# **Development Consent**

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

As delegate of the Minister for Planning under delegation executed on 16 February 2015, I approve 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;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the Development.

DIGOC

Anthea Sargeant Executive Director Key Sites and Industry Assessments

Sydney 23 June	2017 File: 16/03046
	SCHEDULE 1
Application No:	SSD 7500
Applicant:	Minto Properties Pty Ltd
Consent Authority:	Minister for Planning
Land:	5 and 9 Culverston Road, Minto, Campbelltown local government area
	Lot 3 DP 817793 and Lot 400 DP 875711
Development:	<ul> <li>Construction, fit-out and operation of a warehouse and logistic hub with 112,000 m<sup>2</sup> of gross floor area (GFA) including:</li> <li>four warehouse buildings for warehousing and distribution uses, with ancillary offices, comprised of: <ul> <li>warehouse 1A: 40,000 m<sup>2</sup> of warehousing GFA and 2,000 m<sup>2</sup> of office GFA</li> <li>warehouse 1B: 22,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA</li> <li>warehouse 1C: 22,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA</li> <li>warehouse 1D: 23,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA.</li> </ul> </li> <li>6.9 hectares of external hardstand storage space for warehousing and logistics uses;</li> <li>bulk earthworks;</li> <li>demolition of existing structures and hardstand areas;</li> <li>remediation works;</li> <li>upgrades to existing on-site infrastructure;</li> <li>loading docks;</li> <li>car parking;</li> <li>site landscaping; and</li> <li>estate and building identification signage.</li> </ul>

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# DEFINITIONS

	DEFINITIONS
Applicant	Minto Properties Pty Ltd or any other person(s) who rely on this consent to carry out the Development that is subject to this consent
AS	Australian Standard
Area of Environmental Concern	The area within the site to be remediated in accordance with the Remedial Action Plan endorsed by a NSW EPA Site Auditor
ARI	Average Recurrence Interval
CEMP	Construction Environmental Management Plan
Certifying Authority	Means a person who is authorised by or under section 109D of the <i>Environmental Planning and Assessment Act</i> 1979 to issue certificates
Construction	The demolition of buildings, pavement or works, the carrying out of works, including bulk and detailed earthworks and erection of buildings and other infrastructure covered by this consent
Council	Campbelltown City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Dangerous Goods	As defined by the Australian Dangerous Goods Code 7th Edition (Australian Government, 2010)
Demolition	The removal of infrastructure, buildings, sheds, pavement and other structures on the site
Department	Department of Planning and Environment or its successors
Development	The development as described in the EIS and RTS known as SSD 7500 for the 5 and 9 Culverston Road Warehouse and Logistics Hub, approved by this Development Consent and as described in Schedule A
EIS	Environmental Impact Statement titled <i>Proposed Warehouse and Logistics Hub, 5 and 9 Culverston Road, Minto, Lot 3 DP 817793 and Lot 400 DP 875711, prepared by</i> Willowtree Planning, dated 3 June 2016
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPA	Environment Protection Authority
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Incident	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
INP	NSW Industrial Noise Policy, EPA 2000
Management and Mitigation Measures	The Applicant's management and mitigation measures contained in the EIS/RTS and included in Appendix B
Material harm to the environment	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
Minister	Minister for Planning, or nominee
Mitigation	Activities associated with reducing the impacts of the Development prior to or during those impacts occurring
NCC	National Construction Code
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Operation	Use of four warehouse buildings for packing, loading and distribution of consumer goods
PCA	Principal Certifying Authority authorised under section 109D of the EP&A Act
POEO Act	Protection of the Environment Operations Act 1997
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
RMS	Roads and Maritime Services

RTS	Response to Submissions and all appendices dated 7 October 2016, in addition to the Supplementary RTS dated 1 March 2017, and all appendices
Site	The land referred to in Schedule 1 and shown in the drawings at Appendix A
Site Auditor	As defined in the Contaminated Land Management Act 1997
Site Audit Report	As defined in the Contaminated Land Management Act 1997
Secretary	The Secretary of the Department of Planning and Environment, or nominee
SSD 7500	The development as described in Schedule 1, the EIS and the RTS
Supplementary RTS	The supplementary Response to Submissions, prepared by Willowtree Planning, dated 1 March 2017 and all appendixes
UST	Underground storage tank
Waste	As defined in the POEO Act

# 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 Applicant, in acting on this consent, must carry out the Development in accordance with the:
  - (a) State significant development application SSD 7500;
  - (b) EIS, RTS and Supplementary RTS;
  - (c) drawings listed at Appendix A; and
  - (d) Management and Mitigation Measures at Appendix B.
- A3. If there is any inconsistency between the plans and documentation referred to in Condition A2 above, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent prevail to the extent of any inconsistency.
- A4. The Applicant must comply with any written requirement(s) of the Secretary arising from the Department's assessment of:
  - (a) any reports, plans or correspondence that are submitted in accordance with this consent; and
  - (b) the implementation of any actions or measures contained 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. At all times under this consent, the Applicant must ensure containers stored on the external storage area may only be stacked two containers high from the existing ground level.

# STAGING

- A7. Prior to the commencement of construction, the Applicant must submit a staging report to the satisfaction of the Secretary. The plan must:
  - (a) detail how hardstand/asphalt demolition and bulk earthworks relate to the demolition of existing structures and staged construction of the warehouse buildings;
  - (b) detail how the demolition of hardstand/asphalt areas would be staged across the site to minimise exposed surfaces and include the measures that will be implemented to minimise and manage dust emissions during construction;
  - (c) detail how bulk earthworks would be staged across the site; and
  - (d) provide the general timeframes for each phase of construction works.
- A8. The Applicant may elect to construct and/ or operate the Development in stages. Where staging is proposed, the Applicant must submit a Staging Report to the Secretary prior to the commencement of the first proposed stage. The Staging Report shall provide details of:
  - (a) how the Development would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence; and
  - (b) details of the relevant conditions of consent, which would apply to each stage and how these shall be complied with across and between the stages of the Development.

Where staging of the Development is proposed, these conditions of consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

**Note**: These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act.

# STAGED SUBMISSION OF PLANS OR PROGRAMS

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, where required;
  - (b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent to the Secretary; and
  - (c) include the details of any outstanding issues following this consultation upon submitting any documentation required by the conditions of this consent.

# **DISPUTE RESOLUTION**

A12. In the event that a dispute arises between the Applicant and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.

# STATUTORY REQUIREMENTS

A13. The Applicant must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

# PRESCRIBED CONDITIONS

A14. The Applicant must comply with all relevant prescribed conditions of consent under Part 6, Division 8A of the EP&A Regulation.

# DEMOLITION

A15. 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

- A16. The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the NCC.
- A17. 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

- A18. Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.
- A19. Prior to the operation of the Development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing the site under Section 73 of the Sydney Water Act 1994.

# PROTECTION OF PUBLIC INFRASTRUCTURE

A20. Prior to the commencement of earthworks, 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.
- A21. 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

A22. 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.

# WORKS-AS-EXCECUTED PLANS

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

# **DEVELOPER CONTRIBUTIONS**

A24. Prior to the issue of any Construction Certificate, the Applicant must pay Council section 94A contributions in accordance with the *Campbelltown City Council Section 94A Development Contributions Plan 2011*. Copies of the relevant contribution plan may be obtained from Council's offices at the Corner of Queen and Broughton Streets, Campbelltown.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

# **OPERATION OF PLANT AND EQUIPMENT**

- A25. 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.

# EASEMENTS

- A26. The Applicant must ensure access to the Endeavour Energy easement is maintained at all times during construction and operation of the Development.
- A27. Prior to the commencement of any demolition or construction works which impact the Endeavour Energy electricity network, the Applicant must implement the Unexpected Contamination Finds Protocol required by Condition B38 to identify and dispose of asbestos or asbestos containing material.

**Note:** Further details of electricity easements and infrastructure affecting the site are available by containing Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8:00 am - 5:30pm.

# 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 describe the management of traffic and access arrangements during construction. The CTMP shall form part of the CEMP required by Condition C2 and must at a minimum:
  - (a) be prepared by a suitably qualified and experienced person(s), in consultation with Council and RMS;
  - (b) be submitted to the satisfaction of the Secretary prior to the commencement of construction;
  - (c) detail the measures that would be implemented to ensure road safety and network efficiency during earthworks and construction;
  - (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 Construction Traffic Management Plan required by Condition B1 is approved by the Secretary; and
  - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Secretary for the duration of construction.

# Parking

- B3. The Applicant must provide a minimum of 481 car parking spaces and nine (9) accessible spaces on-site, in accordance with the relevant Australian Standards.
- B4. In the event of a demonstrated car parking shortage in the operation of the site, Council may request the Applicant to introduce the 147 additional parking spaces in the areas identified for 'future parking' in the Site Masterplan (Overall), issue 8, prepared by Reid Campbell, dated 16/09/2016.

# **Operating Conditions**

- B5. 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) all loading and unloading of materials is carried out on-site;
  - (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
  - (h) the proposed turning areas in the car parks are kept clear of any obstacles, including parked cars, at all times.
- B6. The Applicant must provide bicycle racks, and amenity and change room facilities for cyclists in accordance with *Planning Guidelines for Walking and Cycling* (December 2004), NSW Department of Infrastructure, Planning and Natural Resources; Roads and Traffic Authority.

# Work Place Travel Plan

B7. Prior to the commencement of operation of any part of the Development, the Applicant must prepare a Work Place Travel Plan (WPTP) in consultation with TfNSW. The WPTP must form part of the OEMP required by Condition C4 and must:

- (a) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives;
- (b) describe pedestrian and bicycle linkages and end of trip facilities available on-site; and
- (c) be implemented for the life of the Development.

The Applicant must implement the most recent version of the Work Place Travel Plan approved by the Secretary for the duration of the Development.

# WATER QUALITY AND HYDROLOGY

# **Erosion and Sediment Control**

B8. Prior to the commencement of hardstand/asphalt demolition or earthworks, 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 Vol. 1* (Landcom, 2004) and the Erosion and Sediment Control Plan included in the CEMP required by Condition C1.

# Pollution of Waters

B9. The Development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

### Stormwater Management

- B10. The Applicant must design, install and operate a stormwater management system as generally described in the conceptual design included in the EIS for the Development. The system must:
  - (a) be designed by a suitably qualified and experienced person(s);
  - (a) be in accordance with the conceptual design in the EIS and applicable Australian Standards;
  - (b) identify existing stormwater infrastructure to be maintained, demolished or upgraded to support the Development;
  - (c) detail the location and design specifications of gross pollutant traps;
  - (d) ensure that the system capacity has been designed in accordance with Managing Urban Stormwater -Soils and Construction Vol. 1 (Landcom, 2004);
  - (e) divert existing clean surface water around operational areas of the site; and
  - (f) describe the measures which would be implemented to maintain the infrastructure during the life of the Development, including maintenance, monitoring and annual reporting.
- B11. Prior to commencement of construction works, the Applicant must prepare and submit a Stormwater Management Plan (SMP) submitted to the satisfaction of the Secretary. The SMP shall form part of the CEMP in Condition C2 and:
  - (a) be prepared by a suitably qualified engineer prior to the commencement of construction;
  - (b) be prepared in consultation with Council. As part of this consultation, in addition to Condition A11, the Applicant shall provide all drainage modelling data for the Development (MUSIC, DRAINS or the like) to Council;
  - (c) be prepared generally in accordance with the:
    - (i) Flooding and Stormwater Report dated 27 April 2016 and accompanying drawings prepared by Arcadis;
      - (ii) Stormwater Management Plan, dated 6 June 2016, prepared by Arcadis;
    - (iii) the stormwater management system under Condition B10; and
    - (iv) relevant requirements of Council and OEH;
  - (d) detail management measures for minor and major flood events;
  - (e) identify all building and roadworks to be constructed relevant to the Construction Certificate to which the works relate; and
  - (f) incorporate design plans and accompanying design notes.
- B12. The Applicant must operate the Development in accordance with the SMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

# Flood Management

- B13. Prior to the commencement of construction, the Applicant must prepare a Flood Response and Evacuation Plan, in consultation with the State Emergency Service and Council and to the satisfaction of the Secretary. The Plan shall form part of the CEMP and OEMP required by Conditions C1 and C4 and shall:
  - (a) be prepared by a suitably qualified and experienced person(s);
  - (b) address the provisions of the Floodplain Risk Management Guideline (OEH 2007);
  - (c) include details of:

- (i) the flood emergency responses and procedures for both construction and operation phases of the Development;
- (ii) predicted flood levels, flood warning times and flood notification;
- (iii) assembly points and evacuation routes;
- (iv) evacuation and refuge protocols; and
- (v) awareness training for employees and contractors.
- B14. All finished floor levels for the warehouse buildings and office areas shall be no lower than the 100 year Average Recurrence Interval (ARI) flood event plus 500 mm of freeboard.
- B15. Any structures below the 100 Year ARI flood event plus 500 mm of freeboard shall be constructed from flood compatible building components.

# **Rainwater Harvesting**

B16. The Applicant must provide a total rainwater harvesting capacity of 100,000 litres for each warehouse building.

# SOILS

# Imported Soil

- B17. 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;
  - (b) keep accurate records of the volume and type of fill to be used; and
  - (c) make these records available to the Department upon request.

# NOISE AND VIBRATION

# Hours of Work

B18. The Applicant must comply with the hours detailed in **Table 1** unless otherwise agreed in writing by the Secretary.

Table	1:	Hours	of Work

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

B19. Construction works outside of the construction hours identified in Condition B18 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) works agreed to in writing by the Secretary;
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

### **Construction Noise Limits**

B20. 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 shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the management and mitigation measures in the EIS.

**Note**: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.

### **Operational Noise Limits**

B21. The Applicant must ensure that the noise generated by the operation of the Development does not exceed the noise limits set out in **Table 2** below.

# Table 2: Noise Limits dB(A)

Location	Day LAeq(15 minute)	Evening LAeg(15 minute)	Night LAeg(15 minute)	Night LA1(1 minute)
Residential receivers to the west in the suburb of Woodbine	52	51	48	58
Residential receivers to the east in the suburb of Leumeah	53	47	43	55

**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 C for the location of residential sensitive receivers.

#### Noise Management

- B22. The Applicant must:
  - (a) implement best management practice, including all reasonable and feasible measures to prevent and minimise noise and vibration during construction and operation of the Development (including low frequency noise and traffic noise);
  - (b) minimise the noise impacts of the Development during adverse meteorological conditions when noise criteria do not apply;
  - (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
  - (d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

## **ABORIGINAL HERITAGE**

#### **Unexpected Finds**

B23. If Aboriginal objects are uncovered during earthworks, excavation or disturbance, work in the immediate area must stop and the Regional Operations Group of the OEH, Council and the Registered Aboriginal Parties are to be consulted.

# **AIR QUALITY**

- B24. The Applicant must:
  - (a) implement best management practice, including all reasonable and feasible mitigation measures to prevent and minimise dust and odour emissions from operation of the Development; and
  - (b) minimise any visible off-site air pollution that occurs as a result of construction and operation the Development.

#### **Dust Minimisation**

- B25. During demolition and 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; and
  - (c) land stabilisation works are carried out progressively on-site to minimise exposed surfaces.

### HAZARDS AND RISK

#### Dangerous Goods

- B26. 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.
- B27. Dangerous Goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

## Bunding

B28. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook*.

# WASTE MANAGEMENT

# Classification

B29. The Applicant must ensure that any waste generated from construction or operation activities on the site is classified in accordance with the EPA's *Waste Classification Guidelines* (DECCW, 2009), or any superseding document and disposed of to a facility that may lawfully accept the waste.

# Waste Management Plan

- B30. Prior to the commencement of construction, the Applicant must prepare a Waste Management Plan (WMP) for the Development to the satisfaction of the Secretary. The WMP shall form part of the CEMP required by Condition C2 and the OEMP required by Condition C4 and be prepared in accordance with Condition C7. The Plan shall:
  - (a) detail the type and quantity of waste to be generated during construction and operation of the Development;
  - (b) classify any waste generated from construction or operation activities on the site in accordance with the EPA's Waste Classification Guidelines (DECCW, 2009), or any superseding document and disposed of to a facility that may lawfully accept the waste;
  - (c) 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);
  - (d) detail the materials to be reused or recycled, either on or off site, and
  - (e) include the Management and Mitigation Measures included in Appendix B.
- B31. The Applicant must:
  - (a) not commence operation until the Waste Management Plan required by Condition B30 is approved by the Secretary; and
  - (b) implement the most recent version of the Waste Management Plan approved by the Secretary for the duration of the Development.

# CONTAMINATION AND REMEDIATION

- B32. Prior to commencement of any construction or remediation works on site, the Applicant must engage a Site Auditor accredited under the EPA Contaminated Land Management Act 1997 NSW Site Auditor Scheme.
- B33. The remediation works at the site must be carried out by suitably qualified and experienced consultant(s) that have been engaged by the Applicant.
- B34. Prior to the commencement of construction, except for the extent of demolition works required to access the area of environmental concern and the construction works associated with warehouses 1A, 1B and 1C, the Applicant must remediate the area of environmental concern within the site identified in, and in accordance with the Remedial Action Plan endorsed by the appointed NSW EPA Site Auditor.
- B35. During construction of the development, the Applicant must ensure that no contaminated groundwater encountered on the site can discharge into waters including Bow Bowing Canal or any other off-site location or waterway that could cause pollution of waters.
- B36. Upon completion of the remediation works, the Applicant must submit to the Secretary, a Site Audit Report and a Site Audit Statement Part A for the relevant part of the Site, prepared by an accredited NSW EPA Site Auditor, which demonstrates that the site is suitable for its intended commercial/ industrial land use.
- B37. All excavated material including contaminated groundwater must be classified, handled, transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*.
- B38. The Applicant must implement an Unexpected Contamination Finds Protocol that is included in the endorsed Remedial Action Plan to ensure that contaminated or potentially contaminated material encountered during construction works is appropriately managed. The Applicant shall ensure any material identified as

contaminated shall be disposed off-site, with the disposal location and results of testing submitted to Council, prior to its removal from the site.

B39. The Applicant must dispose of the water (if any) that pools within underground storage tank excavations and neighbouring areas of environmental concern appropriately to a licensed facility that is able to accept the potentially impacted waste water in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014.* 

# VISUAL AMENITY AND LANDSCAPING

# Lighting

- B40. The Applicant must ensure that the lighting associated with the Development:
  - (a) complies with the latest version of AS 4282 (INT) Control of Obtrusive Effects of Outdoor Lighting; and
     (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

# Signage

B41. All signage and fencing must be erected in accordance with the Development plans at Appendix A of this consent as amended by the requirements of Condition B44(b).

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

B42. Prior to the installation of signage on each warehouse building, the Applicant must submit detailed plans of the façade signage and elevations of each warehouse building to the satisfaction of the Secretary.

# Reflectivity

B43. The visible light reflectivity from building materials used in the façades of the buildings shall not exceed 20 per cent and shall be designed so as to minimise glare. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

### Landscaping and Vegetation Management

- B44. Prior to the commencement of construction, 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 plan shall form part of the CEMP required by Condition C2 and be prepared in accordance with Condition C7. The LMP shall:
  - (a) detail the species to be planted on-site;
  - (b) demonstrate the landscape plans have been revised to ensure the perimeter fence line of the Development is set back a minimum of 3 metres from the property boundary of the site and is consistent with plan Site Masterplan (Overall), issue 9, prepared by Reid Campbell, dated 24/02/2017;
  - (c) ensure any plantings in the vicinity of Endeavour Energy electricity easements do not exceed a mature height of 3 metres;
  - (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
  - (e) be consistent with the Applicant's Management and Mitigation Measures in this Development Consent.
- B45. The Applicant, must maintain the landscaping and vegetation on the site in accordance with the approved LMP required by Condition B44 for the life of the Development.

# PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

# CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. Prior to the commencement of construction, the Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must:
  - (a) Submitted to the satisfaction of the Secretary;
  - (b) identify all statutory approvals that apply to the Development;
  - (c) outline all environmental management practices and procedures to be followed during construction works associated with the Development;
  - (d) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages;
  - (e) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - (f) describe of the roles and responsibilities for all relevant employees involved in construction works associated with the Development; and
  - (g) include all sub-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 append the following submanagement plans:
  - (a) Construction Traffic Management Plan (see Condition B1);
  - (b) Stormwater Management Plan (see Condition B11);
  - (c) Flood Response and Evacuation Plan (see Condition B13);
  - (d) Waste Management Plan (see Condition B30);
  - (e) Unexpected Contamination Finds Protocol (see Condition B38);
  - (f) Landscape Management Plan (see Condition B44); and
  - (g) community consultation and complaints handling.
- C3. The approved CEMP (as revised and approved by the Secretary from time to time) must be implemented by the Applicant for the duration of the construction works.

# 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 satisfaction of the Secretary prior to the commencement of operation;
  - (b) be prepared by a suitably qualified and experienced expert;
  - (c) provide the strategic framework for environmental management of the Development;
  - (d) identify the statutory approvals that apply to the Development;
  - (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;
  - (f) describe the procedures that would be implemented to:
    - 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; and
  - (g) include the following environmental management plans:
    - (i) Work Place Travel Plan (see Condition B7);
    - (ii) Flood Response and Evacuation Plan (see Condition B13); and
    - (iii) Waste Management Plan (see Condition B30).
- 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.
- C6. The approved OEMP (as revised and approved by the Secretary from time to time) must be implemented by the Applicant for the life of the Development.

# MANAGEMENT PLAN REQUIREMENTS

- C7. The Applicant must ensure that the environmental management plans and sub-management plans required under conditions C1, C2 and 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
  - a protocol for periodic review of the plan.

# Revision of Strategies, Plans and Programs

C8. Within three months of:

(h)

- (a) the determination of a modification application to modify the terms of this consent; or
- (b) the submission of an incident report under Condition C10,

the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.

**Note:** This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.

# ENVIRONMENTAL REPORTING

# Incident Reporting

- C9. The Applicant must notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Development immediately after the Applicant becomes aware of the incident.
- C10. Within seven days of the date of this incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident and any such further reports which may be requested by the Secretary.

# APPENDIX A SCHEDULE OF APPROVED DRAWINGS

Architectural Drawings prepared by Reid Campbell				
Plan No.	Rev/Issue	Drawing Name	Date	
116101 A SSD A0002	3	Location Plan	26/04/2016	
116101_A_SSD_A0003	3	Site Analysis - Solar Access, View Corridors,	26/04/2016	
		Landforms & Existing infrastructure		
116101_A_SSD_A0005	3	Demolition Plan	26/04/2016	
116101_A_SSD_A0006	9	Site Masterplan (Overall)	24/02/2017	
116101 A SSD A0007	4	Site Elevations	16/09/2016	
116101 A SSD A0008	4	Site Sections	16/09/2016	
116101 A SSD_A0009	3	Signage Strategy Plan	16/09/2016	
116101 A SSD A0013	2	Aerial View 1	16/09/2016	
116101 A SSD A0014	3	Aerial View 2	16/09/2016	
116101_A_SSD_A1001	3	Warehouse 1A – Site Plan	26/04/2016	
116101 A SSD A1002	3	Warehouse 1A – Floor Plan	26/04/2016	
116101_A_SSD_A1003	3	Warehouse 1A - Roof Plan	26/04/2016	
116101 A SSD A1004	3	Warehouse 1A – Office Floor Plan	26/04/2016	
116101 A SSD A1005	3	Warehouse 1A – Elevations 1	26/04/2016	
116101 A_SSD_A1006	3	Warehouse 1A – Elevations 2	26/04/2016	
116101_A_SSD_A1007	3	Warehouse 1A – Section AA, BB, CC	26/04/2016	
116101 A SSD A1008	3	Warehouse 1A – External Finishes Board	26/04/2016	
116101 A SSD A2001	2	Warehouse 1B – Site Plan	26/04/2016	
116101 A SSD A2002	2	Warehouse 1B – Floor Plan	26/04/2016	
116101_A_SSD_A2003	2	Warehouse 1B – Roof plan	26/04/2016	
116101_A_SSD_A2004	2	Warehouse 1B – Office Floor Plan	26/04/2016	
116101 A SSD A2005	2	Warehouse 1B – Elevations 1	26/04/2016	
116101_A_SSD_A2006	2	Warehouse 1B – Elevations 2	26/04/2016	
116101_A_SSD_A2007	2	Warehouse 1B – Section AA, BB	26/04/2016	
116101_A_SSD_A2010	2	Warehouse 1B – Section AA, BB Warehouse 1B – External Finishes Board	26/04/2016	
116101_A_SSD_A3001	2	Warehouse 1C – Site Plan	26/04/2016	
116101_A_SSD_A3002	2	Warehouse 1C – Site Han Warehouse 1C – Floor Plan	26/04/2016	
116101 A SSD A3003	2	Warehouse 1C – Roof plan	26/04/2016	
116101_A_SSD_A3004	2	Warehouse 1C – Office Floor Plan	26/04/2016	
116101_A_SSD_A3005	2	Warehouse 1C – Elevations 1	26/04/2016	
116101_A_SSD_A3006	2	Warehouse 1C – Elevations 1		
116101_A_SSD_A3007	2		26/04/2016	
116101 A SSD A3010	2	Warehouse 1C – Section AA, BB Warehouse 1C – External Finishes Board	26/04/2016 26/04/2016	
116101_A_SSD_A3010	2	Warehouse 1D – Site Plan		
116101_A_SSD_A4001 116101_A_SSD_A4002	2	Warehouse 1D – Site Plan Warehouse 1D – Floor Plan	26/04/2016 26/04/2016	
116101_A_SSD_A4002	2	Warehouse 1D – Floor Plan Warehouse 1D – Roof plan		
116101_A_SSD_A4003	2	Warehouse 1D – Roof plan Warehouse 1D – Office Floor Plan	26/04/2016	
116101_A_SSD_A4004	2	Warehouse 1D – Office Floor Plan	26/04/2016	
116101_A_SSD_A4005	2		26/04/2016	
116101_A_SSD_A4006	2	Warehouse 1D – Elevations 2 Warehouse 1D – Section AA, BB	26/04/2016	
116101_A_SSD_A4007	2		26/04/2016	
10101_A_33D_A4010		Warehouse 1D – External Finishes Board vil Plans prepared by Arcadis	26/04/2016	
EIS-C1-002	01	General Arrangement Plan	Date	
EIS-C1-002	01		28/04/2016	
		Erosion and Sediment Control Plan	28/04/2016	
EIS-C1-021	01	Cut and Fill Plan	28/04/2016	
EIS-C1-031	01	Siteworks and Stormwater Plan	28/04/2016	
EIS-C1-041	01	Typical Site Sections	28/04/2016	





# APPENDIX B APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

#### **Environmental Impact Statement**

Proposed Warehouse and Logistics Hub 5 and 9 Culverston Road, Minto

### PART G MANAGEMENT AND MITIGATION MEASURES

byMinto Properties Pty Ltd (Minto Properties)in relation toProposed Warehouse and Logistics Hubat5 and 9 Culverston Road, Minto (Lot 3 in DP 817793 and Lot 400 in DP875711).

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

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

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

#### **SPECIFIC ENVIRONMENTAL MANAGEMENT & MITIGATION MEASURES**

#### Noise

1. Operation

Prior to commencement of operation, Minto Properties will implement a noise management plan that will be consistent with the NSW Environment Protection Authority's "Industrial Noise Policy" and will include:

- a) Development of a notification and negotiation procedure for receivers where noise impact cannot be mitigated to meet the criteria.
- b) A procedure for dealing with and responding to complaints

#### Air

Dust Management

- Prior to commencement of works, a construction air quality management plan will be developed (post approval) considering the following measures to minimise the potential for dust generation:
- letter box drop to noise sensitive receivers to inform them of potential work that could result in dust;
- minimising the area of disturbance as far as practicable during works;
- promptly stabilising/revegetating disturbance areas;
- air quality complaints handling procedure;
- monitoring of dust emissions during construction to confirm compliance;
- minimising drop heights for materials being worked on the site;
- keeping exposed surfaces moist;
- limit vehicle speeds on the construction site to less than 30 km/h; and
- ensuring trucks are covered and do not track sediment onto public roads.

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#### **Environmental Impact Statement**

Proposed Warehouse and Logistics Hub 5 and 9 Culverston Road, Minto

#### Waste Management

**Construction** 

- 3. During construction, Mino Properties will implement the following measures to mitigate the effect of the construction waste. These are to be incorporated into the Construction Environmental Management Plan (CEMP) to be issued prior to commencement of construction), including the following:
- Characterisation of construction waste streams;
  - Management of any identified hazardous waste streams;
- Procedures to manage construction waste streams, including handling, storage, classification, quantification, identification and tracking;
- Mitigation measures for avoidance and minimisation of waste materials;
- Procedures and targets for reuse and recycling of waste materials. Best-practice waste management principles would be incorporated into the CEMP, such as:
  - All waste and recyclable streams shall be stored separately on site;
  - All storage areas / containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the CEMP;
  - Convenient and safe vehicular access to waste and recycling material storage areas shall be provided;
  - The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, Office of Environment and Heritage and other regularity authority guidelines and requirements;
  - Appropriate signage will be used in the waste storage area to ensure correct separation of recyclables;
  - Stockpiles will be maintained in accordance with the erosion and sedimentation control plan;
  - Waste to be stored so as to avoid airborne litter, vermin and stormwater pollution;
  - Re-processing, recycling and/or removal of waste materials for disposal should be scheduled to limit stockpiling and associated impacts;
  - Putrescible materials need to be removed from site as soon as possible to avoid odour impacts. Non-putrescible materials should be reprocessed or removed from site on an 'as-needs' basis to limit logistical, health and safety and dust impacts. Hazardous waste materials, should they arise, must be immediately removed to limit environmental and health and safety risks;
  - Waste materials should only be transported to their next destination using a licensed contractor;
  - Waste materials should only be transported to an appropriately licensed facility for recycling or disposal;
  - Records to be maintained on all waste exiting the construction site;
  - Waste avoidance principles that could be incorporated into the CEMP include:
    - Avoidance and reuse of material would have priority over recycling;
    - Recycling would have priority over disposal;
    - If possible concrete components would be crushed and re-used on-site, with the remainder sent to a recycling facility;
    - Waste generation would be minimised by ordering the correct quantity of materials;
    - Selection of materials which maximise recycled content, while having low embodied water and energy use;
    - Selection of materials which maximise durability and lifespan;
    - Selection of reputable waste removal contractors who will guarantee that recyclable material will be recycled and will provide any relevant certificates;
    - Vegetation removed shall be either preserved for use in the new development, or mulched for inclusion in landscaping activities. The remainder will be sent to a composting facility;

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#### Environmental Impact Statement

#### Proposed Warehouse and Logistics Hub 5 and 9 Culverston Road, Minto

- Excavated earth will be used for infill and landscaping where feasible, the remainder will be sent to a recycling facility;
- Asphalt will be re-used by transferring it to a batching plant or using it as a base layer for access roads;
- Coordinate and sequence trades people to minimise waste;
- Pre-fabricate materials where possible;
- Use modular construction to reduce the need for excess waste, where possible or feasible;
- Separate off-cuts to facilitate reuse, re-sale or efficient recycling Select landscaping which reduces green waste;
- Engage with the supply chain to supply products and materials that use minimal packaging Set up schemes with suppliers to take back packaging materials.

The following measures are to be implemented during the operational phase:

#### Operation

- Addressing waste management requirements and goals in staff inductions;
- Providing staff access to documentation outlining the facility's waste management requirements;
- Locating recycling bins in kitchen areas beside general waste bins to prevent contamination of ecycling;
- Positioning paper recycling bins close to printer/photocopying equipment;
- Minimising general waste bins at desks but providing adequate container and paper recycling to encourage sorting of recyclables;
- Aroviding adequate bin storage for the expected quantity of waste;
- Appropriate areas shall be provided for the storage of waste and recyclable material;
- Standard signage on how to use the waste management system and what materials are acceptable in the recycling will be posted in all waste collection and storage areas
- All waste shall be collected regularly and disposed of at licensed facilities;
- An education programme and on-going monitoring will to be implemented for training personnel to properly sort and transport waste into the right components and destinations.

#### Aboriginal Heritage

4. If unforeseen Aboriginal objects are uncovered during construction the unexpected finds protocol will be followed. Work will cease in the area, and an archaeologist, OEH, and TLALC will be informed. If human remains are found, work will cease, the site will be secured and the NSW Police notified.

#### Non-Aboriginal Heritage

5. A heritage induction will be provided for all workers prior to works commencing. If unexpected archaeological finds are discovered during the proposed works, a heritage consultant will be engaged to assess the find and the NSW Heritage Division would be notified of the discovery of a relic in accordance with Section 146 of the NSW Heritage Act 1977.

#### Ecologically Sustainable Development

- 6. Prior to the issue of a Construction Certificate for the warehouse facilities, Minto Properties will prepare an Ecologically Sustainable Development Strategy that addresses the following measures:
- Improved daylight to warehouse by incorporating translucent sheeting
- Lighting technologies and controls
- High energy efficient air conditioning systems
- Investigation of natural and mixed mode ventilation where possible

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#### Environmental Impact Statement

Proposed Warehouse and Logistics Hub 5 and 9 Culverston Road, Minto

- High efficiency glazing and shading for the offices
- Solarhot water system

#### Outdoor Lighting

7. During detailed design, Minto Properties will ensure that the lighting is designed to the relevant Australian Standard and design to minimize light spill onto neighboring properties. The installation contractor will ensure lighting is installed as per the approved lighting design. Additionally, as part of the commissioning phase of the project, the lighting installation will be checked to ensure the installed luminaires are of the correct type, in the correct locations, and aimed in accordance with the lighting design.

#### Flooding

- 8. A Local Flood Plan is to be prepared for the development that includes measures to be implemented during a PMF event including:
- on-site refuge facilities, within buildings that are to be structurally stable during a PMF event.
- development of a means to inform all users of the site on how to respond and reach the refuge facilities in major flood events;
- collaboration with CCC and State Emergency Services in developing the Local Flood Plan. In particular, addressing evacuation and clean up procedures.

#### Geotechnical

- 9. Additional investigation are to be undertaken during detailed design and prior to commencement of construction works to determine:
- The varying thicknesses of fill across the site and potential ground improvement options;
- The location of any former watercourse, which may contain deeper alluvial soils, gravels or compressible cohesive material; and
- Engineering behaviours of the soils across the site to support the proposed structures, pavements and for material reuse.

#### Contamination

10. Any remediation works will be in accordance with the Remediation Action Plan that is required.

# Traffic - Construction

- **11.** Prior to the commencement of construction, a Construction Traffic Management Plan will be prepared that includes the following measures:
- Manage and regulate traffic movements into and out of the site during construction;

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- Schedule intensive delivery activities outside of peak hours; and
- Construction and delivery vehicles being limited to use of Campbelltown Road, Narellan Road, Blaxland Road or the M31 Motorway and restricted to non-peak periods.

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NSW Government Department of Planning and Environment

# APPENDIX C NOISE RECEIVER LOCATIONS

