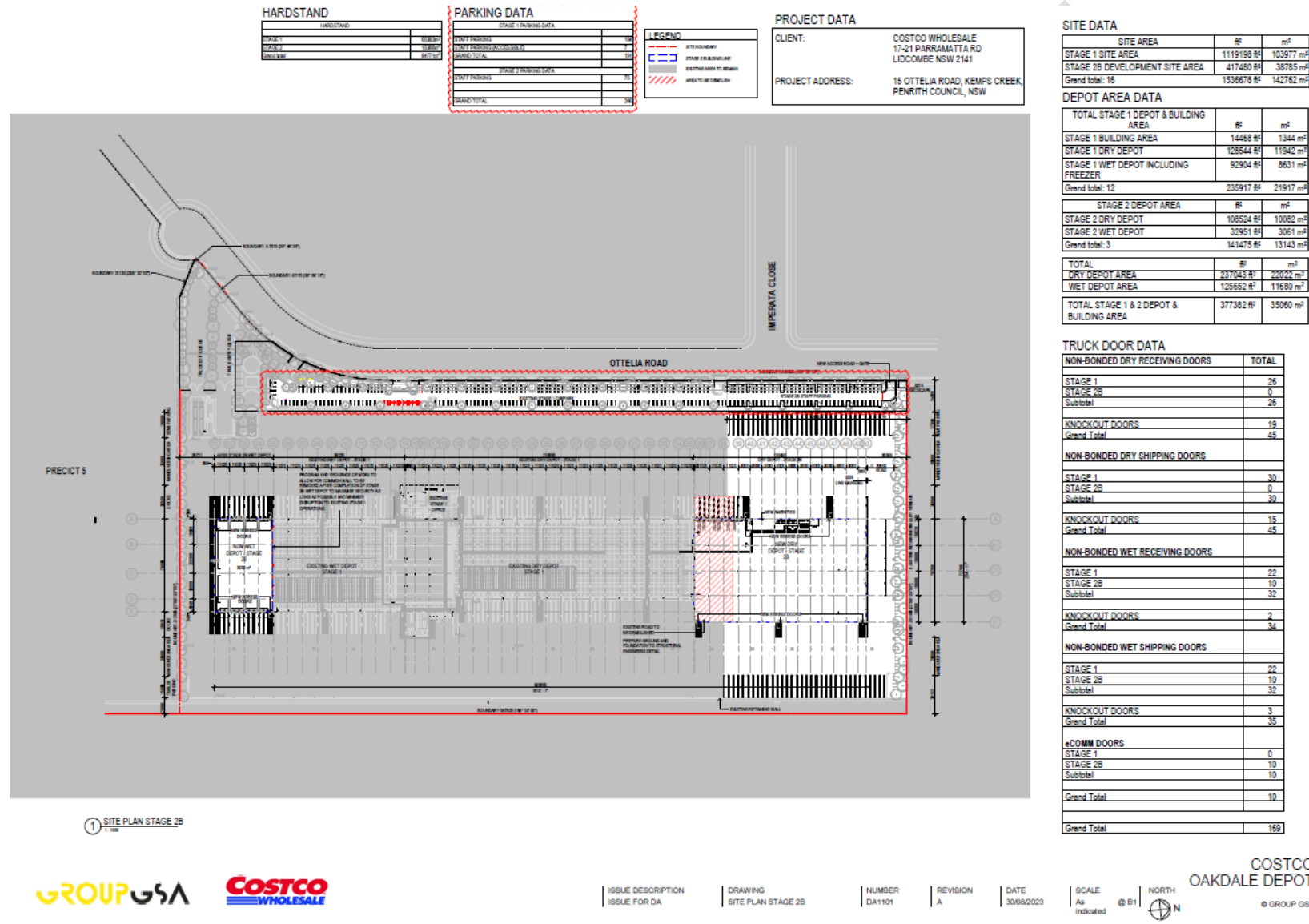


Figure 2: Site Plan Stage 2B

## APPENDIX B APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Key Matter	SSDA Component	Proposed Mitigation Measure
		<p>from electricity transmission easement.</p> <p>The proposed on site stormwater system has been designed to connect to the approved estate-wide stormwater system and comply with the following:</p> <ul style="list-style-type: none"> <li>• Penrith City Council Design Guidelines for Engineering Works;</li> <li>• Penrith City Council Water Sensitive Urban Design (WSUD) Policy December 2013; and</li> <li>• C3 Water Management DCP.</li> </ul>
Salinity Management	Construction	Implement the recommendations outlined in the Salinity Management Plan prepared by Pells Sullivan Meynink, reference PSM1541-113L Rev 3, dated 9 September 2015.
Air Quality	Operation	No mitigation measures are required.
	Construction	<p>CEMP will include all air quality management measures within the Air Quality report at Appendix H. This includes controlling</p> <ul style="list-style-type: none"> <li>• Ambient dust emissions</li> <li>• Emissions from plant and machinery</li> <li>• Emissions from fuel storage areas</li> <li>• Emissions from contaminated soils/odour mitigation</li> </ul>
Waste	Construction	A Waste Management Plan has been prepared and is included at <b>Appendix J</b> . This plan will be adopted and incorporated into the CEMP to be prepared.
	Operation	A Waste Management Plan has been prepared and is included at <b>Appendix J</b> . This plan will be adopted for the operational life of the development.

Key Matter	SSDA Component	Proposed Mitigation Measure
		<p><i>Technical Guideline (Department of Environment and Conservation, 2006).</i></p> <p>Wherever practical, piling activities must be undertaken using quieter alternative methods than impact or percussion piling, such as bored piles or vibrated piles.</p>
Noise Verification – External Mechanical Plant	Operation	In accordance with Condition E37 of the OSE Consent a Noise Validation Report (NVR) will be prepared to demonstrate that operation of the external mechanical plant meets the noise limits in Condition E35 of the OSE Consent 6917.
<b>Soils and Water</b>		
Erosion and Sediment Control	Construction	<p>Erosion and sediment controls as detailed within the Civil Plans and Report at <b>Appendix H</b> will be implemented through the CEMP.</p> <p>The erosion control measures proposed for the site will comply with the requirements of Penrith City Council and The Department of Environment, Climate Change and Water (DECC).</p> <p>The proposed SWMP will ensure that the best management practice is applied to the development site in controlling and minimising the negative impacts of soil erosion.</p>
Earthworks	Construction	<p>Earthworks on the site will be minimal in order to achieve refined site levels. All additional fill utilised on the site will be classified as VENM or ENM</p> <p>The CEMP shall include the recommended measures to mitigate erosion and sedimentation impacts prior to rainfall, as detailed in the Civil Report</p>
Stormwater Management	Construction/Operation	<p>Stormwater drainage infrastructure will be constructed to manage stormwater and connect to the overall site stormwater management system for the OSE.</p> <p>Stormwater and drainage will be directed away</p>

Key Matter	SSDA Component	Proposed Mitigation Measure
		<p>Regular compliance checks on the noise emissions of all plant and machinery used for the proposal.</p> <p>Ensure non-tonal reversing alarms are utilised on all items of plants and heavy vehicles used for construction.</p> <p>Any permanent noise walls should be constructed as early as practicable during the construction phase of the OSE to assist in reducing construction noise impacts.</p>
	Operation	<p>Noise generated by the operation of the Development does not exceed the noise limits approved in Consent SSD 6917 for the Concept and Stage 1 development of the OSE.</p> <p>Noise walls approved in SSD 6917 must be constructed, prior to the commencement of operation of the facility.</p> <p>Within 3 months of the commencement of operation the application shall demonstrate that operation of the mechanical plant meets the noise limits approved in Consent SSD 6917 for the Concept and Stage 1 development of the OSE.</p> <p>Noise management should be undertaken in accordance with Consent SSD 6917 as follows to prevent and minimise noise and vibration during the operation of the development this may include the preparation of a site specific noise management plan.</p>
Vibration Impacts	Construction	<p>The Development will be constructed with the aim of achieving the following construction vibration goals approved in Consent SSD 6917 for the Concept and Stage 1 development of the OSE:</p> <ul style="list-style-type: none"> <li>(a) for structural damage, the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures; and</li> <li>(b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: A</i></li> </ul>

Key Matter	SSDA Component	Proposed Mitigation Measure
		<p>Concept and Stage 1 Development The visible light reflectivity from building materials used in the facades of the buildings will not exceed 20 per cent and will be designed so as to minimise glare.</p> <p>A report demonstrating compliance with these requirements will be submitted to the satisfaction of the Certifying Authority for each future warehouse building prior to the issue of the relevant Construction Certificate.</p>
Outdoor Lighting	Design/Operation	Development to comply with AS/N21158.3:1999 Pedestrian Area (Category P) Lighting and A54282: 1997 Control of Obtrusive Effects of Outdoor Lighting
Cut and Fill	Construction	<p>All additional fill utilised on the site will be classified as VENM or ENM.</p> <p>Site drainage works will account for the proposed pad level and will ensure drainage to the Estate system.</p>
Noise and Vibration	Construction	<p>Construction works to be undertaken only within the approved construction hours for the OSE SSDA, being:</p> <p>Monday to Friday 7.00 am to 6.00 pm.</p> <p>Saturday 8.00 am to 1.00 pm.</p> <p>The specific conditions relating to mitigating impacts from construction noise will be reflected within the CEMP which is submitted with this SSDA.</p> <p>The CEMP will also include the following additional mitigation measures</p> <ul style="list-style-type: none"> <li>• Avoiding the coincidence of noisy plant working simultaneously close together</li> <li>• Equipment which is used intermittently is to be shut down when not in use.</li> <li>• Where possible, equipment with directional noise emissions should be oriented away from sensitive receivers.</li> </ul>

Key Matter	SSDA Component	Proposed Mitigation Measure
Dangerous Goods	Operation	Mitigation for impacts resulting from incidents will be managed through the adoption on of the Dangerous Goods Transport Incident Management Strategy prepared by Goodman and included at <b>Appendix E</b> of this EIS
<b>Urban Design and Visual</b>		
Layout, staging, site coverage setbacks, open space and landscape areas	Design	<p>Proposed layout will be according to the layout as modified.</p> <p>The proposed building has been setback further than the minimum required from street frontages to accommodate truck, staff and visitor parking zones, thus lessening the warehouse building's visual imposition on the streetscape</p> <p>Landscaping will be provided along the street frontages and will incorporate endemic species as detailed within the landscaping plans at <b>Appendix F</b>.</p>
Visual Impacts	Design/Operation	<p>Proposed warehouse building has been designed to be below the maximum permissible height of 15m.</p> <p>Neutral colours to be used to warehouse buildings and facades with additional swatches of "Costco" corporate colours.</p> <p>The proposed Costco building will be obscured from key views by other development within the OSE as assessed in the VIA. The eastern boundary of the estate and subject site has a 10m landscape setback and 5m noise wall which will mitigate the visual impacts in along the southern boundary approved by SSD 6917 as modified.</p>
Landscaping	Construction	As per Condition E63 of the modified consent SSD 6917 the applicant shall implement the perimeter landscape treatments along the outside boundaries of Precinct 4 and to ensure sufficient time for the establishment of a landscape buffer.
Reflectivity	Design/Construction	As per Condition C14 of Consent 6917 for the



Key Matter	SSDA Component	Proposed Mitigation Measure
Heritage		
Aboriginal Archaeology	Construction	<p>A CEMP and accompanying unexpected finds procedure will provide a method to manage potential heritage constraints and unexpected finds during construction works. Aspects of site area protection that should be included in the CEMP include:</p> <ul style="list-style-type: none"> <li>Establishing no-harm areas where appropriate. Depending on the nature and timing of works in the vicinity of identified Aboriginal sites that will not be impacted by the proposed works, it may be appropriate to establish visual markers around no-harm areas to avoid inadvertent impacts.</li> <li>Nature of the visual markers around no-harm areas. The CEMP should document that type of visual marker will be put in place, such as temporary fencing, high visibility tape and temporary signage.</li> <li>Provide clear guidance to all site workers on access restrictions to no-harm areas.</li> <li>Unexpected finds procedure will include: if Aboriginal objects are identified during construction, work should stop immediately and DLALC, OEH and an archaeologist contacted to identify and record the objects.</li> </ul>
Historical Archaeology	Construction	<p>A CEMP and accompanying unexpected finds procedure will provide a method to manage potential heritage constraints and unexpected finds during construction works as follows.</p> <p>If unexpected archaeological finds are discovered during the proposed works, work should cease in the affected area and a qualified archaeologist engaged to assess the significance of the remains. Further archaeological work may be required prior to works recommencing in the affected area.</p>
Greenhouse Gas and	Design/	Adoption of commitments identified within the



Key Matter	SSDA Component	Proposed Mitigation Measure
Energy Efficiency	Construction/Operation	<p>Sustainability Management Plan at Appendix K.</p> <p>These measures have been incorporated into the design so to achieve a minimum of 30% energy reduction.</p> <p>All commitments must be included and shown clearly on the plans to be submitted to the PCA prior to the issue of a Construction Certificate.</p>
Ecologically Sustainable Development	Design/ Construction/Operation	<p>Adoption of commitments identified within the Sustainability Management Plan at <b>Appendix K</b>.</p> <p>All commitments must be included and shown clearly on the plans to be submitted to the PCA prior to the issue of a Construction Certificate.</p>
<p>Building Code of Australia</p> <p>As per Condition C9 of Consent SSD 6917 – future Development Applications for the construction of buildings shall demonstrate compliance with the BCA as relevant.</p>		<p>All building work is to be undertaken in accordance with the Building Code of Australia and referenced Australian Standards.</p> <p>All construction documentation and building work is to be certified in accordance with the relevant provisions of the <i>Environmental Planning and Assessment Act 1979</i>.</p>
Fire Safety	Construction	<p>Undertake the development in accordance with the BCA and Fire Safety Strategy which details likely passive, active and management requirements to enable the design to meet the performance requirements of the BCA</p>

**APPENDIX C**  
**SATISFACTORY ARRANGEMENTS CERTIFICATE**



**Planning &  
Environment**

16/10070

**Secretary's Certificate**

**Satisfactory Arrangements for regional transport  
infrastructure and services**

**State Significant Development Application SSD6917**

In accordance with the provisions of Clause 29 of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*, I, Brendan Nelson, Deputy Secretary, Growth, Design and Programs, as delegate for the Secretary of the Department of Planning and Environment, certify that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services in relation to:

Development application number:	SSD6917
Development application description:	<p>The staged development of a warehouse and distribution complex. This includes:</p> <ul style="list-style-type: none"><li>• The site layout, concept stormwater strategy, building envelopes, development controls, urban design and landscaping features.</li><li>• Stage 1 includes: staged bulk earthworks across the whole site, staged trunk infrastructure for the site, staged subdivision, development comprising the construction and operation of warehouse and distribution facilities on 42.25 hectares of land in precincts 1, 4 and 5.</li></ul>
Map at Attachment A:	Yes
Relevant Planning Agreement:	Oakdale Central and Oakdale South Planning Agreement and subsequent Deed of Variation

A handwritten signature in blue ink, appearing to read 'B. Nelson'.

**Brendan Nelson**  
**Deputy Secretary**  
**Growth, Design and Programs**  
(as delegate for the Secretary)

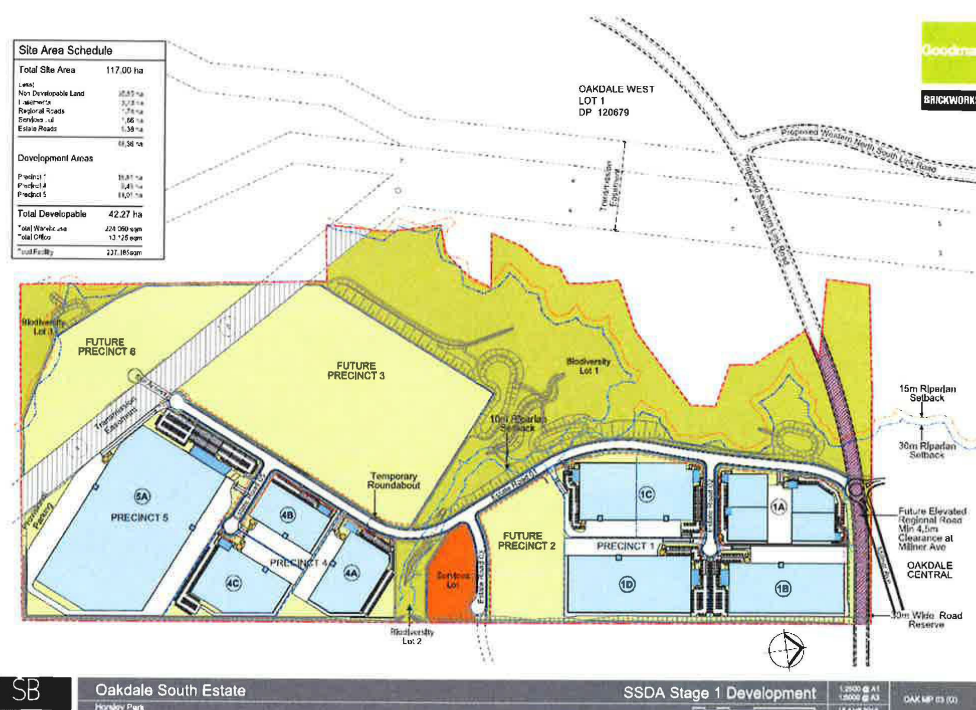
Date: 17/10/16

*\*this satisfactory arrangements certificate is being issued in relation to the above development application only and any future development application on the subject land will require a separate satisfactory arrangements certificate.*

**Department of Planning and Environment**  
320 Pitt Street Sydney 2000 | GPO Box 39 Sydney 2001 | [planning.nsw.gov.au](http://planning.nsw.gov.au)

16/10070

**Secretary's Certificate**  
**State Significant Development Application SSD6917**  
**Attachment A**





## APPENDIX D SENSITIVE RECEIVERS

