

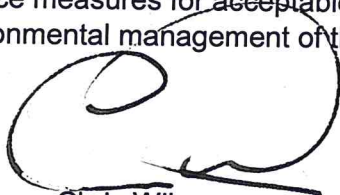
Development Consent

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

As delegate of the Minister for Planning and Infrastructure, under delegation dated 27 February 2013, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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



Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

18 April

2013

SCHEDULE 1

Application Number:	SSD 5705
Applicant:	Goodman Property Services
Consent Authority:	Minister for Planning and Infrastructure
Land:	Lot 30, 31 and part lot 33 in DP 1161771
Development:	<p>Toll IPEC freight transport, warehouse and distribution facility including:</p> <ul style="list-style-type: none">• construction of one warehouse building with ancillary office and staff amenities, separate workshop, refuelling facility, weighbridge, driver's rest and gatehouses with a total gross floor area of approximately 62,000m²;• parking for 700 cars and 154 trucks/ heavy vehicles;• associated hardstand, loading and servicing areas; and• landscaping of site boundaries, entrances and car parking areas.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Goodman Property Services, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A3.
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Construction	Any works, including earth and building works
Council	Blacktown City Council
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act.
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Development	As described in Schedule 1
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate) Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the applicant to respond in writing will be added to the one month period.
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement titled <i>Toll IPEC – Proposed Freight Transport, Warehouse and Distribution Facility</i> , prepared by Urbis, dated December 2012
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Huntingwood Employment Development Controls	West Lands – Design The development controls as set out in the Huntingwood West (Employment Lands) Concept Plan 06_0203, as modified.
Minister	Minister for Planning and Infrastructure, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
NSW INP	NSW Industrial Noise Policy published by the Environment Protection Authority
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works

Reasonable and Feasible	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. Feasible relates to engineering considerations and what is practical to build
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Subject Site	Lot 30, 31 and part lot 33 in DP 1161771, Bungaribee Industrial Estate, Huntingwood West
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

SCHEDULE 2

A ADMINISTRATIVE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

Concept Plan and Project Approval

- A2. The project shall be generally undertaken within the terms of the approval for the Huntingwood West (Employment Lands) concept plan (Major Project 06_0203) approved by the Minister on 9 December 2006, as modified and the Bungarribee Industrial Estate (Huntingwood West) Stage 1 Infrastructure Works project approval (Major Project 08_0225) approved by the Minister on 25 January 2011, as modified.

Development in Accordance with Plans and Documents

- A3. The applicant shall carry out the development generally in accordance with the:
- a) Environmental Impact Statement titled *Toll IPEC – Proposed Freight Transport, Warehouse and Distribution Facility*, prepared by Urbis, dated December 2012; and
 - b) the following drawings, except for:
 - i) any modifications which are Exempt or Complying Development; and
 - ii) otherwise provided by the conditions of this consent.

Survey Plans prepared by GHD			
Drawing No.	Revision	Name of Plan	Date
21-21981-SK101	A	SITE SURVEY PLAN SHEET 1 OF 3	28.11.12
21-21981-SK102	A	SITE SURVEY PLAN SHEET 2 OF 3	28.11.12
21-21981-SK103	A	SITE SURVEY PLAN SHEET 3 OF 3	28.11.12
Architectural (or Design) Drawings prepared by SBA Architects			
Drawing No.	Revision	Name of Plan	Date
DA-01	J	COVER SHEET AND LOCATION PLAN	15.10.12
DA-02	G	MASTERPLAN/ SITE ANALYSIS	15.10.12
DA-03	N	SITE PLAN	15.10.12
DA-04	N	WAREHOUSE GROUND FLOOR PLAN	15.10.12
DA-05	L	WAREHOUSE MEZZANINE PLAN/ CONVEYOR LAYOUT	15.10.12
DA-06	K	WAREHOUSE ROOF PLAN	15.10.12
DA-07	N	WAREHOUSE ELEVATIONS	15.10.12
DA-08	M	WAREHOUSE SECTIONS & ELEVATIONS	15.10.12
DA-09	K	MAIN OFFICE PLANS & ELEVATIONS	15.10.12
DA-10	F	OPERATIONS OFFICE & GATEHOUSES	15.10.12
DA-11	J	FLEET WORKSHOP & DRIVERS REST AREA	15.10.12
DA-12	D	WAREHOUSE INDICATIVE FITOUT PLAN	15.10.12
DA-13	D	DESIGN PRESENTATION & STATEMENT	15.10.12

DA-14	D	PERSPECTIVES	15.10.12
Signage Drawings prepared by SBA Architects			
Drawing No.	Revision	Name of Plan	Date
DA-15	C	SIGNAGE PLAN	15.10.12
Landscape Drawings prepared by SITE IMAGE Landscape Architects			
Drawing No.	Revision	Name of Plan	Date
101	G	LANDSCAPE MASTERPLAN	22.03.13
102	G	PRESENTATION ENTRY ZONE/ BBQ AREA – TYPICAL LANDSCAPE DETAIL PLAN	22.03.13
103	G	SECTION AA – PRESENTATION ENTRY ZONE	22.03.13
104	G	SECTION BB – BUFFER PLANTING	22.03.13
105	G	SECTION CC – BUFFER PLANTING	22.03.13
106	G	SPECIES LIST	22.03.13
Civil Works Drawing prepared by Costin Roe Consulting			
Drawing No.	Revision	Name of Plan	Date
Co11809.00-DA10	A	DRAWING LIST AND GENERAL NOTES	21.11.12
Co11809.00-DA21	A	EROSION AND SEDIMENT CONTROL PLAN	21.11.12
Co11809.00-DA25	A	EROSION AND SEDIMENT CONTROL DETAILS	21.11.12
Co11809.00-DA40	A	STORMWATER KEY PLAN, PIT SCHEDULE & NOTES	21.11.12
Co11809.00-DA41	A	STORMWATER LAYOUT PLAN SHEET 1	21.11.12
Co11809.00-DA42	A	STORMWATER LAYOUT PLAN SHEET 2	21.11.12
Co11809.00-DA43	A	STORMWATER LAYOUT PLAN SHEET 3	21.11.12
Co11809.00-DA44	A	STORMWATER LAYOUT PLAN SHEET 4	21.11.12
Co11809.00-DA45	B	STORMWATER LAYOUT PLAN SHEET 5	21.11.12
Co11809.00-DA46	B	STORMWATER LAYOUT PLAN SHEET 6	21.11.12
Co11809.00-DA47	A	STORMWATER CATCHMENT PLAN	21.11.12
Co11809.00-DA48	A	STORMWATER DRAINAGE DETAILS	21.11.12
Co11809.00-DA51	C	FINISHED LEVELS PLAN SHEET 1	21.11.12
Co11809.00-DA52	C	FINISHED LEVELS PLAN SHEET 2	21.11.12
Co11809.00-DA65	A	RETAINING WALL DETAILS	21.11.12

Inconsistency between documents

- A4. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Building Code of Australia Compliance

- A5. All aspects of the building design shall comply with the applicable performance requirements of the BCA so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :

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- a) complying with the deemed to satisfy provisions, or
 - b) formulating an alternative solution which :
 - i) complies with the performance requirements, or
 - ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - iii) a combination of a) and b).

Development Expenses

- A6. It is the responsibility of the applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

Lapsing of Approval

- A7. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A8. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Director-General as Moderator

- A9. Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Director-General's resolution of the matter will be binding on the parties.

Long Service Levy

- A10. For work costing \$25,000 or more, a Long Service Levy shall be paid.

Note: For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal Notices

- A11. Any advice or notice to the consent authority shall be served on the Director-General.

Other Approvals

- A12. A separate valid construction certificate shall be issued prior to commencement of any construction works.

Signage

- A13. Signage to be installed on the subject site is to be in accordance with the approved plan DA-15(C) dated 15.10.12 except where amended by this condition. Sign 09 is not to be illuminated until further detail of the illumination has been provided to and approved in writing by the Director-General. Signs 08, 05, 11 and 12 are to be in accordance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting and are not to have any flashing or moving components.

B PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Other Approvals

- B1. An engineering approval pursuant to the Road Act 1993 or Section 68 of the Local Government Act 1993 must be issued for all works on Brabham Drive, Eastern Creek prior to the issue of the construction certificate. This condition is to be satisfied prior to a construction certificate that includes works on council's land, ie driveway crossings etc.

Note: council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of council. In this regard no construction or compliance certificate from a PCA for any works on Brabham Drive, Eastern Creek will be accepted.

Design and Works Specifications

- B2. All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification – Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (current version)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (current version)
- (e) Blacktown City Council Stormwater Quality Control Policy – Part R

Design plans, calculation and other supporting documentation prepared in accordance with the above requirements must be submitted to Council with any application for construction certificate, *Road Act 1993* or *Local Government Act 1993* approval. Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

Note: Any variations from these design requirements must be separately approved by Council.

Reflectivity

- B3. The building materials used on the facades of the buildings shall have a maximum normal spectral reflectivity of visible light of 20 percent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate.

Outdoor Lighting

- B4. All outdoor lighting within the subject site shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for those works.

Access for People with Disabilities

- B5. All buildings must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from

an appropriately qualified person is provided and that the requirements are referenced on any construction certificate drawings.

Number of Car Spaces

- B6. A minimum 700 car spaces are to be provided within two at-grade car parks. These spaces shall include 40 visitor spaces and 14 spaces suitable for use by persons with a disability. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for those works.

Number of Bicycle Spaces

- B7. A minimum 45 bicycle spaces are to be provided for the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for those works.

The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that :

- i) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and
- ii) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Car Park and Service Vehicle Layout

- B8. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for those works:
- a) all vehicles should enter and leave the subject site in a forward direction. car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - b) appropriate pedestrian advisory signs are to be provided at the egress from the car park; and
 - c) the swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the subject site, shall be in accordance with AUSTROADS.

Structural Details

- B9. Prior to the issue of a relevant construction certificate, the applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising structural engineer that demonstrate compliance with:
- a) the relevant clauses of the BCA, and
 - b) the relevant conditions within the development consent.

Mechanical Ventilation

- B10. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the BCA and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for those works.

Drainage

- B11. Where the internal driveway cannot be drained to an internal pit, a grated drain shall be provided at the property boundary.
- B12. A DRAINS electronic model must be provided and approved by council to demonstrate that the internal pipe network can safely carry the 20 year ARI storm flows without surcharge. Blockage factors should be applied to all inlet pits with lintels/grates at 0.5 for sags and 0.2 for pits on grade. For grate only inlets the blockage factor should be 0.5 minimum.
- B13. An hydraulic engineer is to certify that provision has been made for the safe conveyance of overland flows within the subject site in the 1 in 100 year ARI event for flows from Huntingwood Drive when the pipe and pit capacity is exceeded assuming the pipes through the subject site are 50% blocked and a minimum Mannings of 0.025.
- B14. The floor levels of the buildings adjacent to the overland flow path from Huntingwood Drive are to be a minimum of 0.3 m above the peak 1 in 100 year ARI flow level.
- B15. An hydraulic engineer is to certify that a minimum of 80% of the non-potable water use for the development is to be met through rainwater. Non-potable use is to include all truck washing, toilet flushing and landscape watering within the development. The actual rainwater tank size is to be increased above that determined in MUSIC, to include the volume above the overflow pipe and that below the mains water make up level.
- B16. An hydraulic engineer registered with NPER is to prepare and have approved by the Certifying Authority a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses on the subject site. The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up (no solenoid controlled mains bypass), isolation valves, flow meters for the pump outflow and mains water top up, automatic timer for landscape watering, an inline filter and indicate that all Sydney Water requirements have been satisfied. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.
- B17. Stormwater treatment measures for the proposed development shall be designed in accordance with the requirements of council's Stormwater Quality Control Policy and water quality controls are to be consistent with the concept plan approval 06_0203 and the project approval 08_0225 already granted. Details are to be included with the plans and specifications accompanying the stormwater and drainage construction certificate.
- B18. Prior to the construction certificate for the stormwater and drainage works, a maintenance schedule is to be provided to the Certifying Authority for all stormwater treatment measures including each stormwater quality improvement device, including the rainwater tank. The designer of the stormwater treatment measures must prepare the maintenance schedule and it should contain the designer's name, signature and date.
- B19. The approved *Stormwater/ Water Sensitive Urban Design Statement* prepared by AECOM dated 5 November 2012 shall be amended such that the TP rate of 30% removal under 'Pollutant removal rates for GPTs' shall only apply to concentrations greater than 0.5 mg/L and the MUSIC model rerun. These removal rates will only apply to vortex type GPTs and therefore any Ecosol GPTs proposed are to be replaced with Vortex style GPTs.

B20. The approved *Civil Engineering Report for Development Application Proposed Development: Freight Transport, Warehouse and Distribution Facility for Toll IPEC* prepared by Costin Roe Consulting Rev C is to be revised to include the correct parameters from Part R of DCP 2006 which are:

Gross Pollutants	90%
TSS	85%
TP	65%
TN	45%
Total Hydrocarbons	90%

B21. Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany the relevant construction certificate for those works.

B22. All development shall be kept clear of any maintained or new proposed drainage easement(s) on the subject site, and no alteration to the existing or proposed surface levels within the easement(s) (i.e. maintained or new) is to be made. Foundations adjacent to the maintained or new proposed easements shall not place a loading on the pipe within the easement. Foundations shall be located at (a) the depth of the invert of the existing pipeline, and/or (b) the depth of the invert of the proposed pipeline. Pier and beam style construction shall be used adjacent to easements to the depth of the invert of the proposed or existing pipeline. A registered engineer (NPER) shall certify that this condition has been satisfied and details submitted to the Certifying Authority.

Landscaping

B23. Prior to the construction certificate for the landscaping works, a detailed landscaping plan is to be prepared in consultation with the department and be approved by the Certifying Authority. It should generally be in accordance with the Landscape Report and accompanying Landscape Concept Package prepared by Site Image Landscape Architects dated December 2012 and March 2013. In this regard, suitable ground covers, shrubs and trees must be nominated which complement the height, scale, design and function of the approved development. Suitable buffer/screen planting must be provided adjacent to the Park Edge Road, the M4 Motorway road corridor, and fronting William Dean Street. In particular, tall tree planting is to be undertaken along the southern boundary addressing the M4 Motorway. The selected tree species must have a potential height of 15m and must be spaced at 10m centres. Suitable screen planting must also be provided to ensure that all maintenance/service facilities, the pump room and the sprinkler tank are suitably screened from any public road or place. The screening structure located adjacent to the sprinkler tank and pump room must be a minimum of 500mm higher than the overall height of the structures to ensure they are not visible from William Dean Street.

Directional Signage

B24. All directional signage is to be submitted to the Certifying Authority prior to release of a construction certificate to ensure safety is maintained within the subject site. Entrance/exit points are to be clearly signposted and visible from the street and the subject site at all times. Off-street car parking shall also be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability. In this regard, appropriate signage should direct motorists to the Park Edge Road entrance.

C PRIOR TO COMMENCEMENT OF WORKS

Fees

C1. The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- (a) Road inspection fee of \$169.00
- (b) Administration fee of \$90.00, and
- (c) Road maintenance bond of \$5,000.00

The bond is required to cover the cost of any damage to Council's public assets (e.g.: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the development works. The road inspection fee covers Council's costs to inspect public assets adjacent to the subject site before and after development work.

Notice of Commencement of Engineering Works

C2. At least 5 full working days written notice shall be given to the PCA and council of the commencement of engineering works. Such notice shall be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum of \$20,000,000.

Notice of Commencement of Building Works

C3. The PCA, the department and council shall be given written notice, at least 48 hours prior to the commencement of building works on the subject site.

Construction Details

C4. Structural details of the nominated building component(s) prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with council prior to commencing or erecting that portion of the development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Structural steelwork
- (f) Retaining walls

Construction Environmental Management Plan

C5.

- a) Prior to the commencement of any works on the subject site, a Construction Environmental Management Plan (CEMP) shall be submitted to the PCA for approval. The CEMP shall be consistent with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004) and shall address, but not be limited to, the following matters where relevant:
 - i) hours of work
 - ii) 24 hour contact details of site manager
 - iii) traffic management, in consultation with council

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- iv) construction noise and vibration management, prepared by a suitably qualified person having regard to the approved the *Noise Impact Assessment*, prepared by SLR dated 27 November 2012;
 - v) management of dust to protect the amenity of the neighbourhood having regard to the approved *Air Quality Assessment*, prepared by SLR dated 27 November 2012;
 - vi) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the subject site; and
 - vii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
 - c) The CEMP shall be submitted for the approval of the certifying authority no later than one month prior to the commencement of construction, or within such period otherwise agreed by the Director-General. The applicant shall also forward copy of the CEMP to the Director-General and Council for information. Construction shall not commence until written approval has been received from the certifying authority.

Construction Waste Management Plan

C6.

- a) Prior to the commencement of any works on the subject site, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the council, shall be submitted to the PCA for approval. The plan shall address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete; and
 - ii) removal of hazardous materials and disposal an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- c) The applicant shall submit a copy of the plan to the Director-General and to the council, prior to commencement of work.

Traffic & Pedestrian Management Plan

C7.

- a) A Construction Traffic and Pedestrian Management Plan in accordance with AS1742 and the Road and Traffic Authority's publication *Traffic Control at Works Sites* Version 2 shall be prepared by an accredited person, and shall be submitted for approval as part of the CEMP. The plan shall address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the subject site and details of how construction of project infrastructure will be managed in proximity to local and regional roads;
 - ii) loading and unloading, including construction zones;
 - iii) predicted traffic volumes and measures to ensure traffic volume, acoustic and amenity impacts along construction vehicle routes are minimised;

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- iv) types and routes including traffic routes for heavy vehicles, and any necessary route or timing restrictions for oversized loads;
 - v) pedestrian and traffic management methods (including site security);
 - vi) washing facilities for trucks on the subject site (including a vehicle shakedown area);
 - vii) hours of access to the subject site; and
 - viii) evidence that all statutory responsibilities with regard to road traffic impacts have been complied with.
- b) The applicant shall submit a copy of the final plan to the council, prior to the commencement of work.

D DURING CONSTRUCTION

Hours of Work

- D1. The hours of construction, including the delivery of materials to and from the subject site, shall be restricted as follows:
- a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive
 - b) between 7:00 am and 4:00 pm, Saturdays
 - c) no work on Sundays and public holidays
 - d) Works may be undertaken outside these hours where
 - i) the delivery of materials is required outside these hours by the Police or other authorities;
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - iii) any other variations not covered by i) or ii) above, may be approved in advance in writing by the Director General or his nominee.

Erosion and Sediment Control

- D2. All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

- D3. Any seepage or rainwater collected on-site during construction or ground water shall not be pumped to the street stormwater system unless separate prior approval is given in writing by council.

Approved Plans to be On-site

- D4. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the subject site at all times and shall be readily available for perusal by any officer of the department, council or the PCA.

Site Notice

- D5.
- a) A site notice(s) shall be prominently displayed at the boundaries of the subject site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.
 - b) The notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size
 - ii) The notice is to be durable and weatherproof and is to be displayed throughout the works period
 - iii) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice

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- iv) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the subject site is not permitted.

Protection of Trees

D6.

- a) No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- b) All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of council.

Construction Noise Management

- D7. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the approved *Noise Impact Assessment*, prepared by SLR dated 27 November 2012.
- D8. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- D9. The applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
- a) 8.00 am to 12.00 pm, Monday to Friday
 - b) 2.00 pm to 5.00 pm Monday to Friday
 - c) 9.00 am to 12.00 pm, Saturday
 - d) 1.00 pm to 4.00 pm, Saturday
- D10. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan as part of the CEMP.
- D11. Any noise generated during the construction of the development must not exceed approved noise limits for the subject site.

Vibration Criteria

- D12. Vibration caused by construction at any residence or structure outside the subject site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
 - c) Vibratory compactors must not be used closer than 30 metres distance from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

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- d) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan as part of the CEMP.

E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Consolidation of Lots

- E1. Prior to the issue of a final occupation certificate relating to the warehouse building, the applicant is to lodge with Land Property Information an application to consolidate the lots (Lots 30, 31 and Part Lot 33 in DP 1161771) into one title. Evidence of the consolidation is to be submitted for council's information.

Services/Utilities

- E2. The following documentary evidence shall accompany a final occupation certificate relating to the warehouse building:
- (a) A Notification of Arrangement Certificate from the relevant electricity supplier, stating that electrical services, including the provision of street lighting, have been made available to the development.
 - (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

Intersection of Great Western Highway and Rudders Street

- E3. Prior to issue of a final occupation certificate relating to the warehouse building, the applicant is to provide certification from the RMS, to the department relating to the satisfactory construction and completion of the signalised intersection at the intersection of the Great Western Highway and Rudders Street.

Mechanical Ventilation

- E4. Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of any occupation or commencement of use, that the installation and performance of the mechanical systems complies with:
- a) the BCA;
 - b) Australian Standard AS1668 and other relevant codes;
 - c) the development consent and any relevant modifications; and
 - d) any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- E5. The cost of repairing any damage caused to council or other public authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the applicant prior to the issue of any occupation certificate.

Note: Should the cost of damage repair work not exceed the road maintenance bond, council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

Registration of Easements

- E6. Prior to the issue of the final occupation certificate, the applicant shall provide to the PCA evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

Sydney Water Compliance

- E7. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

The Section 73 Certificate must be submitted to the PCA prior to issue of the occupation certificate in the case of buildings or works or issue of a subdivision certificate, in the case of subdivision.

Note: Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Fire Safety Certification

- E8. Prior to occupation of the building, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the Director-General and council and prominently displayed in the building.

Structural Inspection Certificate

- E9. A structural inspection certificate or a compliance certificate must be submitted to the department and council to the satisfaction of the PCA prior to occupation of the warehouse building. A copy of the certificate with an electronic set of final drawings shall be submitted to the department and the council after:
- a) The site has been periodically inspected and the PCA is satisfied that the structural works is deemed to comply with the final design drawings.
 - b) The drawings listed on the inspection certificate have been checked with those listed on the final design certificate/s.

Retaining Walls

- E10. Prior to issue of a final occupation certificate all proposed retaining walls shall be in maximum 3 metre high sections and stepped with 1 metre wide minimum landscaped planting bays. Masonry retaining walls (i.e. no timber walls) are to be provided where such walls are located within a publicly visible area (i.e. viewed from a public road or place) or are proposed to have a height in excess of 900mm.

Easements/Restrictions/Positive Covenants

- E11. Prior to issue of a final occupation certificate, restrictions and positive covenants must be provided over the stormwater quality control devices and outlet works.
- E12. Prior to issue of a final occupation certificate, a positive covenant and restrictions for overland flow is to be provided over the full width of the overland flow extents in the peak 1 in 100 year ARI event including any pipes used to channel such flows in accordance with the requirements of the Council's Engineering Guide for Development 2005 (and as amended). The positive covenant must be registered with Land & Property Information. Water quality controls are to be consistent against concept plan approval 06_0203 and project approval 08_0225 already granted.
- E13. Prior to issue of a final occupation certificate, a registered surveyor is to certify that the finished habitable floor levels for the buildings adjacent to the overland flow path from Huntingwood Drive are a minimum of 0.3 m above the peak 1 in 100 year ARI flow level.
- E14. Prior to issue of a final occupation certificate, an accredited plumber or experienced hydraulic engineer is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan have been installed and are working correctly.
- E15. Prior to issue of a final occupation certificate, an hydraulic engineer is to certify that all the requirements of the approved drainage plan have been undertaken including the installation of the proprietary water quality devices have been installed as per the manufacturer's recommendations and that all the signage and warning notices have been installed.

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- E16. Prior to issue of a final occupation certificate, written evidence is to be provided that the owner/developer has entered into and prepaid a minimum 2 year maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the gross pollutant traps.

F DURING OCCUPATION

Loading and Unloading

- F1. All loading and unloading of service vehicles in connection with the use of the development shall be carried out wholly within the subject site at all times.

Unobstructed Driveways and Parking Areas

- F2. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Noise Control – Plant and Machinery

- F3. Noise associated with the operation of any plant, machinery or other equipment on the subject site, shall not exceed the limits as set out in Table 1.

Table 1: Noise impact assessment criteria (dB(A))

Location	Day	Evening	Night	
	L _{Aeq} (15min)	L _{Aeq} (period)	L _{Aeq} (period)	L _{A1} (1min)
Receiver 1 47 Pikes Lane	55	50	45	61
Receiver 2 711 Great Western Highway	55	50	45	61

Note: The noise emission limits identified in the above table apply under meteorological conditions of:

- prevailing winds of up to 3 m/s at 10 metres above ground level as determined by Section 5 of the NSW INP; or
- temperature inversion conditions of up to 3°C/100 m.

- F4. Details demonstrating compliance with the project specific noise levels are to be verified within six months of commencement of operations and submitted to the satisfaction of the Director-General.

Public Way to be Unobstructed

- F5. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- F6. External lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the applicant shall submit to the Director-General evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

Storage of Hazardous or Toxic Material

- F7. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Environmental Management/Bunding

- F8. All vehicle washing, engine degreasing and steam cleaning shall be conducted in the dedicated vehicle wash bays connected to the sewer.

F9. Bunding is to be designed and installed in accordance with:

- i) Department of Environment and Conservation Guidelines - Technical BU Bunding and Spill Management;
- ii) Department of Environment and Conservation Guidelines "Surface water management on the covered forecourt areas of service stations";
- iii) Australian Standard 1940-1993: The storage and handling of flammable and combustible liquids; and
- iv) Australian Standard/New Zealand Standard 4681:2000: The storage and handling of Class 9 (miscellaneous) dangerous goods and articles.

F10. The bunded storage areas shall be maintained in such condition to ensure that all spillage or leakage is retained within the bund, until disposed of by means that do not pollute waters or land.

F11. All waste generated on the subject site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.

Dangerous Goods

F12. The recommendations provided in the Dangerous Goods Report, prepared by One Group ID dated 28 November 2012, section 5 Issues and Recommendations shall be implemented.

ADVISORY NOTES

Appeals

AN1. The applicant has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2. The applicant shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

Responsibility for other consents / agreements

AN3. The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Movement of Trucks Transporting Waste Material

AN4. The applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the subject site, prior to the commencement of the removal of any waste material from the subject site.

Street Numbering

AN5. Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with the council's policy, prior to the occupation of the building(s) or commencement of the use. If street numbers or a change to street numbers is required, a separate application shall be made to the council.

Temporary Structures

- AN6.
- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
 - b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN7. This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN8.

- a) The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

AN9. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN10. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the department.

Inspection of Works

AN11. Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Environmental Management

AN12. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

Work Cover Requirements

AN13. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.