

# 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  
**Director**  
**Industry Assessments**

Sydney

9 June 2023

File: EF22/9179

### SCHEDULE 1

<b>Application Number:</b>	SSD-45998963
<b>Applicant:</b>	Hale Capital Development Management Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 140 DP550194 and Lot 141 DP550194 339-349 Horsley Road, Milperra
<b>Development:</b>	Construction and operation of an ambient multi-level warehouse or distribution centre (excluding local distribution premises), including: <ul style="list-style-type: none"><li>• ancillary offices;</li><li>• hardstand/car parking areas;</li><li>• demolition of existing structures and site preparation;</li><li>• earthworks;</li><li>• landscaping; and</li><li>• signage.</li></ul>

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## DEFINITIONS

<b>Applicant</b>	Hale Capital Development Management Pty Ltd, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Calendar year</b>	A period of 12 months commencing on 1 January
<b>Carrier</b>	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997 (Cth)</i>
<b>Certifier</b>	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including vegetation clearing, bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
<b>Council</b>	City of Canterbury Bankstown
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in Schedule 1, the EIS and RTS, as modified by the conditions of this consent
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	Environmental Impact Statement titled <i>Environmental Impact Statement: Horsley Road Multi-level Warehouse, Milperra</i> prepared by Willowtree Planning dated 20 October 2022, submitted with the application for consent for the development, including additional information received through the letter in response to issues prepared by Willowtree Planning, dated 9 May 2023
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Fibre-ready facility</b>	As defined in section 372W of the Telecommunications Act 1997 (Cth)
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the National Parks and Wildlife Act 1974', the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> , or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance  <i>Note: "material harm" is defined in this consent</i>

<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>b) results in actual or potential 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)</li> </ul>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The carrying out of a warehouse or distribution centre use as described in the EIS and RTS, excluding the use as a Local Distribution Centre
<b>Principal Certifier</b>	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
<b>Planning Secretary</b>	Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	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
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled "Aboriginal cultural heritage consultation requirements for proponents 2010" (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to Submissions (RTS)</b>	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 Submissions Report: Horsley Road Multi-level Warehouse prepared by Willowtree Planning dated 23 March 2023
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	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 RTS;
  - (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

- 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.

#### NOTIFICATION OF COMMENCEMENT

- A6. 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) construction;
  - (b) operation; and
  - (c) cessation of operations.
- A7. If the 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), of the date of commencement and the development to be carried out in that stage.

#### EVIDENCE OF CONSULTATION

- A8. 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

- A9. 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).

A10. 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.

A11. 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.

#### **DEMOLITION**

A12. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

#### **STRUCTURAL ADEQUACY**

A13. 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.*

#### **COMPLIANCE**

A14. 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**

A15. Before the issuing of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.

**Note:** *There are approval requirements for imposing a condition under section 7.12 in respect of land within a special contributions area.*

#### **OPERATION OF PLANT AND EQUIPMENT**

A16. 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.

#### **EXTERNAL WALLS AND CLADDING**

A17. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A18. Prior to the issuing 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.

A19. 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.

#### **UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE**

##### **General Requirements**

A20. Prior to the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of utility 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.

- A21. Before the commencement of construction, the Applicant must:
- (a) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (b) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A22. 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; and
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
  - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.
- A23. Prior to the commencement of construction, the Applicant must obtain advice from the Dial Before You Dig 1100 service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated regulations to identify the location of any underground electrical or other utility infrastructure on the site as well potential hazards associated with existing utilities on the site.

A24.

#### **Sydney Water**

- A25. 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**

- A26. Before the issuing of a Subdivision Works or 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.

#### **WORK AS EXECUTED PLANS**

- A27. Before the issuing of the 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.

#### **APPLICABILITY OF GUIDELINES**

- A28. 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.
- A29. 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;
  - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
  - (d) detail heavy vehicle routes, access and parking arrangements;
  - (e) include a Driver Code of Conduct to:
    - (i) minimise the impacts of 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.

#### Roadworks and Access

- B3. Prior to the commencement of operation of the development, the Applicant must ensure the vehicle crossings connecting to Horsley Road and any other works in a public road are completed in accordance with the relevant roads authority's specifications and any approval required under section 138 of the *Roads Act 1993*.

#### Parking

- B4. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

#### Operating Conditions

- B5. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 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.



## SOILS, WATER QUALITY AND HYDROLOGY

### Imported Soil

- B6. The Applicant must:
- ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
  - keep accurate records of the volume and type of fill to be used; and
  - make these records available to the Planning Secretary upon request.

### Erosion and Sediment Control

- B7. Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

### Discharge Limits

- B8. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

### Stormwater Management System

- B9. Prior to the commencement of construction of the development's stormwater management system, the Applicant must finalise its detailed design. The system must:
- be designed by a suitably qualified and experienced person(s);
  - be designed in consultation with Council;
  - be generally in accordance with the conceptual design in the EIS;
  - be in accordance with applicable Australian Standards; and
  - ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;
- B10. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B9) and ensure the system is operational.

## AIR QUALITY

### Dust Minimisation

- B11. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B12. During construction of the development, the Applicant must ensure that:
- exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
  - all trucks entering or leaving the site with loads have their loads covered;
  - trucks associated with the development do not track dirt onto the public road network;
  - public roads used by these trucks are kept clean; and
  - land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### Odour Management

- B13. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

## NOISE

### Hours of Work

- B14. The Applicant must comply with the hours detailed in Table 1.

**Table 1** Hours of Work

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

- B15. Works outside of the hours identified in condition B14 may be undertaken in the following circumstances:
- works that are inaudible at the nearest sensitive receivers;
  - works agreed to in writing by the Planning Secretary;
  - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
  - where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### Construction Noise Limits

- B16. 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 management and mitigation measures in the Appendix 2.

### Operational Noise Limits

- B17. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in **Table 2**.

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

Location	Day	Evening	Night	Night
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>AMax</sub>
R07 (10 Bullecourt Avenue, Milperra)	45	43	38	54
R08 (12 Keysor Place, Milperra)	45	43	38	54

**Note** 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). Refer to Appendix 4 for the location of residential sensitive receivers.

## ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B18. If any item or object of Aboriginal heritage significance is identified on site:
- all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
  - a 10 m wide buffer area around the suspected item or object must be cordoned off; and
  - Heritage NSW must be contacted immediately.
- B19. 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*.

### Human Remains Procedure

- B20. If human remains are discovered on site during any works:
- all work in the immediate vicinity of the human remains must cease immediately;
  - the area must be secured; and
  - the NSW Police Force and Heritage NSW must be contacted immediately.
- B21. Work in the immediate vicinity of the human remains must not recommence until this has been authorised by the NSW Police Force and Heritage NSW.

## NON-ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B22. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- all work in the immediate vicinity of the suspected relic(s) must cease immediately;
  - Heritage NSW must be contacted immediately; and
  - 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.
- B23. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

## BIODIVERSITY

- B24. Prior to the commencement of construction, the Applicant must undertake pre-clearance surveys of the site in accordance with the recommendations in section 9.1.1 of the Biodiversity Development Assessment Report, prepared by écologique (version 3) and dated 2 March 2023.
- B25. Prior to the commencement of construction, the Applicant must prepare a Vegetation Management Plan to manage the protection of retained vegetation during construction, to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP in accordance with condition C2 and must:
- (a) be prepared by an appropriately qualified person;
  - (b) implement the recommendations in section 9 of the Biodiversity Development Assessment Report, prepared by écologique (version 3) and dated 2 March 2023, including any post clearing assessment required;
  - (c) stipulate tree protection measures (including fencing) for all existing trees not identified as being removed in accordance with the Arboricultural Impacts Assessment prepared by Canopy Consulting (version 5) dated 23 March 2023 and Australian Standard 4970:2009 – Protection of Trees on Development Sites;
  - (d) detail how any fauna found during tree removal will be managed;
  - (e) detail opportunity for felled tree hollow reuse on site; and
  - (f) ensure works (including trenching or excavation) within the tree protection zone of trees to be retained are carried out under the supervision of a Diploma qualified (AQF 5) Arborist.
- B26. The Applicant must:
- (a) not commence construction until the Vegetation Management Plan is approved by the Planning Secretary;
  - (b) not commence construction until the most recent version of the Vegetation Management Plan approved by the Planning Secretary is implemented, including tree protection measures physically in place; and
  - (c) carry out construction in accordance with the most recent version of the Vegetation Management Plan approved by the Planning Secretary.

## REMIEDIATION

- B27. The Applicant must ensure the remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with the Remedial Action Plan (prepared by JBS&G, dated 8 September 2022) and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.
- B28. Within one month of the completion of the remediation works and prior to commencement of operation of the development, the Applicant must submit a validation report to the Planning Secretary. The validation report must:
- (a) be prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; and
  - (b) be prepared in accordance with the approved remedial action plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

## Unexpected Finds Protocol

- B29. Prior to the commencement of construction, 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 disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

## HAZARDS AND RISK

### Dangerous Goods

- B30. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B31. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.
- B32. In the event of an inconsistency between the requirements of conditions B31(a) and B31(b), the most stringent requirement must prevail to the extent of the inconsistency.

## **Bunding**

B33. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

## **Emergency Services Information Package**

B34. From the commencement of construction 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**

### **Waste Storage and Processing**

B35. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

B36. 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).

B37. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B38. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

### **Pests, Vermin and Priority Weed Management**

B39. 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.

## **VISUAL AMENITY**

### **Landscaping**

B40. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the landscaping works on-site to the satisfaction of the Planning Secretary. The plan must:

- (a) detail local native species to be planted on-site;
- (b) describe the monitoring and maintenance measures to manage existing and planted vegetation;
- (c) detail the location of any reused felled trees within vegetated areas in accordance with condition B25;
- (d) include mechanisms to replace any trees that do not survive; and
- (e) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.

B41. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.
- (b) not commence operation until the most recent version of the Landscape Management Plan approved by the Planning Secretary is implemented; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B40 for the life of the operation of development.

### **Lighting**

B42. 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**

B43. All signage and fencing must be erected in accordance with the development plans included in the RTS.

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

## 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) detailed baseline data;
  - (b) 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;
  - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (d) 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 (c) above;
  - (e) 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;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) a protocol for managing and reporting any:
    - (i) 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
  - (h) 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 B7);
  - (c) unexpected contamination finds procedure (see condition B29);
  - (d) measures to manage the removal and construction of retaining walls on the northern boundary to ensure adjoining properties are not impacted; and
  - (e) Community Consultation and Complaints Handling, including measures specific to adjoining properties.
- 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 COMPLAINTS HANDLING PROTOCOL

- C5. Prior to the commencement of operation, the Applicant must prepare an Operational Complaints Handling Protocol (OCHP) for the development. The OCHP must:
- (a) detail how complaints would be received by the Applicant;
  - (b) detail how the contact details for receiving complaints would be communicated to surrounding businesses and/or residential receivers;
  - (c) include a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and
  - (d) be submitted to the Planning Secretary upon request.

**Note:** Methods for receiving complaints could include, but are not limited to, email, a toll-free telephone number and/or a postal address. Methods for communicating contact details could include, but are not limited to, on-site signage and/or an advertisement published in a local paper.

- C6. The Applicant must:
- (a) not commence operation until the OCHP under condition C7 is submitted to the Planning Secretary; and
  - (b) implement the most recent version of the OCHP submitted to the Planning Secretary for the duration of the development.

#### **REVISION OF STRATEGIES, PLANS AND PROGRAMS**

- C7. Within three months of:
- (a) the submission of an incident report under condition C7;
  - (b) the approval of any modification of the conditions of this consent; or
  - (c) 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.
- C8. If identified as part of the review process (see condition C5), or considered necessary to improve the environmental performance of the development, the Applicant must ensure the strategies, plans and/or programs required under this consent are revised, to the satisfaction of the Planning Secretary. The revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review process taking place, or such other timing as otherwise agreed to in writing 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**

- C9. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

##### **Non-Compliance Notification**

- C10. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C11. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C12. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

##### **Monitoring and Environmental Audits**

- C13. 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**

- C14. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), 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) 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

Plan No.	Plan Name	Revision	Date
<b>Architectural Drawings prepared by SBA Architects</b>			
DA100	Warehouse GF Plan	13	04/05/2023
DA101	Warehouse GF Mezz Plan	6	04/05/2023
DA102	Warehouse L1 Plan	10	04/05/2023
DA103	Warehouse L1 Mezz Plan	6	04/05/2023
DA104	Warehouse Roof Plan	6	04/05/2023
DA200	Office 01 Floor Plans	3	14/02/2023
DA201	Office 02 & 03 Floor Plans	3	14/02/2023
DA202	Office 04 & 05 Floor Plans	4	14/02/2023
DA203	Office 06 Floor Plans	3	14/02/2023
DA204	Office 07 & 08 Floor Plans	3	14/02/2023
DA205	Office 09 & 10 Floor Plans	3	14/02/2023
DA300	Elevations	6	31/05/2023
DA301	Breezeway Elevations	5	14/02/2023
DA310	Sections	5	14/02/2023
DA500	Signage Details	4	31/05/2023
<b>Civil Drawings prepared by Costin Roe Consulting</b>			
C014618.00-SSDA25	Erosion & Sediment Control Details – Sheet 1	B	26/08/2022

C014618.00-SSDA26	Erosion & Sediment Control Details – Sheet 2	B	26/08/2022
C014618.00-SSDA30	Bulk Earthworks	G	22/03/2023
C014618.00-SSDA40	Stormwater Drainage Plan – Ground	F	22/03/2023
C014618.00-SSDA41	Stormwater Drainage Plan – Level 1	C	22/03/2023
C014618.00-SSDA50	Finished Levels Plan – Ground	F	22/03/2023
C014618.00-SSDA51	Finished Levels Plan – Level 1	C	22/03/2023
C014618.00-SKCO1	Southern Retaining Wall Sections	A	03/02/2023
<b>Landscape Plans prepared by Habit8</b>			
H8-22035 – L02	Landscape Master Plan	G	24/04/2023

<b>PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-45998963</b>		
<b>ID</b>	<b>Management / Mitigation Measure</b>	<b>Timing</b>
<b>Administrative Commitments</b>		
<b>A1</b>	<p><b>Commitment to Minimise Harm to the Environment</b>            HC will commit to implement all reasonable and feasible measures, to prevent and/or minimise any harm to the environment, that may result from the construction or operation of the proposed development</p>	Prior to construction, during construction, and during operation.
<b>A2</b>	<p><b>Terms of Approval</b>            HC will carry out the project generally in accordance with the:            (a) Environmental Impact Statement;            (b) Drawings and Plans;            (c) Management and Mitigation Measures;            (d) Any Conditions of Approval.            If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.</p>	Prior to construction, during construction, and during operation.
<b>A3</b>	<p><b>Occupation Certificate</b>            HC will ensure that Occupation Certificates are obtained prior to the occupation of the facilities.</p>	Prior to operation.
<b>A4</b>	<p><b>Compliance</b>            HC will ensure compliance with any reasonable requirement(s) of the Secretary of the NSW DPE arising from the assessment of:            (a) Any reports, plans, programs, strategies or correspondence that are submitted in relation to this Approval; and            (b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.</p>	Prior to construction, during construction, and during operation.
<b>A5</b>	<p><b>Structural Adequacy</b>            HC will ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the National Construction Code.</p>	During construction.
<b>A6</b>	<p><b>Construction Environmental Management Plan</b>            Prior to the commencement of construction, HC would prepare a Construction Environmental Management Plan (CEMP) that addresses the following (as necessary):            (a) Air Quality;</p>	Prior to construction.

	(b) Noise and Vibration; (c) Waste Classification; (d) Soil Management; (e) Asbestos Removal Control; (f) Traffic Management; and (g) Community Consultation and Complaints Handling.	
<b>A7</b>	<b>Site Induction</b> All staff employed on the site by the construction contractor will be required to undergo a site induction.	Prior to construction.
<b>A8</b>	<b>Operation of Plant and Equipment</b> HC will ensure that all plant and equipment used on-site, is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards.	During construction and operation.
<b>A9</b>	<b>Monitoring the State of Roadways</b> HC will monitor the state of roadways leading to and from the subject site, during construction, and will take all necessary steps to clean up any adversely impacted road pavements, as a result of the their construction works, as directed by the Canterbury Bankstown Council.	During construction.
<b>A10</b>	<b>Waste Receipts</b> HC will ensure that a permanent record of receipts, for the removal of both liquid and solid waste from the subject site, be kept and maintained up to date at all times. Such records will be made available to authorised person upon request.	During construction and operation.
<b>A11</b>	<b>Complaints Handling</b> HC will prepare an Operational Complaints Handling Protocol for the development, prior to the commencement of operations.	Prior to operation.
<b>Specific Environmental Commitments</b>		
<b>Air Quality</b>		
<b>AQ1</b>	Air quality mitigation and monitoring will form part of the CEMP, to be prepared for the project, as outlined in <b>A6</b> .	Prior to construction.
<b>Traffic and Transport</b>		
<b>TT1</b>	HC will finalise and implement the Construction Traffic Management Plan (CTMP).	Prior to and during construction.
<b>Remediation</b>		
<b>R1</b>	A Work Health and Safety Management Plan shall be prepared by the remedial contractor, containing procedures and requirements that are to be implemented as a minimum during the works, in addition to the Contingency Plan.	Prior to remediation works.
<b>R2</b>	Site remediation shall be carried out in accordance with the approved Remedial Action Plan.	Prior to operation.
<b>R3</b>	Upon completion of the remediation works, a Validation Report is required to be prepared to verify remedial works were completed in accordance with the Remedial Action Plan.	Prior to operation.
<b>Cultural Heritage</b>		
<b>H1</b>	An Unexpected Finds Policy will be developed, in the unlikely event that relics are identified during ground disturbing works.	Prior to construction.

<b>H2</b>	Unexpected Aboriginal objects remain protected by the <i>National Parks and Wildlife Act 1974</i> . If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity will cease immediately. A qualified archaeologist would be contacted to assess the find and Heritage NSW and Metropolitan Local Aboriginal Land Council would be notified.	During construction.
<b>H3</b>	If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity will cease, the site would be secured, and the NSW Police and Heritage NSW would be notified	During construction.
<b>H4</b>	All relevant staff, contractors and subcontractors will be made aware of their statutory obligations for heritage under the NSW <i>Heritage Act 1977</i> and best practice as outlined in <i>The Burra Charter 2013</i> , during site inductions.	Prior to construction.
<b>Socio-Economic</b>		
<b>SE1</b>	HC will notify surrounding businesses and residents one (1) week before commencement of construction activities. Notices should include: <ul style="list-style-type: none"> <li>▪ Details of the proposal, including contact details of management team</li> <li>▪ Hours and expected period of construction</li> <li>▪ Details regarding process should businesses or residents have concerns, questions or complaints</li> </ul>	Prior to construction.
<b>SE2</b>	HC will set up a feedback process to manage and respond to stakeholder concerns, questions, or complaints. HC will ensure that this process is clear and accessible to stakeholders such as surrounding businesses and residents.	Prior to and during construction.
<b>SE3</b>	HC will prioritise engaging with local businesses, where practicable, e.g. site induction for visiting workers to include profile of surrounding food and beverage retailer.	During construction.
<b>Waste Management</b>		
<b>WM1</b>	Effective management of construction materials and construction and demolition waste, including options for reuse and recycling where applicable and practicable, would be conducted. Only wastes that cannot be cost effectively reused or recycled will be sent to landfill or appropriate disposal facilities.	During construction.
<b>WM2</b>	Waste materials produced from site preparation and construction activities will be separated at the source and stored separately on-site.	During construction.
<b>WM3</b>	The Site Manager or equivalent role will: <ul style="list-style-type: none"> <li>▪ Arrange for suitable waste collection contractors to remove any construction waste from site</li> <li>▪ Ensure waste bins are not filled beyond recommended filling levels</li> <li>▪ Ensure that all bins and loads of waste materials leaving site are covered</li> <li>▪ Maintain waste disposal documentation detailing, at a minimum:</li> </ul>	During construction.



	<ul style="list-style-type: none"> <li>o Descriptions and estimated amounts of all waste materials removed from site</li> <li>o Details of the waste and recycling collection contractors and facilities receiving the waste and recyclables</li> <li>o Records of waste and recycling collection vehicle movements, for example, date and time of loads</li> <li>o removed, licence plate of collection vehicles, tip dockets from receiving facility</li> <li>o Waste classification documentation for materials disposed to off-site recycling or landfill facilities</li> </ul> <ul style="list-style-type: none"> <li>▪ Ensure lawful waste disposal records are readily accessible for inspection by regulatory authorities</li> </ul>	
<b>WM4</b>	<p>Site inductions, as required under <b>A7</b> will ensure the following training is covered:</p> <ul style="list-style-type: none"> <li>▪ Legal obligations and targets</li> <li>▪ Emergency response procedures on-site</li> <li>▪ Waste priorities and opportunities for reduction, reuse, and recycling</li> <li>▪ Waste storage locations and separation of waste</li> <li>▪ Procedures for suspected contaminated and hazardous wastes</li> <li>▪ Waste related signage</li> <li>▪ The implications of poor waste management practices</li> <li>▪ Responsibilities and reporting, including identification of personnel responsible for waste management and individual responsibilities.</li> </ul>	Prior to construction.
<b>Biodiversity</b>		
<b>B1</b>	Pre-clearing surveys shall be undertaken to provide a final check for presence of flora and fauna species and habitat on site, immediately before clearing begins.	Prior to clearing.
<b>B2</b>	<p>Where areas of habitat are identified, a two (2) staged clearing process and supervision by an experienced ecologist shall be adopted:</p> <ol style="list-style-type: none"> <li>1. Vegetation not identified during pre-clearance surveys as fauna habitat will be cleared. All vegetation around the habitat item will be cleared so that the fauna habitat item is isolated.</li> <li>2. Identified habitat trees are left to stand overnight to allow resident fauna to voluntarily move from the area. Habitat trees are then cleared using the protocols outlined in the approved BDAR.</li> </ol>	Prior to clearing.
<b>B3</b>	<p>Following clearing, a post-clearing assessment will be prepared and must include at minimum the following results:</p> <ul style="list-style-type: none"> <li>▪ Details of native fauna captured and relocated, injured or deceased;</li> <li>▪ Photos of rescued fauna;</li> <li>▪ Number of habitat features felled;</li> <li>▪ Analysis of the effectiveness of clearing and fauna rescue methods; and</li> <li>▪ Details of any woody debris, bush rock or hollow bearing trees that have been retained for habitat.</li> </ul>	Post clearing.
<b>B4</b>	Biosecurity risk management measures shall be employed, as directed by the <i>Biosecurity Act 2015</i> .	Prior to and during clearing.

<b>Vegetation Management</b>		
<b>VM1</b>	The approved Tree Protection Management Plan shall be implemented, and tree protection measures must be installed and maintained, as required and to the satisfaction of the project arborist.	Prior to and during construction.
<b>VM2</b>	Site inductions, as required under <b>A7</b> will ensure the following training is covered: <ul style="list-style-type: none"> <li>▪ Understanding of the Tree Protection Management Plan</li> </ul>	Prior to construction.
<b>VM3</b>	Inspections shall be conducted by the project arborist at several key points during the construction in order to ensure that protection measures are being adhered to during construction stages and decline in tree health or additional remediation measures can be identified.	During construction.
<b>VM4</b>	All earthworks within the identified tree protection zones of the trees to be retained, shall be supervised by the project arborist.	Prior to and during construction.
<b>Flood Management</b>		
<b>FMI</b>	A flood Emergency Response Plan is to be developed for the site to apply in perpetuity of the development.	Prior to occupation

**WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - (a) identify the development and application number;
  - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - (c) identify how the incident was detected;
  - (d) identify when the applicant became aware of the incident;
  - (e) identify any actual or potential non-compliance with conditions of consent;
  - (f) describe what immediate steps were taken in relation to the incident;
  - (g) identify further action(s) that will be taken in relation to the incident; and
  - (h) identify a project contact for further communication regarding the incident.

**INCIDENT REPORT REQUIREMENTS**

3. 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.
4. 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.



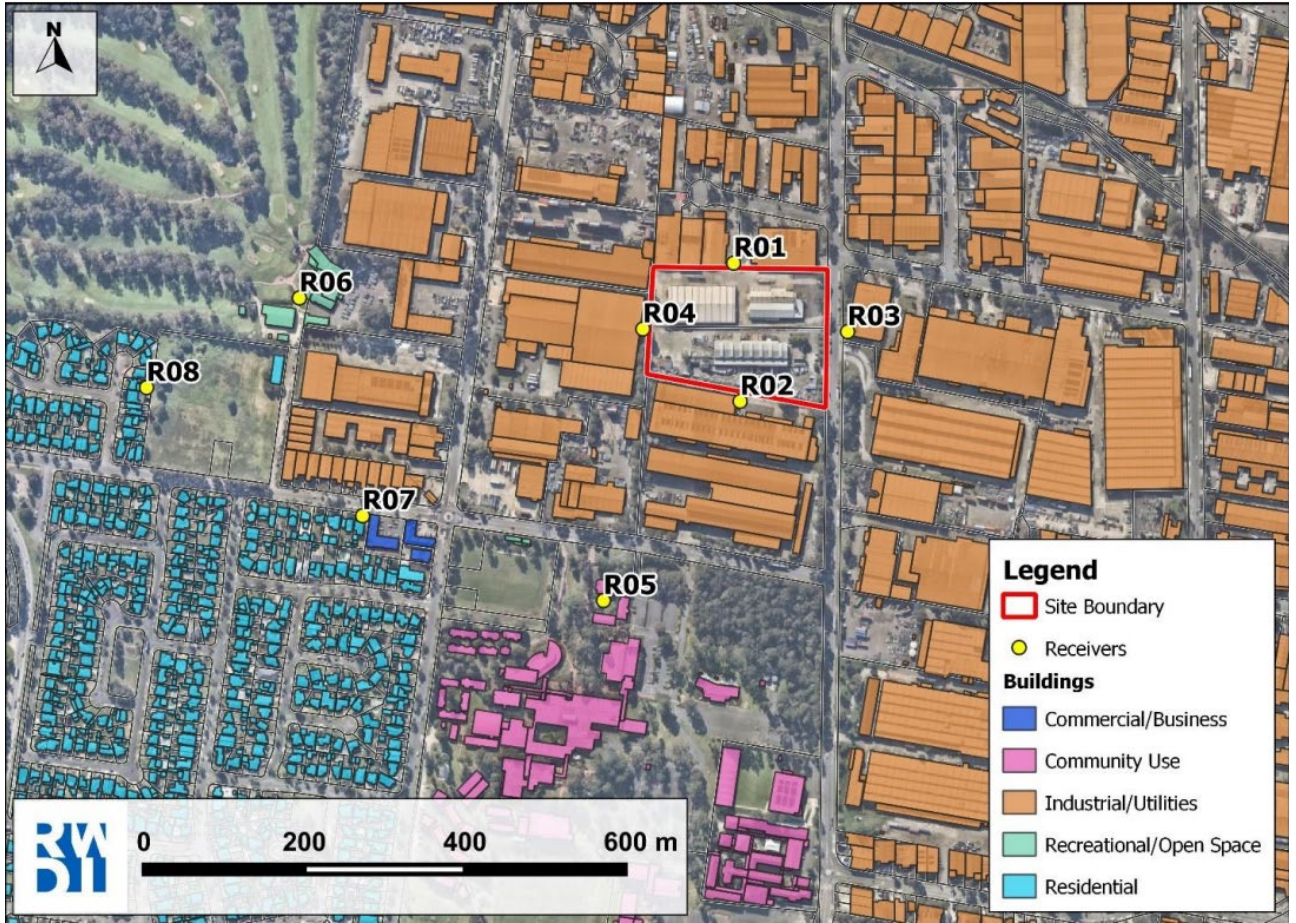


Figure 1: Noise Receiver Locations