

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



Chris Ritchie
Acting Executive Director
Energy, Resources and Industry Assessments

Sydney

1 August 2025

File: EF21/9812

SCHEDULE 1

Application Number:	SSD-23480429
Applicant:	Icon Oceania Kemps Development Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	253-267 Aldington Road, Kemps Creek Lot 9 DP 253503
Development:	Construction and operation of a warehouse and logistics estate, including ancillary office spaces, landscaping, site preparation works, road and stormwater infrastructure and subdivision.

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DEFINITIONS

Additional Information	Correspondence by the Applicant in response to the Department's request for information, including the document(s) titled: - Westgate, Kemps Creek (SSD-23480429) Response to Request for Additional Information, prepared by Urbis Ltd and dated 29 May 2025, and all accompanying documents. - Addendum - Additional Noise Modelling for Westgate (SSD-23480429) to BAPS Temple, prepared by EMM Consulting and dated 25 June 2025.
Applicant	Icon Oceania Kemps Development Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Carrier	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development, including erection of buildings and other infrastructure permitted by this consent
Council	Penrith 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
DCCEEW – CPHR Group	Conservation Programs, Heritage and Regulation Group of the Department of Climate Change, Energy, the Environment and Water
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS, Submissions Report and Additional Information, including the works and activities comprising the construction and operation of a warehousing and logistics estate as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled Westgate 253-267 Aldington Road, Kemps Creek Environmental Impact Statement: SSD-23480429, prepared by Urbis Ltd dated 19 January 2024, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
Environmental Representative Protocol	The document of the same title published by the Department
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
ER	Environmental Representative
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
GFA	Gross Floor Area

Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance Note: “Material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
MRP	Mamre Road Precinct
MRP DCP	Mamre Road Precinct Development Control Plan 2021
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The use of a warehouse and logistics estate as described in the EIS and RTS
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Submissions Report	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Submissions Report, Westgate, Kemps Creek</i> , prepared by Urbis Ltd and dated November 2024

Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Stage 1 Works	Involves the construction of Warehouse 1A, 1B and 1C, including roadworks, stormwater and utility works to service Lot1, including the interim stormwater infrastructure on Lot 2, as described in the EIS
Stage 2 Works	Involves the construction of a warehouse building on Lot 2 and removal of interim stormwater infrastructure on Lot 2, as described in the EIS
Southern Link Road	Southern Link Road as shown in State Environmental Planning Policy (Industry and Employment) 2021 and described in the Revised Preferred Options Report Southern Link Road Old Wallgrove Road to Wallgrove Road, Transport for NSW, May 2024, or its latest version
Technical Guidance	Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022)
TfNSW	Transport for New South Wales
Trunk Drainage	Stormwater assets, typically open natural trunk drainage channels, wetlands, and storage ponds, as shown on Sydney Water's Mamre Road Precinct Stormwater Scheme Plan May 2024 and any succeeding Scheme Plan
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Submissions Report and Additional Information;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- 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 that date.

Maximum GFA

- A6. The maximum GFA of the development must not exceed the limits described in **Table 1**.

Table 1 Maximum GFA of the Development

Land use	Maximum GFA (m ²)
Warehouse	32,688
Office	1,557
Total	34,245

Traffic and Access

- A7. All construction traffic associated with the development must access and depart the site via Abbots Road. No construction vehicles are permitted to access the site via Bakers Lane.
- A8. The Applicant must not commence operation of the first warehouse building in the development until the Aldington and Abbots Road upgrades approved under SSD-10479 and SSD-9138102 (as modified) as shown on **Figure 2**: in **Appendix 1**, including:
- (a) signalised intersection at Mamre Road / Abbots Road;
 - (b) signalised intersection of Aldington Road and intersection 2; and
 - (c) road widening along Abbots Road and Aldington Road to intersection 3.
- are constructed and commissioned to the satisfaction of the relevant Roads Authority.
- A9. Operational traffic associated with the development must not use Bakers Lane and must only access and depart the site via the Abbots Road and Mamre Road intersection until the Southern Link Road is completed and fully operational.

Lot 2

A10. The warehouse building on Lot 2 as shown on **Figure 1**: in **Appendix 1** is not approved.

Note: Any future use on Lot 2, other than for stormwater management purposes, may be subject to a separate future development or modification application once the site is connected to the Regional Stormwater Scheme, or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development is able to be connected to an alternative stormwater management system that has been installed and is operational.

Stormwater Management

A11. Under this consent, Lot 2 must only be used for stormwater management purposes (with the exception of earthworks and utility infrastructure works) as shown on **Figure 3**: in **Appendix 1**, until the site is connected to the Regional Stormwater Scheme, or the Applicant provides written evidence (including written evidence from Sydney Water) to the satisfaction of the Planning Secretary that the development is able to be connected to an alternative stormwater management system that has been installed and is operational.

Net Developable Area

A12. The Net Developable Area Calculation Plan prepared by Nettleton tribe, #DA003, Rev 5, dated 23 October 2024 (see Appendix F of Additional Information) is not approved.

NOTIFICATION OF COMMENCEMENT

A13. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:

- (a) earthworks;
- (b) construction; and
- (c) operation.

A14. If the earthworks, construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

EVIDENCE OF CONSULTATION

A15. Where conditions of this consent require consultation with an identified party, the Applicant must:

- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
- (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A16. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development 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);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A17. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A18. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

A19. Prior to the commencement of construction of the development, the Applicant must:

- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or 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 the dilapidation report to the Planning Secretary and Council.

A20. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
- (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Sydney Water

A21. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Fibre-Ready Facilities

A22. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
- (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.

A23. Prior to the issue of an Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

DEMOLITION

A24. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

A25. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

EXTERNAL WALLS AND CLADDING

A26. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A27. Prior to the issue of:

- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- (b) an Occupation Certificate,

the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.

A28. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

SUBDIVISION

Stage 1 Subdivision

A29. Within six months of the date of this consent, or as otherwise agreed by the Planning Secretary, the Applicant must carry out the Stage 1 subdivision (as shown on the Staged Subdivision Plan, prepared by Beveridge Williams,

Drawing No. LL-001, Version A) for the purposes of dedicating land for a public road for the Aldington Road widening works as detailed in condition A37.

- A30. Prior to the issue of a Subdivision Certificate for the Stage 1 subdivision, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.

Stage 2 Subdivision

- A31. Prior to the issue of a Subdivision Certificate for the Stage 2 subdivision (as shown on the Staged Subdivision Plan, prepared by Beveridge Williams, Drawing No. LL-001, Version A), detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.
- A32. Prior to the issue of a Subdivision Certificate for the Stage 2 subdivision, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.
- A33. Prior to the issue of a Subdivision Certificate for the Stage 2 subdivision:
- (a) a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established; and
 - (b) a certificate from the Regional Stormwater Authority must be submitted to the Certifier certifying that satisfactory stormwater servicing arrangements for the site have been established.
- A34. Prior to issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road:
- (a) a final inspection of the estate road is to be undertaken by the relevant Roads Authority. All compliance documentation for road and drainage construction of the estate road must be submitted to the relevant Roads Authority in accordance with the relevant Roads Authorities specifications and requirements;
 - (b) where installation of any regulatory/advisory signage and line marking are proposed, plans are to be lodged with the relevant Roads Authority and approved by the Local Traffic Committee; and
 - (c) an application for proposed street names must be lodged with and approved by the relevant Roads Authority and the signs erected on-site. The proposed names must be in accordance with Council's Street Naming Policy.

Note: Contact Penrith City Council's Engineering Services Department on 02 4732 7777 for further information on this process and applicable fees.

COMPLIANCE

- A35. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A36. Pursuant to section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Mamre Road Precinct Development Contributions Plan 2022 (Contributions Plan), a monetary contribution of **\$3,560,070.00** must be paid to Council for the Stage 1 works as specified in **Table 2**. The contribution is calculated in accordance with the Contributions Plan in the following manner:

Table 2 Contributions to Council

Contributions Plan Item	Value for Stage 1 Works	Value for Stage 2 Works
Transport works	\$1,429,783.00	\$672,647.00
Transport land acquisition	\$1,674,011.00	\$787,545.00
Open space works	\$229,251.00	\$107,853.00
Open space land acquisition	\$1,279,181.00	\$601,796.00
Plan administration	\$24,884.00	\$11,707.00
Value of land required by this Consent to be dedicated to Council free of cost, being: Aldington Road Widening	- \$ 1,077,040.00	-
Total	\$3,560,070.00	\$2,181,548

The amount paid is to be adjusted at the time of the actual payment in accordance with the provisions of the Contributions Plan. The Contribution is to be paid prior to the issue of a Subdivision Certificate (where works are proposed) or Construction Certificate, whichever occurs first.

An application for deferred or periodic payment may be considered by the Council in accordance with the provisions of the Contributions Plan.

A copy of the Contributions Plan is available on Council's website

Note: *This development contribution may be satisfied by a voluntary planning agreement or works-in-kind agreement entered into between the Council and the Applicant.*

- A37. Any future application on Lot 2 for the Stage 2 Works is subject to a further monetary contribution of \$2,181,548, as specified in Table 2. The amount paid is to be adjusted at the time of the actual payment in accordance with the provisions of the Contributions Plan. Development contribution obligations are required to be paid prior to any construction certificate for works on Lot 2 or prior to any further subdivision certificate of this lot.

Note: *Any future use on Lot 2, other than for stormwater management purposes, may be subject to a separate future development or modification application once the site is connected to the Regional Stormwater Scheme, or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development is able to be connected to an alternative stormwater management system that has been installed and is operational.*

- A38. Land for the purposes of a public road for the Aldington Road widening works, as identified in the Contributions Plan, is to be dedicated to Council free of cost.
- A39. A special infrastructure contribution must be made in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022* (as in force when this development consent takes effect). A person may not apply for a Subdivision Certificate or Construction Certificate (as the case may require, having regard to the Determination) in relation to development the subject of this development consent unless the person provides, with the application, written evidence from the Department of Planning, Housing and Infrastructure that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

More information

A request for assessment by the Department of Planning, Housing and Infrastructure of the amount of the contribution that is required under this condition can be made through the NSW planning portal (<https://www.planningportal.nsw.gov.au/development-assessment/contributions/sic-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au.

OPERATION OF PLANT AND EQUIPMENT

- A40. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

EASEMENTS

- A41. The Applicant must:
- (a) provide safe and unobstructed access for TransGrid plant and personnel to access any transmission towers, lines and easements on the site, 24 hours a day, 7 days a week;
 - (b) comply with the requirements of TransGrid for any works in the TransGrid easement; and
 - (c) advise TransGrid of any proposed amended or modified encroachment into the easement.
- A42. Prior to the issue of an Occupation Certificate for the development, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* is to be registered on the site for Roads 1 and 2 until the full width of Road 1 is constructed and Road 2 is connected to the adjoining property at 141-251 Aldington Road, Kemps Creek.

WORK AS EXECUTED PLANS

- A43. Prior to the issue of an Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

ENVIRONMENTAL REPRESENTATIVE

- A44. Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant.
- A45. The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary.

- A46. The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS or Submissions Report and is independent from the design and construction personnel for the development.
- A47. The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development.
- A48. For the duration of the works until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:
- (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;
 - (b) consider and inform the Planning Secretary on matters specified in the terms of this consent;
 - (c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
 - (d) review the CEMP required in conditions C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
 - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/Department for information or are not required to be submitted to the Planning Secretary/Department);
 - (e) regularly monitor the implementation of the documents identified in condition A48(d) to ensure implementation is being carried out in accordance with the document and the terms of this consent;
 - (f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits;
 - (g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and
 - (h) provide advice to the Applicant on the management and coordination of earthworks and construction on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, air quality, erosion and sediment control, stormwater management and noise;
 - (i) attend the Mamre Road Precinct Working Group (see condition A51) in a consultative role in relation to the environmental performance of the development;
 - (j) review the monthly audits of the erosion and sediment controls undertaken by the CPESC in accordance with condition B21; and
 - (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The **Environmental Representative Monthly Report** must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.
- A49. The Applicant must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A48 (including preparation of the ER monthly report), as well as:
- (a) the complaints register (to be provided on a daily basis); and
 - (b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).
- A50. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A48. The Applicant must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
 - (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

MAMRE ROAD PRECINCT WORKING GROUP

- A51. Prior to the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:

- (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;
 - (b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;
 - (c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;
 - (d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;
 - (e) review community concerns or complaints with respect to environmental management;
 - (f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and
 - (g) provide the Planning Secretary with an update and strategies, if a review under subclauses (d) or (e) identifies additional measures and processes are required to be implemented by the working group.
- A52. Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A51. The Applicant must:
- (a) consult with the Planning Secretary;
 - (b) provide confirmation that all components of the development are operational; and
 - (c) advise on the date of the proposed exit.

APPLICABILITY OF GUIDELINES

- A53. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A54. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) incorporate any traffic safety outcomes and actions from the MRP working group;
 - (d) outline traffic management and contingency measures to be implemented for the site to:
 - (i) ensure access and road safety and network efficiency is maintained;
 - (ii) manage cumulative construction traffic from other concurrent construction works and traffic associated with operational facilities within the Mamre Road Precinct; 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 Planning Secretary; and
 - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

East-West Local Road – Half Road

- B3. Prior to the issue of an Occupation Certificate for the first warehouse in the development, the Applicant must construct one half of the East-West Local Road (Road 1) as shown on **Figure 4: in Appendix 1**. The half road must remain a private road until the full width of Road 1 (see condition B5) is constructed and operational.

East-West Local Road – Full Width

- B4. Within 18 months of the date of this consent, or as otherwise agreed by the Planning Secretary, the Applicant must prepare and submit a strategy to facilitate the construction of the full width of Road 1 to the satisfaction of the Planning Secretary. The design, sequencing and delivery of the full width of Road 1 outlined in the strategy must be undertaken in consultation with Council and the landowner of 269 Aldington Road, Kemps Creek (see condition A15) prior to submission to the Planning Secretary. The strategy must include:
- (a) written evidence of consultation with Council and the landowner of 269 Aldington Road, Kemps Creek;
 - (b) a delivery plan for the construction of the full width of Road 1, including:
 - (i) details of the scope of works to be undertaken on the site and the adjoining property at 269 Aldington Road, Kemps Creek as shown on **Figure 5: in Appendix 1** including but not limited to removal of the interim barrier treatment and construction of road infrastructure including final pavement layer over the full road width, and installation of services and utilities;
 - (ii) details of how the works described under condition B4(b)(i) will be coordinated and carried out by a single contractor;
 - (iii) an arrangement on timing, delivery and funding of the works described under condition B4(b)(i) and details of contingency measures to ensure the full road width will be delivered; and
 - (c) a detailed design plan of the full width of Road 1 prepared in accordance with the design requirements under the MRP DCP, specifications, or alike to the satisfaction of the relevant roads authority.
- B5. The Applicant must ensure the full width of Road 1 is constructed and operational in accordance with the design plans required under condition B4.
- B6. Following the completion of construction of the full width of Road 1 required under condition B5, Road 1 must be dedicated as a public road to the relevant Roads Authority, at no cost.

Note: Public road and roads authority have the same meanings of the terms defined in Dictionary of the Roads Act 1993 (NSW). Refer to Section 2.3.2 of the Mamre Road Precinct Development Contributions Plan 2022 (s7.11) (Penrith City Council, 2022) for details of land dedication and local development contributions.

North-South Local Road Connection Strategy

- B7. Within 18 months of the date of this consent, or as otherwise agreed by the Planning Secretary, the Applicant must prepare and submit a strategy to facilitate North-South Local Road (Road 2) connection to the property at 141-251 Aldington Road, Kemps Creek to the satisfaction of the Planning Secretary. The design, sequencing and delivery of the Road 2 North connection outlined in the strategy must be undertaken in consultation with Council and the landowner of 141-251 Aldington Road, Kemps Creek (see condition A15) prior to submission to the Planning Secretary. The strategy must include:
- (a) written evidence of consultation with Council and the landowner of 141-251 Aldington Road, Kemps Creek;
 - (b) a delivery plan for the construction of the Road 2 North connection, including:
 - (i) details of the scope of works to be undertaken on the site and the adjoining property at 141-251 Aldington Road, Kemps Creek as shown on **Figure 6: in Appendix 1**, including but not limited to removal of the temporary road infrastructure, construction of road infrastructure, and installation of services and utilities;
 - (ii) details of how the works described under condition B7(b)(i) will be coordinated and carried out by a single contractor;
 - (iii) an arrangement on timing, delivery and funding of the works described under condition B7(b)(i) and contingency measures to ensure the Road 2 North connection will be delivered; and
 - (c) a detailed design plan of the Road 2 North connection prepared in accordance with the design requirements under the MRP DCP, specifications, or alike to the satisfaction of the relevant roads authority.
- B8. The Applicant must ensure the Road 2 North connection is constructed and operational in accordance with the design plans required under condition B7.
- B9. Following the completion of construction of the Road 2 North connection required under condition B8, Road 2 must be dedicated as a public road to the relevant Roads Authority, at no cost.

Note: Public road and roads authority have the same meanings of the terms defined in Dictionary of the Roads Act 1993 (NSW). Refer to Section 2.3.2 of the Mamre Road Precinct Development Contributions Plan 2022 (s7.11) (Penrith City Council, 2022) for details of land dedication and local development contributions.

Street Trees

- B10. Prior to the commencement of any stage of road construction, detailed design plans showing the provision of passively irrigated street trees within the relevant stage of works must be submitted to the satisfaction of the relevant road authority. The plans must:
- (a) be prepared in consultation with Council; and
 - (b) demonstrate compliance with the Sydney Water *Stormwater Scheme Infrastructure Design Guideline* and MRP DCP.

Parking

- B11. The Applicant must provide sufficient parking facilities on-site in accordance with the MRP DCP, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.
- B12. Bicycle parking and end-of-trip facilities must be provided with suitable pedestrian connections linking these facilities with the offices and warehouse buildings in accordance with relevant guidelines and standards and the MRP DCP.
- B13. A minimum of 5% of light vehicle parking bays for each warehouse must provide for electric vehicle charging, with a further 5% constructed as readily adaptable.

Operational Traffic Management Plan

- B14. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by Condition C5 and must:
- (a) be prepared by a suitably qualified and experienced person(s), whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency;
 - (d) detail heavy vehicle routes, access, and parking arrangements;
 - (e) detail the road safety measures for managing heavy vehicles that need to cross the half road centre line while turning into and out of the warehouse driveways;

- (f) include an Operational Driver Code of Conduct to:
 - (i) minimise the impacts on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise;
 - (iv) inform truck drivers of the site access arrangements and use of specified haul routes;
 - (v) include a program to monitor the effectiveness of these measures; and
- (g) include a Traffic Control Plan (TCP) detailing heavy vehicle routes, road safety and efficiency measures and the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas including the half road, and mitigate the potential for on-site vehicle conflict; and
- (h) outline the measures for managing operational traffic during the construction of the full extent of Road 1
- (i) detail triggers for review of the plan, including but not limited to a review of the plan prior to the construction of the full extent of Road 1.

Operating Conditions

B15. 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 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
- (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; and
- (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Operational Traffic Monitoring Program

B16. Prior to the commencement of operation of each warehouse building in the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program. The program must verify light and heavy vehicle traffic numbers against the predictions in the Transport Management and Accessibility Plan prepared by Ason Group, dated 3 November 2023. The Program must be included in the OEMP (see condition C5) and monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:

- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes, and hours of operation;
- (b) queue monitoring at the Mamre Road/Abbotts Road intersection and background travel counts on Mamre Road and Aldington Road;
- (c) verify the predicted traffic numbers and level of service against the actual impacts of the development, and analyse the potential cause of any significant discrepancies;
- (d) consider the current capacity and efficiency of the existing road network including Aldington Road and Abbotts Road; and
- (e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development.

Work Place Travel Plan

B17. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared in consultation with TfNSW;
- (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
- (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B18. The Applicant must implement the most recent version of the Work Place Travel Plan for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B19. The Applicant must:

- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site for use as fill;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

B20. Prior to the commencement of any earthworks or other surface disturbance, the Applicant must prepare an Erosion and Sediment Control Plan (ESCP) to the satisfaction of the Planning Secretary. The ESCP must:

- (a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary;
- (b) be prepared in consultation with CPHR, Sydney Water and include written evidence of the outcomes of the consultation process and how the recommendations have been incorporated into the ESCP;
- (c) be independently reviewed and verified by the ER prior to submission to the Planning Secretary;
- (d) comply with the detailed technical specifications in the *Technical guidance for achieving Wianamatta South Creek stormwater management targets* (DPE 2022) (the Technical Guidance) or its latest version and the performance criteria in **Appendix 4** in this consent;
- (e) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed; and
- (f) be included in the CEMP required by conditions C2 and C3.

B21. The Applicant must:

- (a) not commence earthworks until the ESCP required by condition B20 is approved by the Planning Secretary;
- (b) ensure installation and operation of the erosion and sediment controls are supervised and certified by the CPESC appointed under condition B20(a);
- (c) implement the ESCP approved by the Planning Secretary for the duration of earthworks and construction; and
- (d) engage the CPESC to conduct monthly audits of the erosion and sediment controls for the duration of earthworks and construction and for a further 12 months following the completion of construction works to ensure the controls remain effective in achieving the construction phase stormwater quality targets in the Technical Guidance. Monthly audit reports must be reviewed and verified by the ER and submitted to the Planning Secretary within 7 days of completing the audit.

B22. The Environmental Representative (ER) appointed in accordance with condition A45, shall make a written statement to the Planning Secretary confirming the erosion and sediment controls are commissioned, prior to the commencement of earthworks and other construction activities for the development. The ER must also verify that disturbed areas have been adequately stabilised at the completion of earthworks.

Discharge Limits

B23. 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.

Water Licences

B24. The Applicant, if required, must obtain the necessary water or aquifer interference licences for the development under the Water Act 1912 and/or Water Management Act 2000.

Note: Licences are required for groundwater bores, bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water

Stormwater Management System Design

B25. Prior to the commencement of earthworks, the Applicant must design the stormwater management system to the satisfaction of the Planning Secretary. The stormwater management system design must:

- (a) be prepared in consultation with the CPHR, Sydney Water and Transgrid;
- (b) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems;
- (c) be consistent with the plan titled Water Management Plan Interim Strategy, Drawing No. 21-860-C250, Issue H, prepared by AT&L (see Appendix P of Additional Information);
- (d) detail:

- (i) all drainage infrastructure within the site including any connections to adjacent landholdings;
- (ii) interim stormwater measures required to maintain existing discharge locations within the site until the site is connected to the Regional Stormwater Scheme or the Applicant provides written evidence to the satisfaction of the Planning Secretary that the development can be connected to an alternative stormwater management system that has been installed and is operational;
- (iii) how the development will ultimately connect to the Regional Stormwater Scheme and how the interim stormwater measures outlined in condition B25(d)(ii) will be decommissioned once the development is connected to the Regional Stormwater Scheme;
- (e) be designed in accordance with the Technical Guidance and demonstrate through MUSIC modelling, how the waterway health objectives and targets set out in the MRP DCP and Technical Guidance will be achieved;
- (f) ensure proprietary devices are located on private land and only include sediment and nutrient removal if certified under Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP);
- (g) ensure gross pollutant traps are appropriately sized and designed in accordance with the Infrastructure Design Guidelines;
- (h) demonstrate maintenance access driveways to water storage or bio-retention basins are designed in accordance with Council's specifications;
- (i) until such time the site is connected to the Regional Stormwater Scheme or another approved stormwater system, demonstrate that sufficient land is reserved on-site for stormwater management purposes (such as irrigation areas and undeveloped areas) as shown on **Figure 3:** in Appendix 1, to ensure the development meets the requirements of B25(e); and
- (j) include landscape drawings that include planting details of the WSUD systems.

Trunk Drainage Detailed Design

- B26. Prior to the commencement of construction of the trunk drainage infrastructure, the Applicant must complete detailed design of the trunk drainage infrastructure on the site, to the satisfaction of the Planning Secretary. The trunk drainage infrastructure must:
- (a) be designed in consultation with and to the satisfaction of the Regional Stormwater Authority and Transgrid;
 - (b) be integrated into the Stormwater Management System Design required under Condition B25;
 - (c) be consistent with the plans titled 'Water Management Plan Interim Strategy', Drawing No. 21-860-C250, Issue G, prepared by AT&L and Water Management Plan Ultimate', Drawing No. 21-860-C251, Issue H (see Appendix P of Additional Information), and the latest version of the Stormwater Scheme Infrastructure Design Guidelines (Sydney Water 2022), unless otherwise agreed with the Regional Stormwater Authority;
 - (d) be designed so that the naturalised trunk drainage channel conveys, as a minimum, critical 1% AEP overland flows where the catchment area upstream of the commencement of the trunk drainage exceeds 15 ha or where overland flows are unsafe to pedestrians and vehicles, whichever occurs first;
 - (e) be supported by hydraulic modelling that addresses the latest version of the *Stormwater Scheme Infrastructure Design Guidelines* (Sydney Water 2024);
 - (f) ensure external catchments are drained to the trunk drainage channel;
 - (g) demonstrate alignment with the upstream neighbouring stormwater drainage channel;
 - (h) include appropriate connections from the trunk drainage channel on-site to the trunk drainage infrastructure downstream of the site at 930-966 Mamre Road, Kemps Creek;
 - (i) include landscape drawings showing planting details consistent with Sydney Water's *Stormwater Scheme Infrastructure Design Guideline 2024*, or as agreed with Sydney Water; and
 - (j) include adequate access for maintenance by the Regional Stormwater Authority, in accordance with the Stormwater Scheme Infrastructure Design Guidelines (Sydney Water 2024), including provision of an easement as required by Condition B35.
- B27. The Applicant must:
- (a) not commence earthworks until the design required by Condition B26 is approved by the Planning Secretary;
 - (b) ensure construction of the trunk drainage infrastructure is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
 - (c) implement the trunk drainage infrastructure approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.

Water and Stormwater Management Plan

- B28. Prior to the commencement of operation of the first warehouse building in the development, the Applicant must prepare a Water and Stormwater Management Plan to the satisfaction of the Planning Secretary. The Water and Stormwater Management Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the CPHR and Sydney Water;
- (c) comply with the requirements of the Technical Guidance for the preparation of a Water and Stormwater Management Plan;
- (d) demonstrate how the development will comply with the stormwater quality and quantity targets in the Technical Guidance;
- (e) be consistent with the design approved under Condition B25;
- (f) include:
 - (i) detailed engineering drawings for all WSUD elements including plan views, cross-sections and long sections;
 - (ii) detailed landscape drawings with topsoil requirements, planting schedules and hardscape (maintenance access) details;
 - (iii) an operation and maintenance plan for the WSUD measures;
- (g) include a protocol for investigating any non-compliances with the IWCM controls in the MRP DCP and the waterway health objectives and targets in the Technical Guidance and detail the contingency measures that would be implemented to address non-compliances;
- (h) detail triggers for a review of the plan, including, but not limited to a review of the plan within 6 months of the Regional Stormwater Scheme being available for the site to connect to; and

B29. The Applicant must:

- (a) not commence operation of the first warehouse building until the Water and Stormwater Management Plan required by Condition B28 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water and Stormwater Management Plan approved by the Planning Secretary for the duration of the development.

Dam Dewatering Plan

B30. Prior to commencement of earthworks, the Applicant must implement the Dam Dewatering Plan, prepared by Ecological Australia, dated 6 February 2025 (see Appendix C of the Additional Information). The Dam Dewatering Plan must form part of the CEMP required by conditions C2 and C3. The Applicant must implement the most recent version of the Dam Dewatering Plan for the duration of earthworks and construction.

NOISE

Hours of Work

B31. The Applicant must comply with the hours detailed in **Table 3**.

Table 3 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

B32. Works outside of the hours identified in condition B31 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 Planning 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 or to prevent environmental harm.

Construction Noise Limits

B33. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise and Vibration Management Plan required under condition B34.

Construction Noise Management Plan

- B34. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must
- be prepared by a suitably qualified and experienced noise expert;
 - describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
 - include noise management and mitigation measures, including any described in Appendix 2;
 - describe the procedures for carrying out construction noise monitoring, including frequency and duration;
 - describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - include strategies that have been developed in consultation with the adjoining properties for managing construction noise, including high noise generating works, such as implementing respite periods and notification of construction work stages;
 - describe the consultation undertaken with adjoining properties to develop the strategies in condition B34 (f); and
 - include a complaints management system that would be implemented for the duration of the development.
- B35. The Applicant must:
- not commence construction of the development until the Construction Noise Management Plan required by condition B34 is approved by the Planning Secretary; and
 - implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

- B36. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in **Table 4**.

Table 4 Noise Limits (dB(A))

Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LAMax
Residents in Mount Vernon	29	30	30	46
BAPS Temple – outdoor areas of worship or congregation (excluding car parking areas and internal roads)	43 (when in use)			N/A

- Refer to Figure 7: in Appendix 5 for the location of residential sensitive receivers

Note 1. Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

- B37. The Applicant must implement reasonable and feasible measures (in accordance with Fact Sheet F of the Noise Policy for Industry (EPA 2017)) to minimise noise generated by operation of the development on Sunday afternoons and evenings (1pm – 8pm). These measures should aim, so far as is reasonably practicable, to achieve a noise level of 41 dBA LAeq (15 minute) in the day and evening at the BAPS Temple site outdoor areas of worship or congregation (excluding car parking areas and internal roads) during this period.

Operational Noise Management Plan

- B38. The Applicant must prepare an Operational Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of an OEMP in accordance with condition C5 and must:
- be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;
 - describe the noise performance monitoring method established in accordance with the following guidelines and standards (as may be updated or replaced from time to time) to analyse compliance with the limits specified in condition B36:
 - the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);

- (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
 - (iii) Section 7 of the Noise Policy for Industry (EPA, 2017);
- (c) identify the allowable noise contribution level for the development at compliance locations identified in **Table 4**;
- (d) identify the nominated intermediate monitoring locations, reference noise levels at each intermediate location, and noise level relationship between each intermediate location and compliance locations identified in **Table 4**;
- (e) include:
 - (i) an outline of at-source and transmission path mitigation measures required to ensure compliance with the limits specified in condition B36;
 - (ii) a description of operational procedures to minimise noise, including loading dock management practices and driver code of conduct;
 - (iii) a description of contingency measures (including specific measures to manage noise generating activities during the night-time period) in the event mitigation measures and operational procedures are ineffective at reducing operational noise to comply with limits specified in condition B36;
- (f) include a Trigger Action Response Plan (TARP) for the noise limits and goal in Conditions B36 and B37 that includes:
 - (i) details of on-site noise monitoring instrumentation to function as a real-time monitoring feedback tool for the TARP;
 - (ii) the applicable on-site noise trigger levels at the real-time monitoring locations to ensure noise is minimised in accordance with condition B37;
 - (iii) details of warning systems for when on-site noise trigger levels are exceeded and operational responses to be carried out by the Applicant or tenants to minimise and mitigate events exceeding the on-site noise trigger levels;
 - (iv) a system for recording all exceedances of the on-site noise trigger levels and the responses taken to minimise those exceedances.

B39. The Applicant must:

- (a) not commence operation of the development until the Operational Noise Management Plan required by condition B38 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Noise Management Plan approved by the Planning Secretary for the duration of the development.

Operational Noise Verification Report

B40. Within three months of the completion of commencement of operation of the development, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:

- (a) be prepared to the satisfaction of the Planning Secretary;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);
- (c) include:
 - (i) an analysis of compliance with noise limits specified in condition B36;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B36; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

AIR QUALITY

Dust Minimisation

B41. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B42. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;

- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Construction Air Quality Management Plan

B43. Prior to the commencement of earthworks and construction of each warehouse building in the development, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by conditions C2 and C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail and rank all emissions from all sources during construction of the development, including particulate emissions;
- (c) describe a program that is capable of evaluating the performance of the construction and determining compliance with key criteria, including installation of real-time air quality monitors on the site boundaries;
- (d) identify the control measures that will be implemented for each emission source;
- (e) nominate the following for each of the proposed controls:
 - (i) key criteria;
 - (ii) monitoring method;
 - (iii) locations, frequency and duration of monitoring;
- (f) outline procedures that will be implemented in relation to:
 - (i) record keeping;
 - (ii) reporting to the Environmental Representative required under condition A48;
 - (iii) complaints register;
 - (iv) response procedures;
 - (v) compliance monitoring; and
- (g) include a Trigger Action Response Plan (TARP) that must include:
 - (i) the objectives of the TARP;
 - (ii) triggers for:
 - continuously monitored PM₁₀ concentrations;
 - meteorological conditions;
 - visible dust plumes;
 - on-site activities that have the potential for elevated dust emissions;
 - (iii) a procedure to identify likely dust-generating sources;
 - (iv) source-specific actions to reduce dust generation rates;
 - (v) a procedure to determine the effectiveness of the implemented actions;
 - (vi) a procedure to implement additional controls if required, to ensure the development complies with the conditions of this consent; and
 - (vii) a procedure to record evidence / observations of the effectiveness of the implemented actions to manage the triggers, and evidence to demonstrate that the objectives of the TARP have been achieved; and
 - (viii) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.

B44. The Applicant must:

- (a) not commence earthworks until the CAQMP required by condition B43 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of earthworks and construction.

Air Quality Discharges

B45. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2022.

VISUAL AMENITY

Landscaping

- B46. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the development's revegetation and landscaping works, to the satisfaction of the Planning Secretary. The plan must form part of an OEMP in accordance with condition C5. The plan must:
- (a) detail the species to be planted on-site that:
 - (i) are consistent with the plant list in Appendix C of the MRP DCP;
 - (ii) are consistent with the plant list in Appendix B of Sydney Water's *Stormwater Scheme Infrastructure Design Guideline, 2024*; and
 - (iii) are suitable in relation to wildlife management in proximity to the Western Sydney Airport;
 - (b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
 - (c) be consistent with
 - (i) the Landscape Plan included in the Submission Report;
 - (ii) the Applicant's Management and Mitigation Measures at Appendix 2; and
 - (iii) Appendix 4 of the *Planning for Bush Fire Protection (RFS, 2019)*
 - (iv) Transgrid's easement guidelines;
 - (d) ensure sufficient deep soil is provided in all areas where tree planting is required;
 - (e) demonstrate that the minimum tree canopy targets are achieved in accordance with the MRP DCP;
 - (f) include a Street Tree Plan including details of selected street tree species, root protection barriers and soil specifications;
 - (g) provide detailed plans of passively irrigated street trees within the relevant stage of works demonstrating consistency with the MRP DCP;
 - (h) describe the ongoing monitoring and maintenance measures to manage the landscaping works.
- B47. The Applicant must:
- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.
 - (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
 - (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B46 for the life of the development.

Lighting

- B48. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

- B49. Prior to the commencement of construction of each warehouse building in the development, the Applicant must submit a Signage Strategy, for each warehouse building, to the satisfaction of the Planning Secretary. The Signage Strategy must demonstrate the proposed signage is consistent with Chapter 3 of State Environmental Planning Policy (Industry and Employment) 2021. The Signage Strategy must:
- (a) ensure there is only up to one building identification sign installed per elevation, except in the case where there is more than one tenant occupying a warehouse building;
 - (b) ensure there is only up to one illuminated building identification sign per warehouse building; and
 - (c) includes measures to control lighting impacts from illuminated signage including use of backlit signs and curfews.
- B50. All signage and fencing must be erected in accordance with the development plans included in the Additional Information.

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

REMEDIATION

Site Auditor

- B51. Prior to the commencement of any earthworks or remediation works for the development on site, the Applicant must engage a Site Auditor accredited under the *Contaminated Land Management Act 1997* NSW Site Auditor Scheme.

- B52. Prior to the commencement of any earthworks or remediation works, the Applicant must engage a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme to:
- (a) complete the further site investigations recommended in the *Remediation Action Plan Proposed Industrial Development 253-267 Aldington Road, Kemps Creek, NSW*, prepared by Douglas Partners dated February 2025; and
 - (b) prepare a Remedial Works Plan that has been reviewed and approved by the Site Auditor and details:
 - (i) the outcomes of the further site investigations;
 - (ii) the final extent of remediation;
 - (iii) the location and design of the containment cell; and
 - (iv) a long term environmental management plan (LTEMP).

Remediation

- B53. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced consultant(s) in accordance with the Remedial Works Plan approved by the Site Auditor and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.
- B54. Upon completion of the remediation works and prior to the commencement of construction of the development, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its intended industrial land use with the implementation of a long term environmental management plan.

Long Term Environmental Management Plan

- B55. Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:
- (a) implement the approved LTEMP;
 - (b) provide evidence to the Planning Secretary the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the *Environmental Planning and Assessment Act 1979*, for the development.

Asbestos

- B56. The Applicant must ensure that any asbestos encountered during the remediation and earthworks for the development is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:
- (a) *Work Health and Safety Regulation 2017*;
 - (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace December 2022;
 - (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos December 2022; and
 - (d) *Protection of the Environment Operations (Waste) Regulation 2014*.

Unexpected Finds

- B57. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulations. Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B58. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) Heritage NSW must be contacted immediately.
- B59. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

HISTORIC HERITAGE

Unexpected Finds Protocol

- B60. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
 - (b) Heritage NSW must be contacted immediately; and
 - (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.
- B61. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

HAZARDS AND RISK

Dangerous Goods

- B62. The quantities of dangerous goods stored and handled must remain below the following:
- (a) for each tenancy within Warehouses 1B and 1C, below the placard quantities listed in Schedule 11 of the Work Health and Safety Regulation 2017 (NSW); and
 - (b) for Warehouse 1A, below the threshold quantities listed in the Department's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33.
- B63. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.
- B64. In the event of an inconsistency between the requirements of conditions B63B63(a) and B63B63(b), the most stringent requirement must prevail to the extent of the inconsistency.

Emergency Services Information Package

- B65. From the commencement of operation and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

WASTE MANAGEMENT

Statutory Requirements

- B66. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.
- B67. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B68. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.
- B69. The collection of waste generated during operation of the development must be undertaken between 7am to 10pm Monday to Friday.

Pests, Vermin and Priority Weed Management

- B70. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
 - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) a condition compliance table for that plan;
 - (b) detailed baseline data;
 - (c) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and 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;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (i) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
 - (b) Erosion and Sediment Control Plan (see condition B20);
 - (c) Dam Dewatering Plan (see condition B30);
 - (d) Construction Air Quality Management Plan (see condition B43);
 - (e) Construction Noise Management Plan (see condition B34);
 - (f) Unexpected Finds Procedure (see condition B57); and
 - (g) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) describe the procedures that would be implemented to:

- (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
- (ii) receive, handle, respond to, and record complaints;
- (iii) resolve any disputes that may arise;
- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Operational Traffic Monitoring Program (see condition B16);
 - (ii) Water and Stormwater Management Plan (condition B28);
 - (iii) Operational Noise Management Plan (see condition B38);
 - (iv) Landscape Management Plan (see condition B46; and
 - (v) Long-Term Environmental Management Plan (see condition B55).

C7. The Applicant must:

- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
- (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C8. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C10;
 - (b) the submission of a Compliance Report under condition C14;
 - (c) the approval of any modification of the conditions of this consent; or
 - (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

- C9. If identified as part of the review process (see condition C8) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 3 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

- C12. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).
- C13. A non-compliance notification submitted under condition C12 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: *A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

Compliance Reporting

- C14. Within three months after the commencement of earthworks of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary) for the duration of earthworks and construction works, the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared having regard to the Compliance Reporting Post Approval Requirements (Department 2020) and must also:
- (a) identify any trends in the monitoring data over the life of the development;
 - (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Monitoring and Environmental Audits

- C16. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

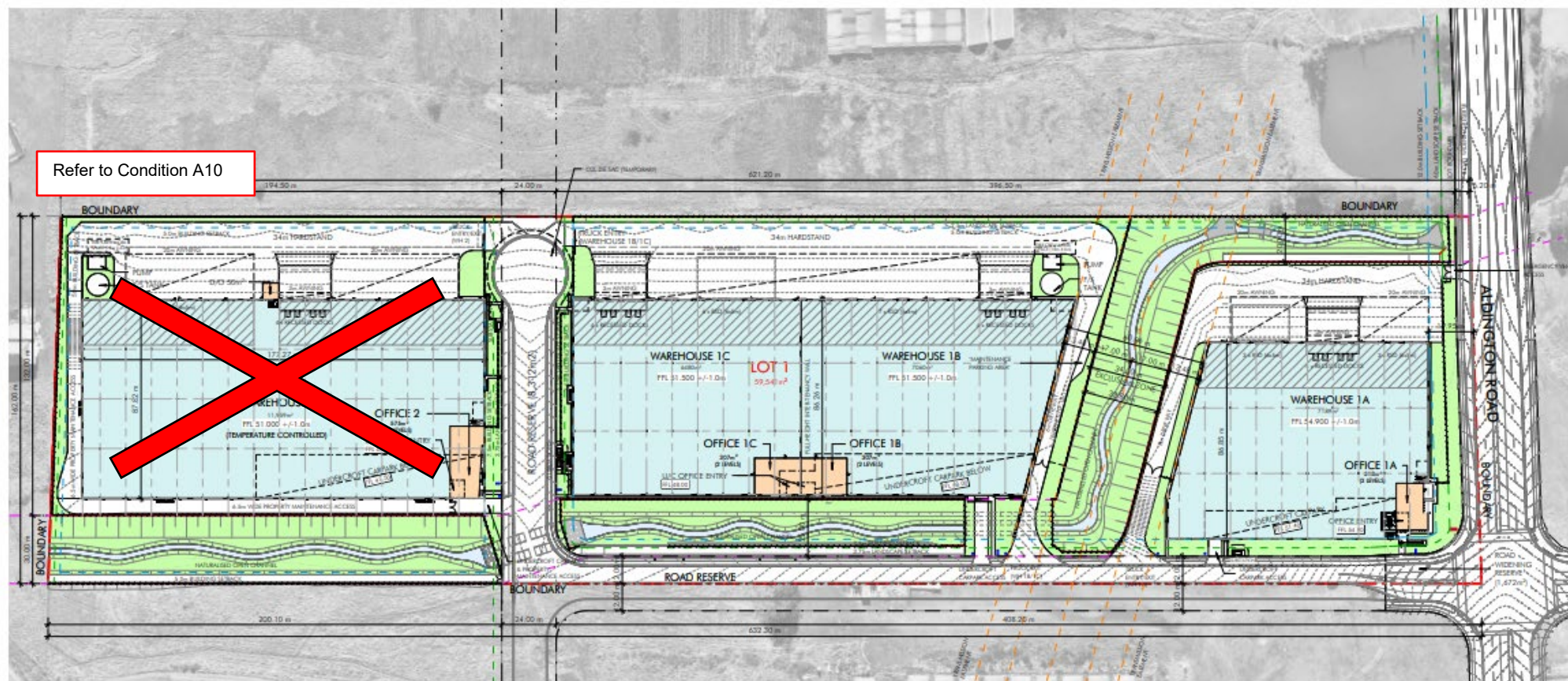
Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

- C17. At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated quarterly;
 - (x) the Compliance Report of the development;
 - (xi) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Drawing No	Title	Issue	Date
Architectural Plans prepared by Nettleton Tribe			
12253_DA002	Master Plan	13	04/03/2025
12253_DA002A	Stage 1 Works Plan	9	24/01/2025
12253_DA011	Warehouse 1A Floor Plan	13	04/03/2025
12253_DA012	Warehouse 1B & 1C Floor Plan	13	04/03/2025
12253_DA021	Warehouse 1A Elevations	10	23/10/2024
12253_DA022	Warehouse 1B& 1 C Elevations	10	23/10/2024
12253_DA061	Signage Strategy Plan	11	04/03/2025
Civil Drawings prepared by AT&L			
21-860-C003	General Arrangements Plan Sheet 1	I	25/10/2024
21-860-C004	General Arrangements Plan Sheet 2	D	25/10/2024
21-860-C030	Bulk Earthworks Cut/Fill Plan	J	25/10/2024
21-860-C170	Stormwater Trunk Drainage Channel Plan Sheet 1	E	25/10/2024
21-860-C171	Stormwater Trunk Drainage Channel Plan Sheet 2	E	25/10/2024
21-860-C250	Water Management Plan Interim Strategy	H	09/07/2025
21-860-C930	Road Connection Layout Plan	B	12/02/2025
Landscaping Plans			
L.SK.01	Landscape Masterplan	J	25/10/2024



1 Master Plan
1:1000

Figure 1: Site Plan

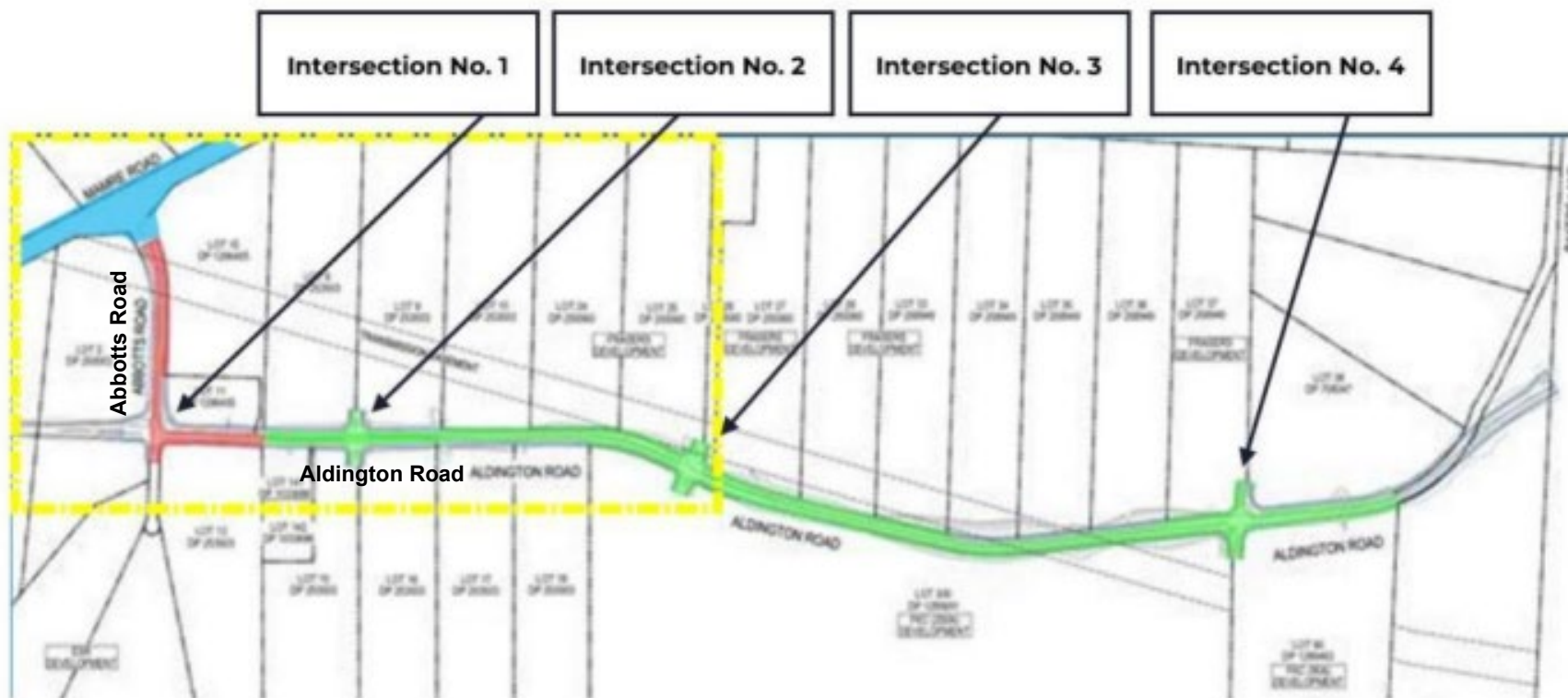


Figure 2: Mamre Road / Abbotts Road Intersection and Aldington Road Upgrades

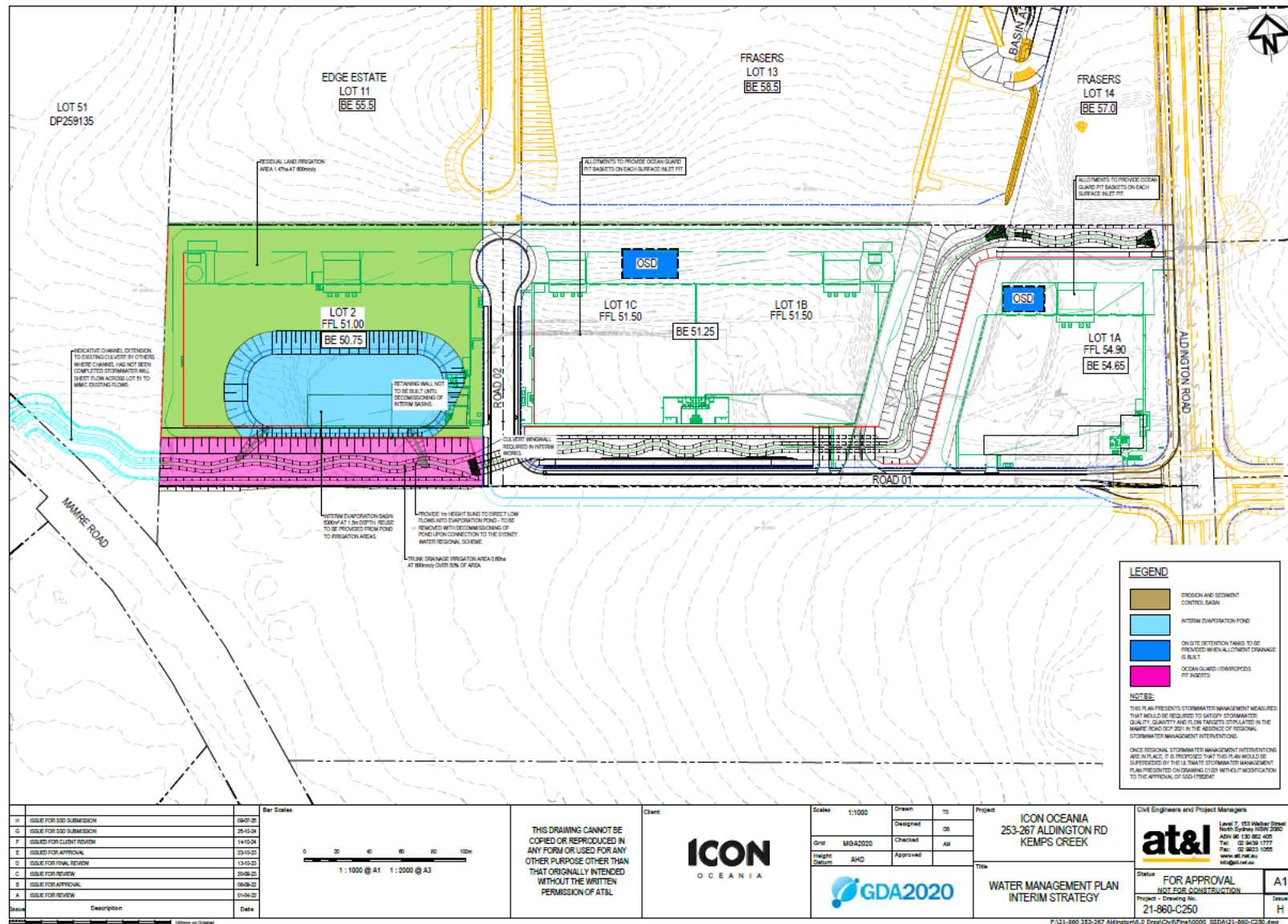


Figure 3: Interim Water Management Plan

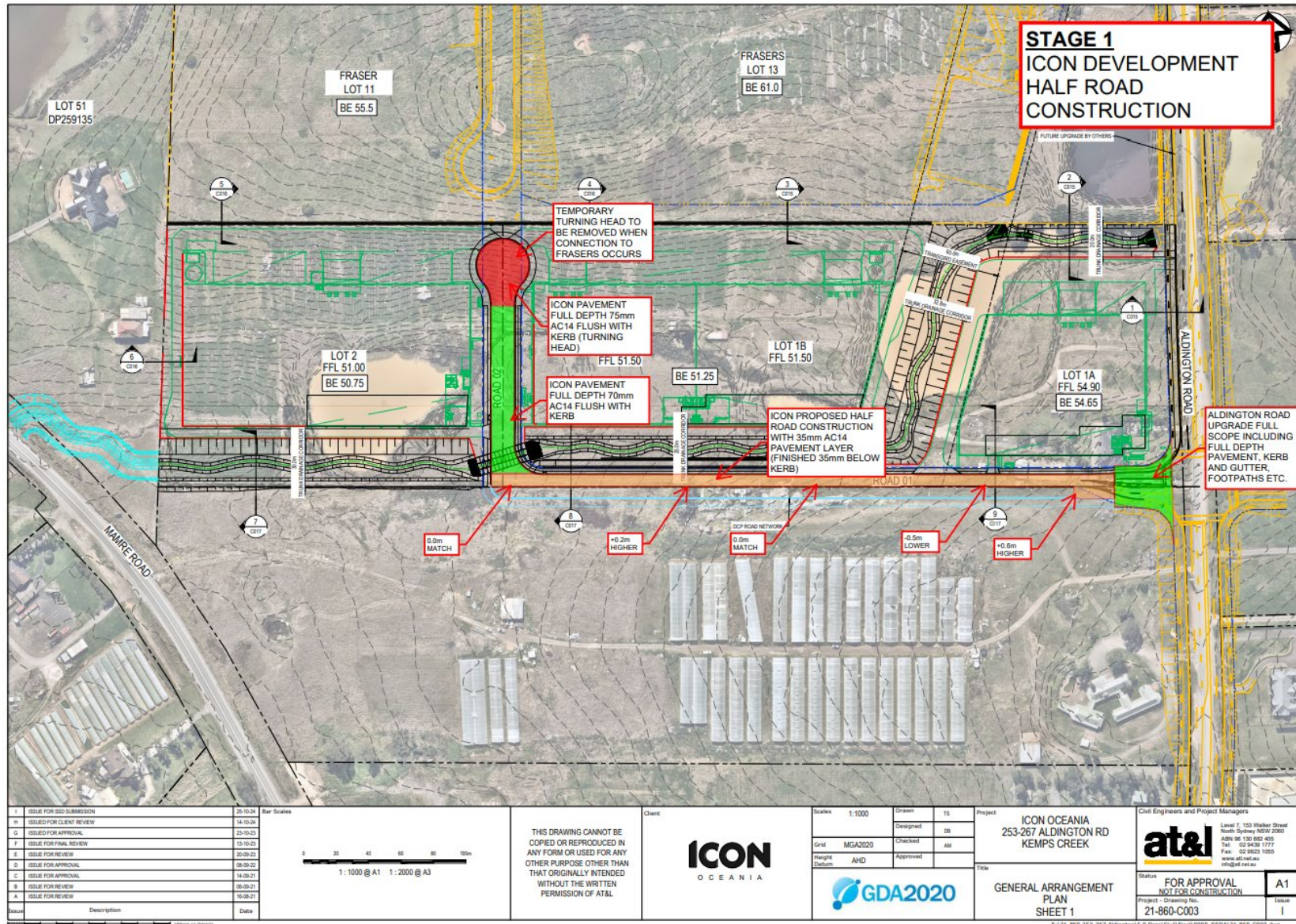


Figure 4: Road 1 - Half Road Delivery

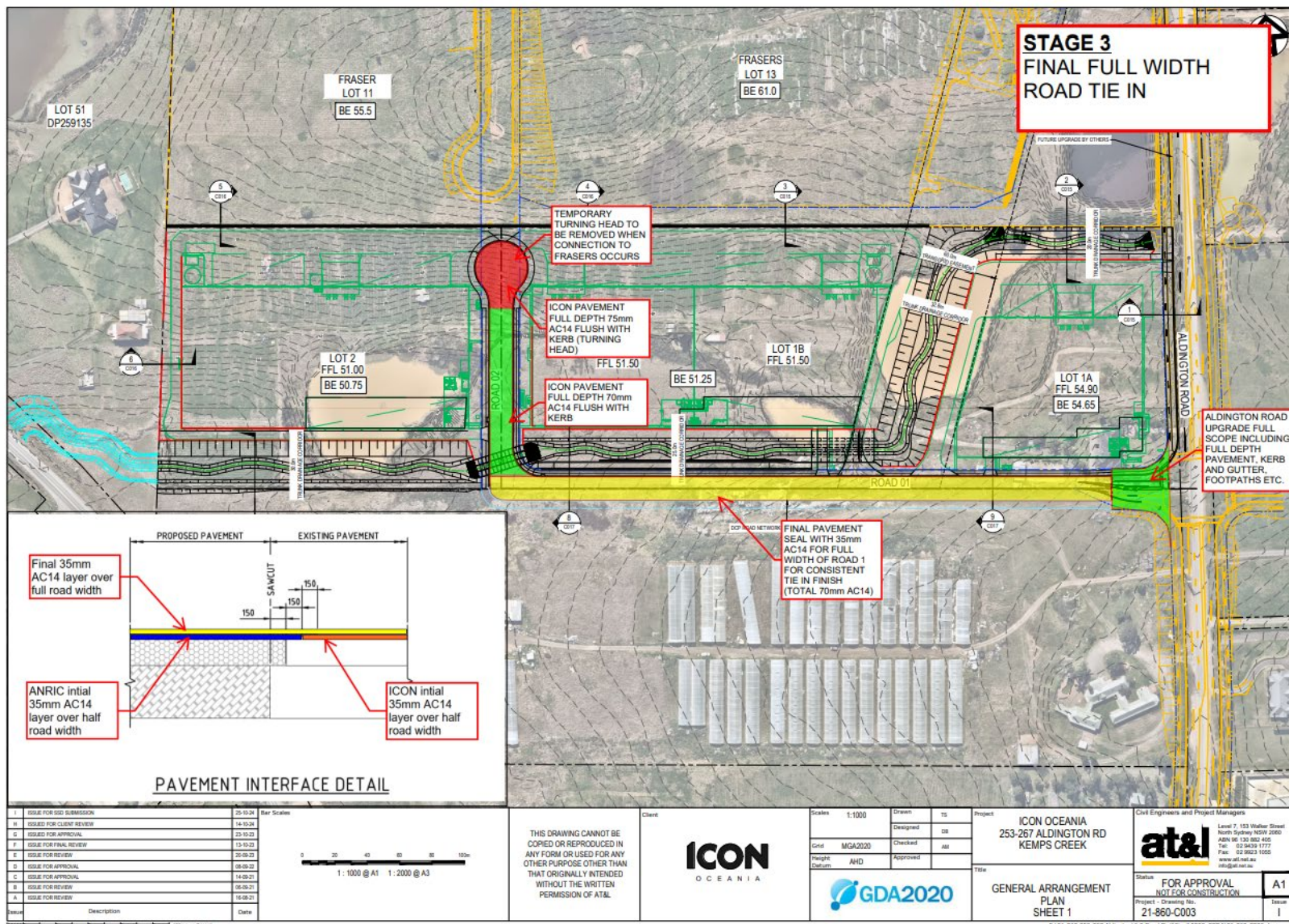


Figure 5: Road 1 – Indicative Full Road Delivery

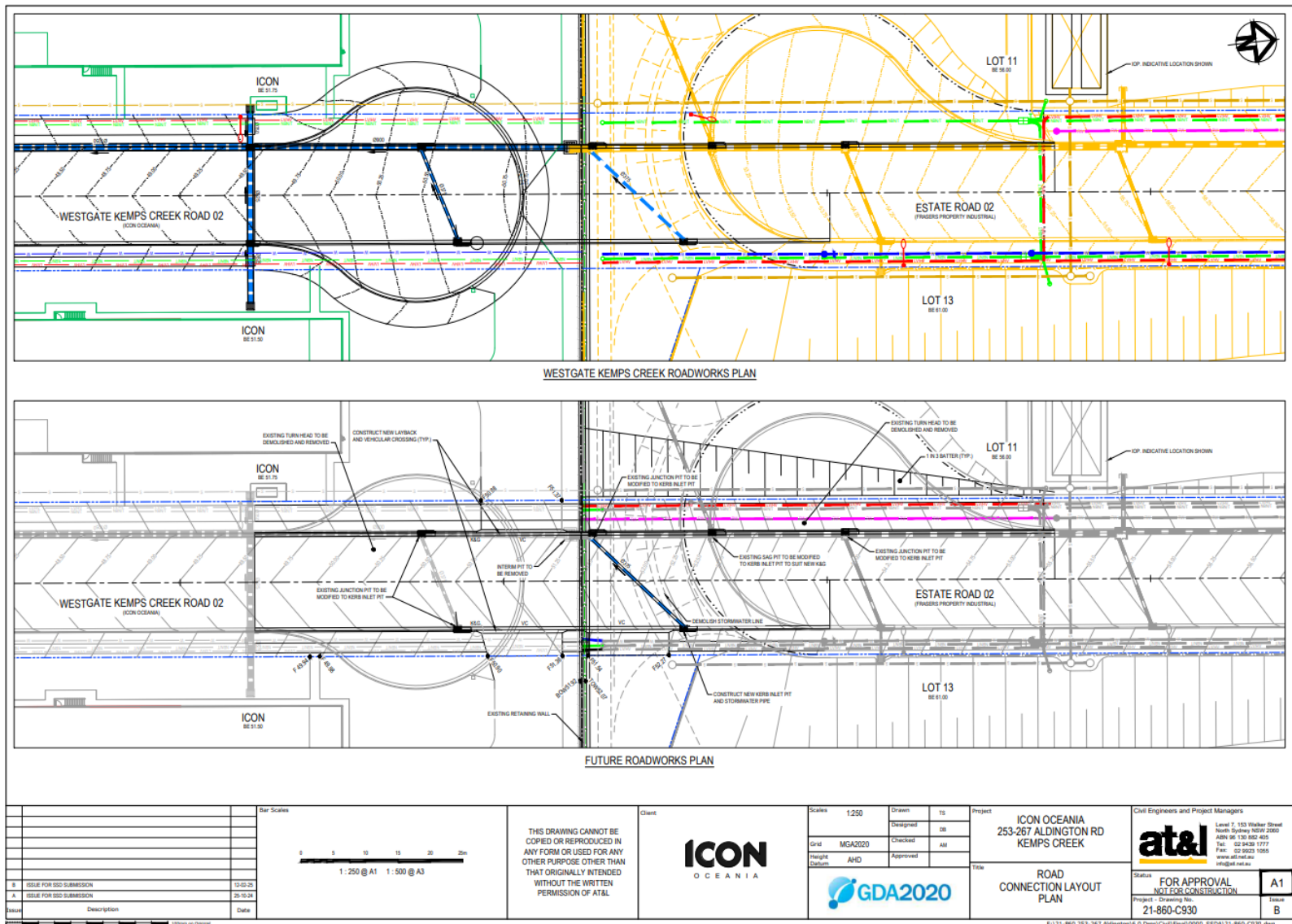


Figure 6: Road 2 North Connection Layout Plan

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
Traffic	- Trip generation for the early stages is greater than the assumptions within the MRP modelling assessment and cannot be accommodated by proposed interim upgrades to the local road network. - Cumulative construction traffic impacts with surrounding road upgrades and surrounding developments. - Car parking provision on site is not appropriate or sustainable. - Access is available to the site during construction and operation.	C&O	D	4	Low	Ason Group provide the follow recommendations to minimise the impact of the proposed Westgate Industrial Estate on the wider precinct: - A Framework Sustainable Travel Plan has been developed for the site to complement the intent of the DCP for the precinct, by outlining the overarching requirements for a future Sustainable/Green Travel Plan. - Traffic control would be required to manage and regulate construction vehicle traffic movements to and from the site during construction. The draft CTMP has been updated to consider the most to update cumulative construction traffic activities. e additional mitigation measure relate to ensuring the truck routes are adhered to, with illegal right-turn movement occurring on Mamre for vehicles wanting to travel northbound. In this regard, temporary signals are to be installed at the Mamre Road / Abbots Road intersection as part of the construction traffic management for the road upgrades being delivered (by others) as per SSD-9138102-Mod-5. If DPHI continue to have concerns, it is recommended that a Condition of Consent be placed on construction activities which limits heavy vehicle movements to 10 movements during the road network peak hours (7:00-8:00am and 4:00- 5:00pm). - All internal circulation, hardstand and parking areas within the site is to be designed with reference to the Australian Standards and provide for vehicles up to and including a 30m long PBS Type 2. - All vehicles transporting loose materials will have the load covered and/or secured to prevent any items depositing onto the roadway during travel to and from the site. - All vehicles are to enter and depart the site in a forward direction, with reverse movements to occur only within the site boundary. - Occupation of the Site after the delivery of the Aldington Road and Abbots Road upgrade can be ensured via a suitable Condition of Consent.	Pe, Pr, Ma	Medium
Urban Design and Visual Impact	The site currently comprises pastoral farmland. The proposed development will alter the existing characteristics of the area.	C&O	C	4	Low	Pad levels of the site respond to the topography and have been designed to reduce the visual height of buildings by sitting them as close to existing level as possible and stepping them down towards Mamre Road.	Pr	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- Extensive landscape buffer planting will screen building facades. Office entry frontages will include flowering plants and landscaping in and around car parking areas, this will help with way finding and provide shade. - The office components will be highlighted with the use of glazing, metal powder coated perforated screens and climbing plants.		
Stormwater and Drainage	Potential impacts of proposed development on existing stormwater flow and quality.	C&O	C	4	Low	- Gross pollutant traps: will capture litter, debris, coarse sediment and oils and greases. The gross pollutant traps will be located adjacent to the bioretention/ detention basins. - Surface water runoff from the proposed lots and internal roads will be collected via pits and pipes and discharge into one of three OSD/ water quality tanks. On site detention tanks are permanent assets for all lots. - Roof irrigation. - Trunk drainage channel. AT&L have recommended the following mitigation measures to minimise soil and water impacts at the site and the surrounds: - The inspection and maintenance requirements outlined in Section 4.16 of the WCMS report must be carried out while earthworks are being conducted, and all areas re-established. - Stormwater within the settling zone should be drained or pumped out within 5 days (design time), if the nominated water quality targets can be met, to the satisfaction of the superintendent. Flocculation should be employed where extended settling is likely to fail to meet the objectives within the 5-day period. - The erosion control measures are detailed in the Updated Erosion Sediment Control Plan and the methodology must generally be undertaken in accordance with the following steps: - Install the site perimeter sediment fence as shown on the erosion and sediment control plans at the start of the on-site works, establishment of shaker pads, entry and exit controls. - Clearing and grubbing to be undertaken after E+S controls in place. - Strategically undertake the proposed bulk earthworks so as to control those open areas while the works associated with the proposed sediment basins, directing surface flows to the basins, generally as	Pe, Pr, Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						shown on the erosion and sediment control plans are implemented to control possible outflows from the site. - The proposed channel works will be undertaken from the down stream end and works will progress upstream and the connection with Aldington Road. Throughout the earthworks required to construct the channel it will be progressively stabilised and check dams installed so as to limit and control the run-off of sediments from the exposed areas. - During the construction period the weather will be monitored on a regular basis. If a triggering rainfall event is forecast to occur preventative measures such as sealing off the exposed surfaces and reinforcement of E+S measures will be undertaken. - The trunk drainage erosion and sediment management (before the allotment and road earthworks) will require a temporary channel to bypass the existing upstream flows around the proposed trunk channel extents, maintaining existing stream where possible. While the bypass is in place, the dams are able to be decommissioned and the proposed trunk drainage channel is able to be built. Once the channel works are completed up to providing geofabric protection, the bypass channel can be decommissioned, and existing upstream flows are directed back into the trunk drainage channel.		
Biodiversity	The proposed development will impact the 0.35 hectares of native vegetation identified as Plant Community Type (PCT) 1071: <i>Phragmites australis</i> and <i>Typha orientalis</i> coastal freshwater wetlands of the Sydney Basin Bioregion and 0.03 hectares of PCT 835: Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (Cumberland Riverflat Forest).		D	3	Low	- Seed collection should be undertaken prior to clearing of native vegetation - Native animals are to be relocated from development sites in accordance with the former Office of Environment and Heritage's Policy on the Translocation of Threatened Fauna in NSW. - Hollows to be removed should be retained and reused within the remaining vegetation within the adjacent riparian corridor. - Install appropriate fencing and signage for the protection of trees to be retained in proximity to the impact area. - Programming of works to avoid critical life cycle events such as breeding or nursing - Temporary fencing along the southern boundary in the vicinity of the trees on adjoining lots will be erected to ensure no impact to the Tree Protection Zone of those trees. - Sediment and erosion management plan as per the Updated Erosion Sediment Control Plan.	Pe	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- Dam Dewatering to be undertaken as per the Dam Dewatering Management Plan. - All staff working on the project will undertake an environmental induction as part of their site familiarisation.		
Waterways and riparian areas	- The DPE hydroline layer shows one unnamed second order watercourse within the study area, which travels in a westerly direction and is fed by two first order watercourses that are located to the northeast of the study area. - The proposed development will remove the existing dams at the site.	C&O	C	4	Low	Mitigation measures for dam removal and water quality are recommended: - A Construction Environmental Management Plan (CEMP) is to be prepared prior to commencement of any construction works to address measures required to be implemented prior to, during and after works to minimise impacts on the environment. This CEMP should include an Erosion and Sediment Control Plan, prepared in accordance with the Blue Book – Managing Urban Stormwater: Soils and Construction (Landcom 2004) and implemented prior to works. Key protection measures include: - Gross Pollutant Traps (GPTs) to capture litter from car parks and roads; - Sediment fences to slow overland flow and trap sediments created from surface erosion - Identify opportunities for re-use of water from any on-site dewatering activities site including dust suppression. - Aquatic fauna is required to be protected during construction activities, including decommissioning of the farm dams. In order to ensure that aquatic fauna is protected during the dam decommissioning process, a Dam Dewatering Plan is to be prepared and implemented. - Native fish healthy enough for relocation are to be contained and transported to an appropriate dam/ lake/ waterhole/ creek.	Pr, Ma	Low
Noise and vibration	Noise emissions from construction and operation of the development activities exceed Noise Affected Level criteria and impact nearby sensitive receivers.	C&O	C	4	Low	Construction Noise Feasible and reasonable mitigation measures to reduce construction noise levels will be reviewed and implemented where complaints are received and validated by exceedance of NML. Work practice are to be implemented where appropriate, including: avoiding the use of portable radios, public address systems or other methods of site communication that may unnecessarily impact upon nearby residents	Pe	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- develop routes for the delivery of materials and parking of vehicles to minimise noise - where possible, avoid the use of equipment that generates impulsive noise Additional measures for plant and equipment include: - where possible, choose quieter plant and equipment based on the optimal power and size to most efficiently perform the required task - operate plant and equipment in the quietest and most efficient manner - minimise the number of plant and equipment operating simultaneously while still meeting processing requirements - switch off idle plant - regularly inspect and maintain plant and equipment to minimise noise and vibration level increases, to ensure that all noise and vibration reduction devices are operating effectively. Nearby residents are to be notified prior to works commencing. Noise monitoring during the initial stages of construction will be undertaken to confirm actual construction noise levels. If noise management levels are exceeded, the contractor is to identify feasible mitigation measures that reduce construction noise levels. Operational Noise - Internal design noise levels: Space averaged internal noise levels to satisfy the assumptions presented in Section 4.2.1 of the Noise Impact Assessment v5 dated 28/2/25. - Building construction: Building construction materials and acoustic requirements in accordance with the assumptions presented in Section 4.2.1 of the Noise Impact Assessment v5 dated 28/2/25 – including design and specification of refrigeration plantroom - Selection of plant and equipment: Specification for all plant and equipment to be in accordance with the noise levels presented in Section 4.2.2 of the Noise Impact Assessment v5 dated 28/2/25.. - Maintenance: Plant and equipment to be maintained to satisfy the ongoing noise levels referenced in Section 4.2.2 of the Noise Impact Assessment v5 dated 28/2/25.. - Negotiated agreements are proposed only as an interim measure as instructed by DPHI and solely for the purpose of noise mitigation where a		

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						residence listed herein is still occupied and for residential use and is not subject to a development application for commercial or industrial use either approved or unapproved. Further to this no residence shall be eligible for negotiated agreement for the purpose of noise mitigation from this project where they have already entered into such agreement with another landholder for equivalent purposes.		
Contamination and remediation	Exposure of contamination of hazardous materials during construction	C and O	D	3	Low	A Remediation Action Plan has been prepared by Douglas Partners provide which includes the following mitigation measures: • Prior to the implementation of remediation, the site is to be established in accordance with all NSW legislative requirements. • Asbestos remediation works must be undertaken by an appropriately licensed asbestos Remediation Contractor and in accordance with Work Health and Safety Regulation NSW 2011 and any other applicable SafeWork NSW or Safe Work Australia regulations or guidelines. • A waste classification assessment should be carried out in accordance with NSW EPA (2014) Waste Classification Guidelines, Part 1: Classifying Waste (EPA, 2014) for any material requiring off-site disposal. • Potentially contaminated material shall be stockpiled at a suitable designated location. • All transport of waste and disposal of materials must be conducted in accordance with the requirements of the POEO Act (1997). • It is the responsibility of the Contractor to develop a Site Management Plan detailing overall site management, environmental management (including soil, air and water) and occupational health and safety plans.	Ma	Low
Aboriginal cultural heritage	Impacts to Aboriginal objects during the construction of the proposed development.	C	D	4	Low	Artefact conclude that based on the results of the assessment, the following recommendations are made: • An unexpected finds policy is to be implemented in the event of any unexpected finds of Aboriginal sites, objects, or archaeological deposits being identified during construction. The protocol states if Aboriginal objects are identified during ground disturbing works: • All work must immediately cease in, and around, the location of the unexpected find.	Pr	N/A

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- The contractor supervisor must notify the environmental manager for the project, and a qualified archaeologist must be contacted to assess the provenance and significance of the find. - Should the find be an Aboriginal object, further consultation with RAPs, assessment and approval may be required before works can continue in that area. If human remains are found: - Immediately cease all work at the location - Notify site manager and project archaeologist - Notify NSW Police - Notify Heritage NSW on the Environment Line 131555 as soon as practicable and provide details of the remains and their locations - Do not recommence any work at the location until cleared.		
Surface Groundwater Assessment	Impacts to future buildings based on geotechnical information. Impacts to soil and groundwater during construction.	C and O	D	4	Low	- Implementation of a salinity management plan to manage saline soils. - Sediment and erosion controls should be designed in accordance with Managing Urban Stormwater – Soils and Construction (Landcom, 2004). - A fill management protocol (FMP) should be prepared to control the quality of fill imported to the site. The FMP should include provision for the import of suitable waste material. The FMP should also provide controls regarding the suitability of imported material from a salinity and geotechnical perspective.	Pr Ma	Low
Non-Aboriginal cultural heritage	Impacts to archaeological items during construction	C	D	4	Low	- An unexpected finds procedure would be enacted during the works. This would involve the following activities: - Excavation work in that area must cease and the contractor must notify the environmental manager for the project, and a qualified archaeologist must be notified. - An archaeologist would attend site to assess the integrity and significance of the remains. - Should the unexpected find constitute significant non-Aboriginal archaeological remains, further assessment and approval may be required prior to those works commencing.	Pr	N/A

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
Social impacts	Disruption to neighbours and adjacent land users during construction and operation.	C&O	D	4	Low	- Develop an employment strategy to target local recruitment. This strategy may include initiatives to partner with local businesses/suppliers or to incorporate inclusion and diversity targets. - Continue to consult with TfNSW and Council as the Mamre Road Precinct develops to monitor road performance and make future modelling adjustments as required. - Finalise the Draft Construction Management Plan to help minimise potential traffic and road safety impacts during construction of the proposal. - Prepare a letter of offer to the DPE outlining a planning agreement for the payment of relevant development contributions. - Consider ways to incorporate the local history and/or culture of the area into the site design. This should be undertaken in consultation with the community and may include measures such as using names of local significance for buildings or prioritising native landscaping species on site. - Prepare a maintenance schedule for the site to ensure the grounds and landscaped areas are regularly cared for and maintained. - Design terraced outdoor spaces to be shaded and include appropriate seating and amenities to support workers on shift breaks. This can be undertaken during the future detailed design and fit out applications.		
Ecologically sustainable development	Potential increase in energy consumption associated with demolition, construction and operational phases	C and O	C	4	Low	- The proposed development is to be fossil fuel free and gas or diesel fuel may be used for a tenant demand. - The building is required to comply with NCC 2022 Section J energy efficiency requirements including building fabric (J1), building sealing (J3), air-conditioning and ventilation systems (J5), artificial lighting and power (J6), heated water supply (J7) and facilities for energy monitoring (J8). - All warehouse spaces will include a minimum 10% roof area for translucent sheeting. - LED lighting is to include smart lighting controls including time clicks; motion sensors and daylight sensors. - Energy monitoring systems to allow for the following end use data to be captured: a. Total building consumption	Pe, Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						b. Total tenant consumption c. Office lighting consumption d. Office small power consumption e. Office HVAC consumption f. Warehouse lighting consumption g. Warehouse small power consumption h. Photovoltaic generation The proposal will implement the following measures to reduce potable water consumption. Installing fixtures and fittings with the following minimum WELS rating: • Taps: 5-Star WELS • Urinals: 6-Star WELS • Toilets: 4-Star WELS • Showers: 3-Star WELS (>4.5 but ≤ 6.0 L/min) • Office air conditioning systems to include waterless heat rejection. • Landscaping design to incorporate endemic and drought tolerant species • Installation of rainwater tanks connected to the proposed buildings to provide rainwater for landscape irrigation and flushing toilets. • Water monitoring system to allow for total building consumption data to be captured. Building Materials: The proposal will implement the following measures to reduce the impact of building materials on the environment: • Use recycled crushed concrete, crushed brick, glass fines, Reclaimed Asphalt Pavement in construction. • Use timber should be from sustainable sources or recycled • PVC used in the construction of the development which meets the requirements of the "Best Practice Guidelines for PVC in the Built Environment"		

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- Stormwater pipe and systems to be from products with a high recycled content - Steel roofing and cladding to have an Environmental Performance Declaration (EPD) - Sufficient recycling and waste storage facilities are to be provided. Environmental Management: - Head contractor implementation of a waste management plan - Urban heat island effects will be reduced by maximising landscaping areas and incorporating high SRI rooves. - Implementation of a stormwater management plan and the use of sustainability measures to create more resilient and adaptable urban environments.		
Air quality	Air emissions are likely during the construction of the development and operations of the warehouses.	C&O	3	3	Low	RWDI have recommended the following mitigation measures to ensure construction dust impacts are minimised and remain low risk. - Develop and implement a stakeholder communications plan that includes community engagement before work commences on site. - Develop and implement a Dust Management Plan. - Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken. - Make the complaints log available to relevant authorities and surrounding landowners - Undertake daily on-site and off-site inspections to monitor dust. - Undertake daily on-site and off-site inspections at nearby receptors to monitor dust. Record inspection results and make available to relevant authorities. - Plan site layout so that dust generating activities are located away from receptors, as far as possible. Avoid site runoff of water or mud. - Ensure trucks switch off engines when stationary.	Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- Use water assisted dust sweepers at the site. Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation. - For operational uses, limit unnecessary idling of truck engines on-site and ensure truck maintenance is up to date.		
Waste	Potential impacts from waste generated during construction and operational phases	C and O	D	4	Low	Standard waste reduction measures are recommended to be conducted during the demolition, construction and operational phases. These recommended procedures include the following: - Practical building design and construction techniques, including construction staging and ordering pre-cut materials at the required sizes. - Appropriate collection and subsequent reuse, recycling or treatment offsite for items such as batteries, cardboard, timber, plastic, glass etc. during construction, demolition and operational phases. - Careful on-site storage, sorting and separation of different waste products, especially for waste appropriate for recycling and reuse. - Hiring of qualified contractors for handling waste removal properly informing sub-contractors of waste management procedures. - Waste storage during the demolition and construction phases should be in accessible locations with the appropriate use of dedicated stockpile areas, skip bins and waste and recycling bins, (demolition up to approximately 12 x 1,000L bins) and (construction up to approximately 8 x 1,000 L bins) that are well maintained. - All waste during construction works will be appropriately classified, with samples taken by appropriately trained and experienced personnel, the appropriate soil analysis to be undertaken is required. - During operation, each warehouse will have 1x 1,1100L general waste and recycle waste bins. Waste will be collected once a week for all waste streams. - During operation, waste storage will be located at the loading dock areas at Warehouses 1A, 1B 1C and 2 with the appropriate clearance, BCA compliance, size (especially for waste segregation) and identification signage.	Pe Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Waste storage and management facilities will comprise colour coded recycling bins, which will be utilised to dispose of any packaging waste. The operational waste will be collected by a regulated waste contractor.		
Bushfire	The site is bushfire prone and the warehouses and employees may be at risk during a bushfire event.	C and O	D	3	Low	The bushfire assessment report identifies a number of recommendations to ensure that the development appropriately mitigates any bushfire hazard risk: - Implement a 7.5 metre (minimum) area of defendable space around the outer edge of each warehouse - Use cladding materials for the external surfaces of the development which are fire retardant materials such as metal sheeting, pre-cast cement panels or masonry. - Undertake regular inspections and maintenance of the Managed Lands or curtilage / landscaped areas / hard standing areas within the proposed development is to be undertaken by the owners (or their agents) according to PBP (RFS, 2019). - Maintain of any retained areas of Managed Lands or curtilage/ gardens within the development as an Inner Protection Area (IPA) in accordance with PBP (RFS 2019). - Ensure that future landscape plantings within the site are in accordance with the requirements of Appendix 4 of Planning for Bushfire Protection (RFS 2019).	Pe	Low
Hazards and risks	Hazardous building materials may be present in the existing dwelling and sheds at the site, which may cause risk to construction workers	C	C	3	Low	- Hazardous building materials (HBMs) should be managed in accordance with the requirements of the WHS Act, WHS Regulation and subordinate Codes of Practice, and relevant Australian Standards and guidelines. - A hazardous materials management plan should be developed to aid compliance with the requirements of the WHS Act and Regulation including those that relate to the identification of hazards and control of associated risks. - HBM should be removed prior to any significant disturbance such as maintenance, refurbishment and demolition work. - Prior to any work involving hazardous materials a risk assessment should be conducted and Safe Work Method Statement (SWMS) developed. The SWMS should outline the controls to ensure that the risk of exposure to the hazardous materials is adequately controlled.	Pe	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						- Hazardous materials remediation and removal work should be undertaken under controlled conditions. - Waste should be assessed and classified for disposal in accordance with the NSW EPA Waste Classification Guidelines, Part 1: Classifying Waste, November 2014. - Waste should be disposed of at a facility that is licensed to accept the waste and all waste disposal receipts are to be retained. - At the completion of hazardous material remediation and removal work a clearance inspection should be conducted by a Competent Person, or in the case of friable asbestos, by a Licensed Asbestos Assessor.		

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
6. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.

APPENDIX 4 EROSION AND SEDIMENT CONTROL – PERFORMANCE CRITERIA

The erosion and sediment control plan prepared in accordance with condition B24 must include measures to:

1. Minimise erosion
 - a. minimise the duration of soil exposure by undertaking land clearing and stabilisation according to the 'Blue Book' Section 7.1.2 and Table 7.1;
 - b. effectively stabilise all site surfaces using methods that will continue to achieve effective stabilisation in the medium to long term. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation, or lead to water contamination;
2. Manage concentrated stormwater flows
 - a. implement drainage and erosion control measures (including contingency measures), prior to rainfall, which prevent or minimise rill erosion and gully erosion;
 - b. ensure clean stormwater is diverted/managed around or through the site without increasing the concentration of total suspended solids or other contaminants in the flow and without causing erosion (on-site or off-site). If it is not feasible to divert all areas discharging clean stormwater around or through the site, the clean stormwater runoff is managed in the same manner as contaminated stormwater runoff and ensures that sediment basins are sized to accommodate the additional volume of runoff;
 - c. prior to each rainfall event ensure concentrated stormwater flow paths are provided with capacity for the 10% AEP critical duration event and do not cause water contamination, rill or gully erosion, sedimentation or damage to structures or property for at least that event frequency;
3. Minimise sediment released from the site
 - a. all site sub-catchments greater than 2,500m² in area, are to be provided with sediment controls which are designed, implemented and maintained to a standard which would achieve at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L Total Suspended Solids (TSS) or less, and pH in the range 6.5–8.5. Where this is proposed to be achieved through the use of sediment basins, the following applies:
 - i. each basin is sized and operated in accordance with either a Type-A or Type-B sediment basin as documented in IECA BPESC Appendix B (June 2018), based on the contributing catchment area including undisturbed catchments which cannot be diverted;
 - ii. each basin is to be provided with an automated system of flocculant dosing and a suitable supply of flocculant/coagulant, with the type of flocculant/coagulant determined based on jar testing and reference to the Chemical Coagulants and Flocculants Fact Sheet (IECA BPESC 2018). The proposed coagulant/flocculant must have regard to the downstream receiving environment and water quality;
 - iii. each basin must have suitable access to allow for maintenance immediately following a rainfall event, including for sediment removal, dewatering and water treatment;
 - iv. markers are provided within each basin indicating the maximum sediment storage level and any additional water storage capacity for water reuse;
 - v. during discharge from the primary outlet system, the concentration of total suspended solids (TSS) discharged does not exceed 50mg/L and that pH is within the range of 6.5-8.5. These discharge standards apply equally to any intentional release of any water captured or stored within the site;
 - vi. hydraulic structures such as inlets, outlets, spillways must be provided with the capacity, and be structurally sound, for the design events as specified in IECA BPESC Appendix B (June 2018);
 - vii. the sediment basin is to be constructed and operational before any disturbance occurs in the catchment upslope of the basin;
 - viii. accumulated sediment from basins and other controls is to be removed and disposed of appropriately without causing water contamination;
 - b. for site sub-catchments less than 2,500m² in area and where it is not feasible to divert runoff from these small disturbed areas of the site to a sediment basin, compensatory erosion and sediment controls are implemented and maintained prior to rainfall to ensure that erosion of those areas is minimised and sediment controls are provided in accordance with the 'Blue Book'.
4. Manage works within waterways

- a. work within waterways and drainage lines with catchments exceeding 15ha is to be:
 - i. scheduled to occur between June-October, where possible;
 - ii. rescheduled if rainfall is forecast, where possible;
 - iii. promptly rehabilitated conforming to the natural channel form, substrates and riparian vegetation as far as possible;
 - iv. provided with flow diversion works and temporary bank and channel stabilisation works such that the works are stable during at least the 39% AEP stream flow event;
 - b. temporary vehicular crossings of waterways are to be designed and constructed to convey flows for the 63% AEP and remain stable for all rainfall events up to the 10% AEP event of critical duration;
 - c. erosion and sediment controls are not to be constructed within the riparian buffer zone, unless it is not feasible to site them elsewhere, and then only within cleared areas.
5. Manage other contaminants
- a. any release of captured or contained stormwater or groundwater from the site or to stormwater drainage or waterways within the site (for example pumping or releasing water from trenches, excavations or water impoundments) is to achieve a concentration of total suspended solids (TSS) which does not exceed 50mg/L and pH within the range of 6.5-8.5;
 - b. there are to be no visible oils, sheens, anthropogenic litter or discolouration in any release from the site or to stormwater drainage or waterways within the site. Facilities are to be provided for litter collection and designated concrete washout areas to assist in meeting this requirement. Storage areas for site materials and waste are to be kept covered;
 - c. erosion and sediment controls are to be constructed with UV stabilised materials that will not become a pollutant source and are to be promptly removed once the contributing catchment has been permanently stabilised.

APPENDIX 5 NOISE RECEIVERS

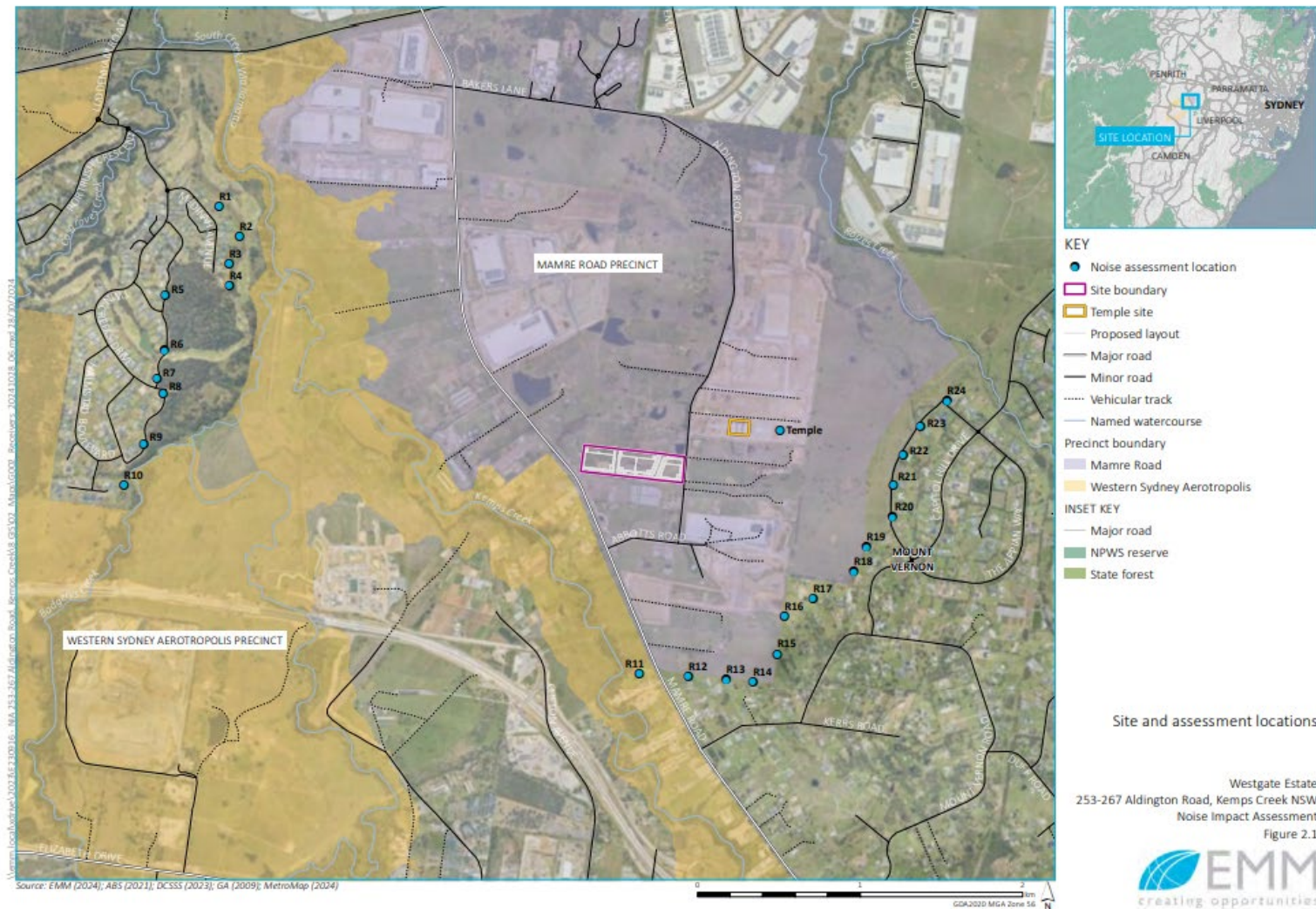


Figure 7: Sensitive Receivers