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

Joanna Bakopanos
A/Director
Industry Assessment

Sydney 19 July 2024 File: EF23/2353

SCHEDULE 1

Application Number:	SSD-55266460
Applicant:	Hale Capital Development Management Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	45-57 Moxon Road, Punchbowl (Lot B DP 390488, Lot 1 DP 618465, Lots 221 & 222 DP 840328 and Lot 23 DP 552521)
Development:	Construction and operation of a two-storey warehouse and distribution facility, including ancillary office space, car parking, loading areas, landscaping and site infrastructure

TABLE OF CONTENTS

DEFINITIONS

Additional Information	Correspondence provided by the Applicant in response to the Department's requests for information, including correspondence dated 7 June 2024 from RWDI Australia Pty Ltd
AHD	Australian Height Datum
Applicant	Hale Capital Development Management Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
Calendar year	A period of 12 months commencing on 1 January
Carrier	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the *Telecommunications Act 1997* (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 demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	City of Canterbury Bankstown
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in Schedule 1, the EIS, Response to Submissions and Additional Information, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
DPHI	Department of Planning, Housing and Infrastructure
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 '*SSD-55266460 45-57 Moxon Road, Punchbowl Environmental Impact Statement'*, prepared by Urbis Pty Ltd and dated 17 July 2023, 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
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the *Telecommunications Act 1997* (Cth)
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 *Heritage Act 1977,* 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 *Environment Protection and Biodiversity Conservation Act 1999* (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 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 or potential harm to the health or safety of human beings or to the environment that is not trivial, orresults 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)
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
NCC	National Construction Code
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The development as described in Schedule 1, the EIS, RTS, SSR and Additional Information, including the works and activities comprising the construction and operation of a two-storey warehouse and distribution centre, including all ancillary works, as modified by the conditions of this consent
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	*Protection of the Environment Operations Act 1997*
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 "*Aboriginal cultural heritage consultation requirements for proponents 2010*" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to Submissions (RTS)	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 '*45-57 Moxon Road, Punchbowl Submissions Report*', prepared by Urbis Pty Ltd and dated 27 October 2023
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 *Contaminated Land Management Act 1997*
Site Audit Report	As defined in section 4 of the *Contaminated Land Management Act 1997*
Site Audit Statement	As defined in section 4 of the *Contaminated Land Management Act 1997*
Supplementary Submissions Report (SSR)	The Applicant's response to additional issues raised by government authorities titled '*45-57 Moxon Road, Punchbowl Supplementary RFI Response*', prepared by Urbis Pty Ltd and dated 31 January 2024
TfNSW	Transport for New South Wales
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, RTS and SSR;

(d) in accordance with the Development Layout in Appendix 1; and

(e) in accordance with the management and mitigation measures in Appendix 3.

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.

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; and

(b) operation.

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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

A12. Prior to the commencement of construction of the development, the Applicant must:

(a) 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;

(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.

A13. 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

A14. 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

A15. 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.

A16. Prior to the issue of the 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

A17. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

A18. 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

A19. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A20. 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.

A21. 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.

COMPLIANCE

A22. The Applicant must ensure that all of its employees, tenants, 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

A23. Prior to the issue 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 and in accordance with the *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022*.

OPERATION OF PLANT AND EQUIPMENT

A24. 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.

WORK AS EXECUTED PLANS

A25. Prior to the issue 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

A26. 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.

A27. 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 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.

Site Access

B3. Prior to the commencement of construction of the site access driveways, the Applicant must:

(a) prepare and submit detailed design drawings to the satisfaction of Council. Unless otherwise agreed to in writing by Council, the detailed design drawings for site access driveways must be prepared in accordance with Council's Vehicular Footway Crossings Policy and the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004) and *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018); and

(b) obtain approval for the works 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) articulated vehicles 19 metres or longer travelling to or from the site are restricted to undertake right turn movements only from Canterbury Road into Moxon Road with all other turning movements at the intersection of Canterbury Road and Moxon Road, prohibited;

(d) a sign is erected at the northern exit driveway advising drivers that 19 metre articulated vehicles or longer must undertake right turn movements only out of the site (see Figure 1 Ground Floor Plan in Appendix 1);

(e) signs are erected at the central driveway advising drivers that all vehicles must undertake left turn movements in and out of the site (see Figure 1 Ground Floor Plan in Appendix 1);

(f) implement and maintain line markings at the central driveway to deter right turn movements in and out of the subject site;

(g) there is no more than one heavy vehicle on the site during any 15-minute time period between 6 pm and 10 pm Monday to Saturday;

(h) the development does not result in any vehicles queuing on the public road network;

(i) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;

(j) all vehicles are wholly contained on site before being required to stop;

(k) all loading and unloading of materials is carried out on-site;

(l) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and

(m) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

On-Site Traffic Control

B6. Prior to the commencement of construction of the development (with the exception of demolition and bulk earthworks), the Applicant must prepare an On-Site Traffic Control Plan for the development to the satisfaction of the Planning Secretary. The On-Site Traffic Control Plan must:

(a) be prepared by a suitably qualified and experienced traffic engineer;

(b) be prepared in consultation with Council;

(c) include details of all safety and efficiency measures to be implemented on-site to manage and mitigate the potential for on-site pedestrian and vehicle conflict during operation of the development for all internal roads, parking areas, loading/unloading areas and access ramps and the site access driveway; and

(d) include detailed architectural plans illustrating the location of all line marking (including but not limited to condition B5(f)), signage (including but not limited to condition B5(d), condition B5(e) and speed limit signage), and convex mirrors required for operation of the development.

B7. The Applicant must:

(a) not commence construction of the development (with the exception of demolition and bulk earthworks) until the On-Site Traffic Control Plan required by condition B6 has been approved by the Planning Secretary; and

(b) implement the most recent version of the On-Site Traffic Control Plan approved by the Planning Secretary for the duration of the development.

Operational Traffic Management Plan

B8. Prior to the commencement of operation of the development, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP 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 minimise road congestion impact during network peak periods and road safety risk at all times;

(d) detail heavy vehicle routes, access, and parking arrangements;

(e) describe procedures to ensure compliance with B5(g); and

(f) include an Operational Driver Code of Conduct to:

(i) ensure compliance with the operating conditions specified in condition B5;

(ii) minimise the impacts on the local and regional road network;

(iii) minimise conflicts with other road users;

(iv) minimise road traffic noise;

(v) inform truck drivers of the site access arrangements and use of specified haul routes; and

(vi) include a program to monitor the effectiveness of these measures.

Road Safety Audit

B9. At the following stages of the development, the Applicant must prepare and submit an independent road safety audit to the satisfaction of the Planning Secretary:

(a) prior to commencement of construction (with the exception of demolition and bulk earthworks); and

(b) within 12 months of the commencement of operation.

B10. Each independent road safety audit required by condition B9 must be provided to Council and:

(a) be prepared by a level 3 accredited auditor;

(b) assess the safety performance of driveway access and parking associated with the development and Moxon Road;

(c) address the relevant design, engineering and safety guidelines, including Austroads Guide to Traffic Management and Guide to Road Safety; and

(d) detail any additional management and mitigation measures recommended by the independent level 3 accredited auditor and a timetable for the implementation of any required actions.

B11. If additional management and mitigation measures are identified in the independent road safety audit in condition B9(a), the Applicant must not commence operation until additional management and mitigation measures identified in condition B10(d) are implemented.

Green Travel Plan

B12. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Green Travel Plan. The Green Travel Plan must:

(a) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and

(b) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B13. The Applicant must:

(a) not commence operation until the Green Travel Plan has been submitted to the Planning Secretary; and

(b) implement the most recent version of the Green Travel Plan submitted to the Planning Secretary for the duration of operation.

NOISE AND VIBRATION

Hours of Work

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

Table 1 *Hours of Work*

Activity	Day	Time
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Saturday	7 am to 10 pm

B15. Works outside of the hours identified in condition B14 may be undertaken in the following circumstances:

(a) works that are inaudible at the nearest residential 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

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 3.

Vibration Criteria

B17. Vibration caused by construction at any residence or structure outside the site must be limited to:

(a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and

(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

B18. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B17.

B19. The limits in conditions B17 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

B20. The Applicant must offer and prepare (if the offer is accepted) a pre-dilapidation and post-dilapidation survey at 41 Moxon Road (Lot 2 DP571091) and 59 Moxon Road (SP30949):

(a) prior to the commencement of construction; and

(b) within one month of the conclusion of construction, or as otherwise agreed with the Planning Secretary.

The surveys must be submitted to the Planning Secretary and the relevant property owners within seven days of being prepared.

B21. Should the survey at condition B20 identify any damage, the Applicant must discuss the repairs to be undertaken with the relevant property owners, and repair or pay the full costs associated with repairing any part of the building that is determined to be damaged by the carrying out of construction works associated with the development.

Construction Noise and Vibration Management Plan

B22. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development 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 a suitably qualified and experienced noise expert;

(b) 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) and vibration criteria in condition B17;

(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;

(d) include strategies that have been developed with the community for managing high noise generating works such as the provision of respite periods;

(e) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods;

(f) describe the community consultation undertaken to develop the strategies in (d) and (e); and

(g) include a complaints management system that would be implemented for the duration of the development.

B23. The Applicant must:

(a) not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B22 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B24. The Applicant must ensure noise generated by the operation of the development does not exceed the noise limits in Table 2, when measured at a height of 1.5 metres above ground level at receiver locations identified on the plan in Appendix 2.

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

Receiver Location	Day $L_{Aeq(15\ minute)}$	Evening $L_{Aeq(15\ minute)}$
R1: 46 Moxon Road, Punchbowl	53	45
R2: 48 Moxon Road, Punchbowl	57	47
R3: 50 Moxon Road, Punchbow	54	47
R4: 52-56 Moxon Road, Punchbowl	52	46
R5: 58 Moxon Road, Punchbowl	50	46

Receiver Location	Day $L_{Aeq(15\ minute)}$	Evening $L_{Aeq(15\ minute)}$
R6: 60 Moxon Road, Punchbowl	50	46
R7: 62 Moxon Road, Punchbowl	55	47
R8: 1 Craig Street, Punchbowl	53	47
A1: Moxon Sports Club	55	47

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).*

Operational Noise Management

B25. The Applicant must prepare an Operational Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Operational Noise Management Plan must:

(a) be prepared by a suitably qualified and experienced noise expert;

(b) describe all noise sources from the development;

(c) identify the measures that will be implemented to minimise noise emissions and to achieve the noise limits in conditions B15(a) and B24;

(d) describe a program to monitor compliance with the noise limits specified in conditions B15(a) and B24; and

(e) include a complaints management system that would be implemented for the duration of the development.

B26. The Applicant must:

(a) not commence operation of the development until the Operational Noise Management Plan required by condition B25 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.

B27. Prior to the commencement of operation of the development and every subsequent year for a total period of three years, the Applicant must:

(a) offer to enter into an agreement with the owners of 48 Moxon Road, 62 Moxon Road and 1 Craig Street for the purposes of providing at-receiver noise mitigation measures; and

(b) provide evidence to the Planning Secretary of the offer required by condition B27(a).

B28. Where an owner specified in condition B27(a) elects to take up the offer required by condition B27(a), the Applicant is to provide evidence of the establishment of the agreement, to the Planning Secretary, within one month of the agreement being reached.

B29. For a period of three years from the commencement of operation of the development, the owners of 48 Moxon Road, 62 Moxon Road and 1 Craig Street, may, on one occasion, ask the Applicant to enter into an agreement for the purposes of providing at-receiver noise mitigation measures. Upon receiving a written request from any of the owners of 48 Moxon Road, 62 Moxon Road and 1 Craig Street, under condition B27 of this consent, the Applicant must offer an agreement in consultation with the owner within six months of receiving the written request. The agreement must be reasonable, for the purposes of providing at-receiver noise mitigation measures, and be commensurate with the level of noise impact on the dwelling.

Operational Noise Verification Report

B30. At the following stages of the development (or as otherwise directed by the Planning Secretary), the Applicant must prepare and submit a Noise Verification Report to the satisfaction of the Planning Secretary within three months of the commencement of operation of each of the following:

(a) first tenancy within the development; and

(b) all tenancies within the development.

B31. Each Noise Verification Report required by condition B30 must:

(a) be prepared to the satisfaction of the Planning Secretary;

(b) demonstrate that noise verification has been carried out by a suitably qualified, experienced and independent 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 conditions B15(a) and B24;

(ii) an outline of management actions to be taken to address any exceedances of the limits specified in conditions B15(a) and B24; and

(iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level and a timetable for the implementation of any required actions.

Traffic Noise Verification Report

B32. Within 12 months of the commencement of operation of all tenancies within the development (or as otherwise directed by the Planning Secretary), the Applicant must submit a Traffic Noise Verification Report to the satisfaction of the Planning Secretary. The Traffic Noise Verification Report must:

(a) demonstrate that noise monitoring and verification has been carried out by a suitably qualified, experienced and independent acoustic consultant in accordance with:

(i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);

(ii) the EPA NSW Road Noise Policy (EPA, 2011);

(iii) the TfNSW Road Noise Model Validation Guideline (TfNSW, 2022); and

(b) include:

(i) traffic noise monitoring data recorded at 46 Moxon Road, 48 Moxon Road, 58 Moxon Road and 62 Moxon Road:

a. prior to the commencement of operation of the development; and

b. following the commencement of operation of the development;

(ii) traffic count, classification and speed data collected during the noise monitoring period along Moxon Road and site access points;

(iii) adjustments to normalise baseline traffic noise contribution levels recorded in clauses (b)(i) and (b)(i)b above;

(iv) an analysis of any discrepancies between the predicted and actual impacts of the development;

(v) an analysis of compliance with criteria for existing residences affected by additional traffic on existing roads generated by land use development as specified in the EPA NSW Road Noise Policy (EPA, 2011); and

(vi) an outline of at-receiver traffic noise mitigation measures to be implemented to address any exceedances identified in clause (b)(v) above and a timetable for the implementation of any required actions.

Road Traffic Noise

B33. Prior to the commencement of construction of the development, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.

CONTAMINATION

Unexpected Finds

B34. 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 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.

Site Auditor

B35. 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.

B36. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced consultant(s) in accordance with the approved Remedial Action Plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997.*

B37. Upon completion of the remediation works and prior to the erection of buildings (with the exception of ground slabs) for 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 Warehouse and Distribution Centre land use.

Long Term Environmental Management Plan

B38. The Long Term Environmental Management Plan (LTEMP) for the development must be submitted for consideration and be to the satisfaction of the Planning Secretary, prior to the completion of the remediation works .

B39. The LTEMP is to:

(a) address all environmental impacts of the development's construction and operational phases;

(b) recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s);

(c) incorporate a programme for ongoing monitoring and review to ensure that the LTEMP remains contemporary with relevant environmental standards; and

(d) mechanisms to report results to Council.

B40. Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:

(a) implement the approved LTEMP; and

(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

B41. The Applicant must ensure that any asbestos encountered during the remediation and construction works 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*.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B42. The Applicant must:

(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;

(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

B43. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install 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.

B44. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B43 for the duration of construction of the development.

Discharge Limits

B45. 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

B46. The Applicant must finalise the detailed design of the stormwater management system for the development, prior to the commencement of construction of that system. The system must:

(a) be designed by a suitably qualified and experienced person(s);

(b) be designed in consultation with Council;

(c) be generally in accordance with the conceptual design in the EIS and RTS;

(d) be in accordance with applicable Australian Standards; and

(e) 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;

B47. 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 B46) and ensure the system is operational.

B48. The Applicant must maintain the stormwater management system installed on the site under condition B47 for the duration of the development.

Flood Management

B49. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Flood Emergency Response Plan (CFERP). The CFERP must form part of the CEMP required by conditions C2 and must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and

(c) include details of:

(i) the flood emergency responses for both construction and operation phases of the development;

(ii) predicted flood levels;

(iii) flood warning time and flood notification;

(iv) assembly points and evacuation routes;

(v) evacuation and refuge protocols; and

(vi) awareness training for employees and contractors.

B50. The Applicant must:

(a) not commence construction until the CFERP required by condition B49 is submitted to the Planning Secretary; and

(b) implement the most recent version of the CFERP submitted to the Planning Secretary for the duration of construction.

B51. Prior to the commencement of operation of the development, the Applicant must update the CFERP for the purposes of operation of the development in an Operational Flood Emergency Response Plan (OFERP). The OFERP must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) address the provisions of the *Floodplain risk management manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and

(c) include details of:

(i) the flood emergency responses for both construction and operation phases of the development;

(ii) predicted flood levels;

(iii) flood warning time and flood notification;

(iv) assembly points and evacuation routes;

(v) evacuation and refuge protocols; and

(vi) awareness training for employees and contractors.

B52. The Applicant must:

(a) not commence operation of the development until the OFERP required by condition B51 is submitted to the Planning Secretary; and

(b) implement the most recent version of the OFERP submitted to the Planning Secretary for the operational life of the development.

B53. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.

B54. Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible building components.

B55. The levee wall identified on Figure 1 Ground Floor Plan in Appendix 1 must have a top of wall height no lower than the Salt Pan Creek mainstream 1% Annual Exceedance Probability flood plus 500 mm freeboard (equivalent to 4.5 m AHD).

B56. Prior to the commencement of construction of the development (with the exception of demolition and bulk earthworks), the Applicant must prepare and submit a Design Flood Verification Report to the satisfaction of the Planning Secretary. The Design Flood Verification Report must:

(a) be submitted to Council;

(b) be undertaken in accordance with the Flood Impact and Risk Assessment: Flood Risk Management Guideline LU01;

(c) evaluate the sensitivity of the suspended concrete slab structure, including supporting piers, on flood parameters and displacement of flood storage;

(d) demonstrate the detailed design of the reinstated and extended levee walls can withstand the forces of floodwaters; and

(e) demonstrate the detailed design of the suspended slab structure can adequately convey flood waters and would not adversely impact the function of on-site flood storage.

VISUAL AMENITY

Landscaping

B57. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site to the satisfaction of the Planning Secretary. The plan must:

(a) detail the species to be planted on-site;

(b) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and

(c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 3.

B58. The Applicant must:

(a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary;

(b) 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 B57 for the life of the development.

Lighting

B59. 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, the public road network or the riparian corridor of Salt Pan Creek.

Signage and Fencing

B60. All signage and fencing must be erected in accordance with the development plans referenced in Appendix 1.

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

BIODIVERSITY

B61. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of Australian Standard 4970:2009 – *Protection of Trees on Development* for the duration of the development.

B62. In the event that fauna roosting habitat is found during tree removal or demolition works, all works in the immediate vicinity of the animal(s) must cease. Work in the immediate vicinity of the animal(s) must not recommence until a trained wildlife handler has relocated the animal(s) or that the animal(s) has self-relocated.

AIR QUALITY

Dust Minimisation

B63. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B64. 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 of dirt associated with the construction of the development; and

(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

B65. 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 2021.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

B66. 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.

B67. 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

B68. 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.

B69. 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

B70. 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.

B71. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

(a) all relevant Australian Standards; and

(b) for liquids:

(i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and

(ii) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.

B72. In the event of an inconsistency between the requirements of conditions B71(a) and B71(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B73. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

Emergency Services Information Package

B74. 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

Statutory Requirements

B75. 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).

B76. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B77. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

B78. 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.

Pests, Vermin and Priority Weed Management

B79. 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 where required;

(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 (c) 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) details of the community consultation and complaints handling procedure to be implemented during construction;

(b) Construction Traffic Management Plan (see condition B1);

(c) Construction Noise and Vibration Management Plan (see condition B22);

(d) Erosion and Sediment Control Plan (see condition B43); and

(e) a copy of the development's:

(i) Unexpected Contamination Finds Procedure (see condition B34);

(ii) Flood Emergency Response Plan (see condition B49);

(iii) Acid Sulfate Soils Management Plan submitted as Appendix S of the EIS.

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; and

(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

(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 C5 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 C9;

(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, and the Planning Secretary must be notified in writing of the outcomes of any review.

C8. If identified as part of the review process (see condition C7) 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 C7, 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

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 4.

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), including rehabilitation and remediation, 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 with the exception of any hazard and risk related studies;

(iv) 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;

(v) 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;

(vi) a summary of the current stage and progress of the development;

(vii) contact details to enquire about the development or to make a complaint;

(viii) a complaints register, updated quarterly;

(ix) 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

Job No.	Drawing Number	Drawing Title	Drawing Issue	Date
Architectural Drawings prepared by SBA Architects				
22146	DA100	Warehouse GF Plan	17	23/01/2024
22146	DA101	Warehouse GF Mezz Plan	7	25/09/2023
22146	DA102	Warehouse L1 Floor Plan	14	25/09/2023
22146	DA103	Warehouse L1 Mezz Floor Plan	7	25/09/2023
22146	DA104	Warehouse Roof Plan	9	25/09/2023
22146	DA105	Site Demolition Plan	3	28/03/2023
22146	DA200	Office 01, 02 Floor Plans	6	25/09/2023
22146	DA201	Office 03, 04 Floor Plans	6	25/09/2023
22146	DA202	Office 05, 06 Floor Plans	6	25/09/2023
22146	DA203	Office 07, 08 Floor Plans	5	25/09/2023
22146	DA204	Office 09, 10 Floor Plans	5	25/09/2023
22146	DA205	Office 11, 12 Floor Plans	5	25/09/2023
22146	DA300	Elevations	7	25/09/2023
22146	DA301	Breezeway Elevations	6	25/09/2023
22146	DA310	Sections	8	25/09/2023
22146	DA500	Signage Details	5	28/03/2023
	Civil Drawings prepared by Costin Roe Consulting			
CO13924.01	SSDA20	Erosion & Sediment Control Plan	C	12/04/2023
CO13924.01	SSDA25	Erosion & Sediment Control Details – Sheet 1	B	12/04/2023
CO13924.01	SSDA26	Erosion & Sediment Control Details – Sheet 2	B	12/04/2023
CO13924.01	SSDA30	Bulk Earthworks Plan	C	12/04/2023
CO13924.01	SSDA40	Stormwater Drainage Plan	F	30/01/2024
CO13924.01	SSDA50	Finished Levels Plan	F	12/10/2023
	Landscape Plans prepared by Geoscapes			
220907	SSD-01	Landscape Masterplan	H	04/10/2023
220907	SSD-03	Landscape Detail Plan 1	H	04/10/2023
220907	SSD-04	Landscape Detail Plan 2	H	04/10/2023
220907	SSD-05	Landscape Detail Plan 3	H	04/10/2023
220907	SSD-06	Landscape Detail Plan 4	H	04/10/2023
220907	SSD-07	Upper Floors Detail Plans	H	04/10/2023
220907	SSD-08	Landscape Section AA	H	04/10/2023
220907	SSD-09	Landscape Sections BB & CC	H	04/10/2023
220907	SSD-10	Specifications & Details	H	04/10/2023
220907	SSD-11	Plant Schedule & Imagery	H	04/10/2023

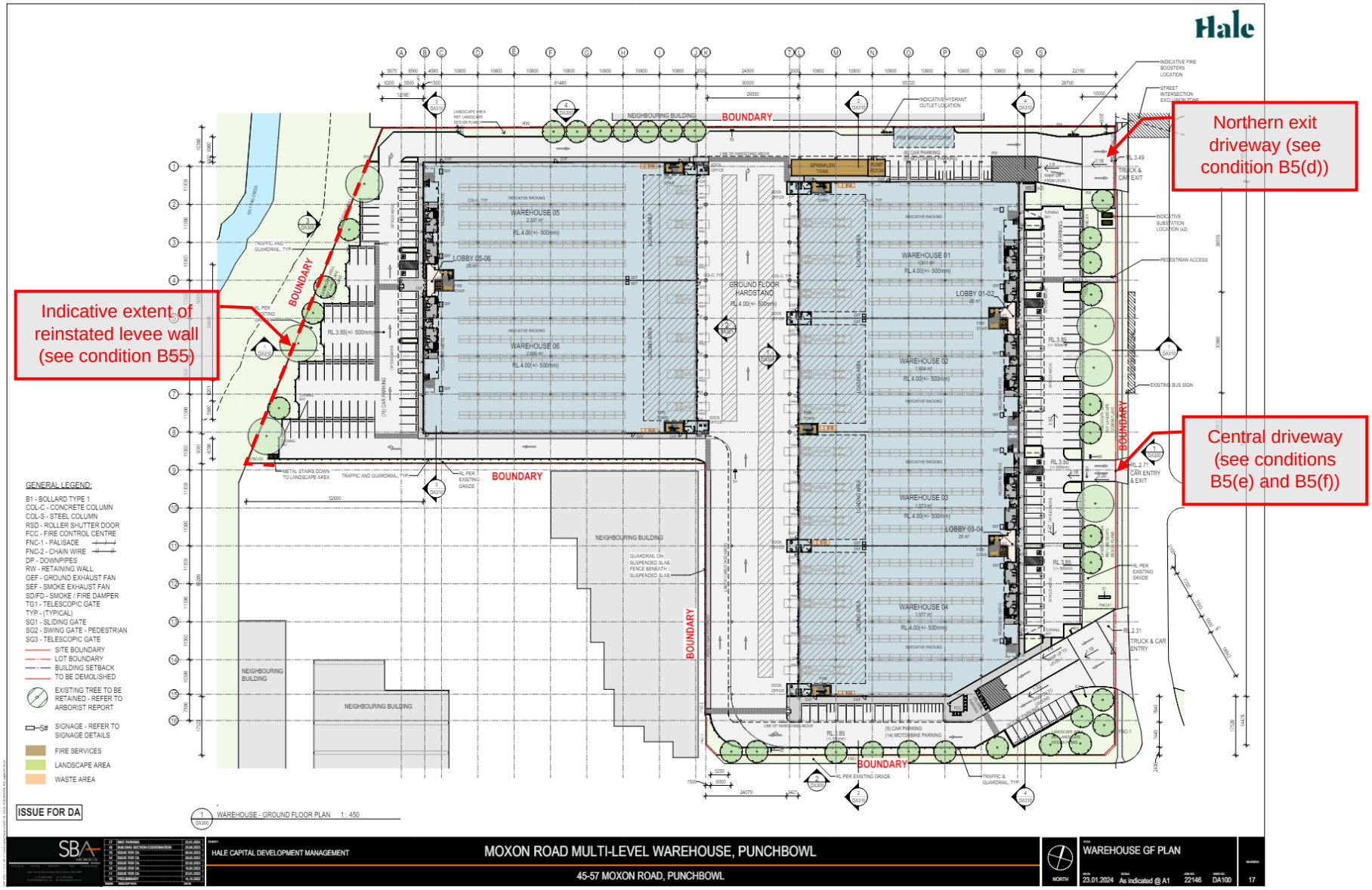

Figure 1: Ground Floor Plan

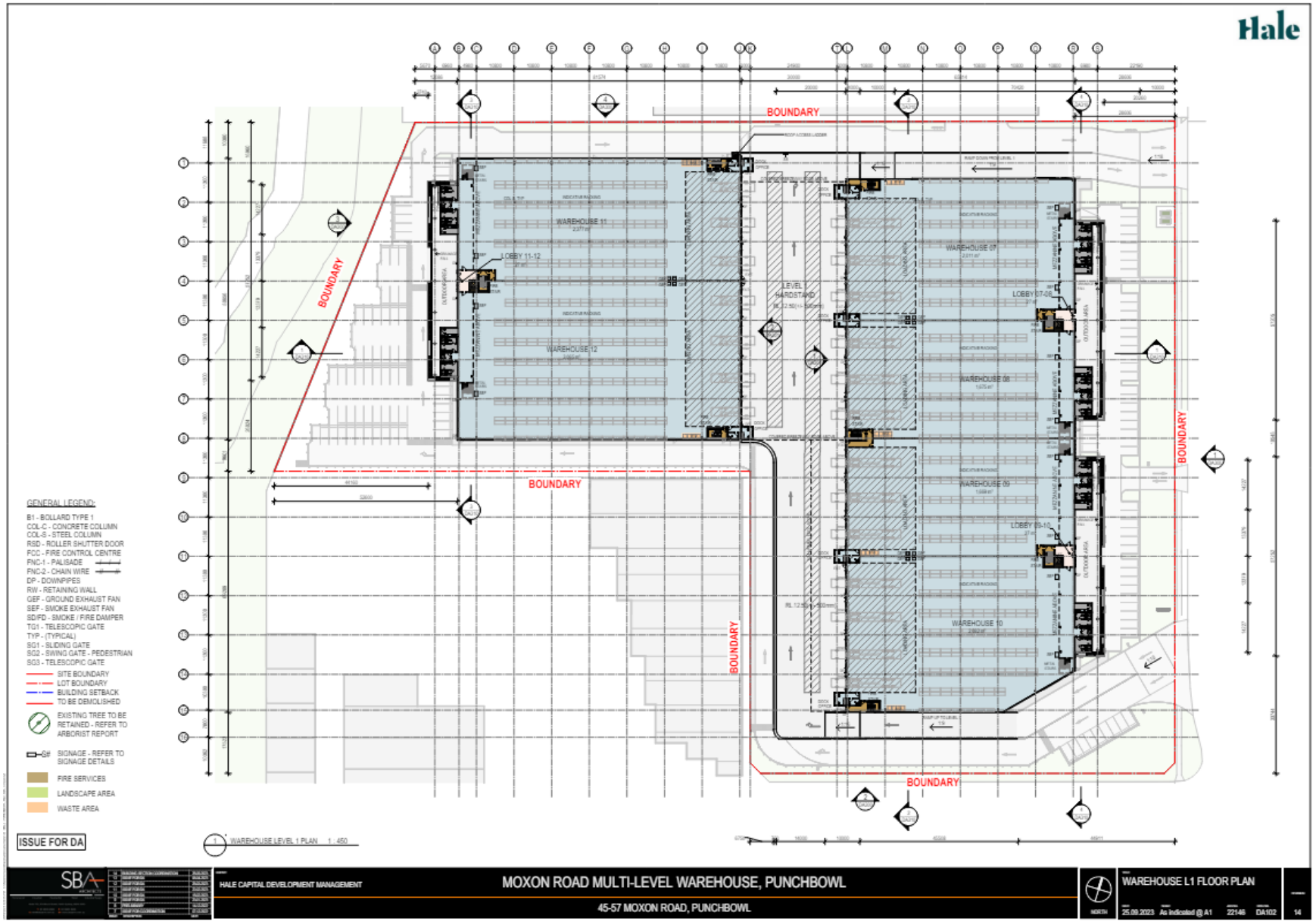

Figure 2: First Floor Plan

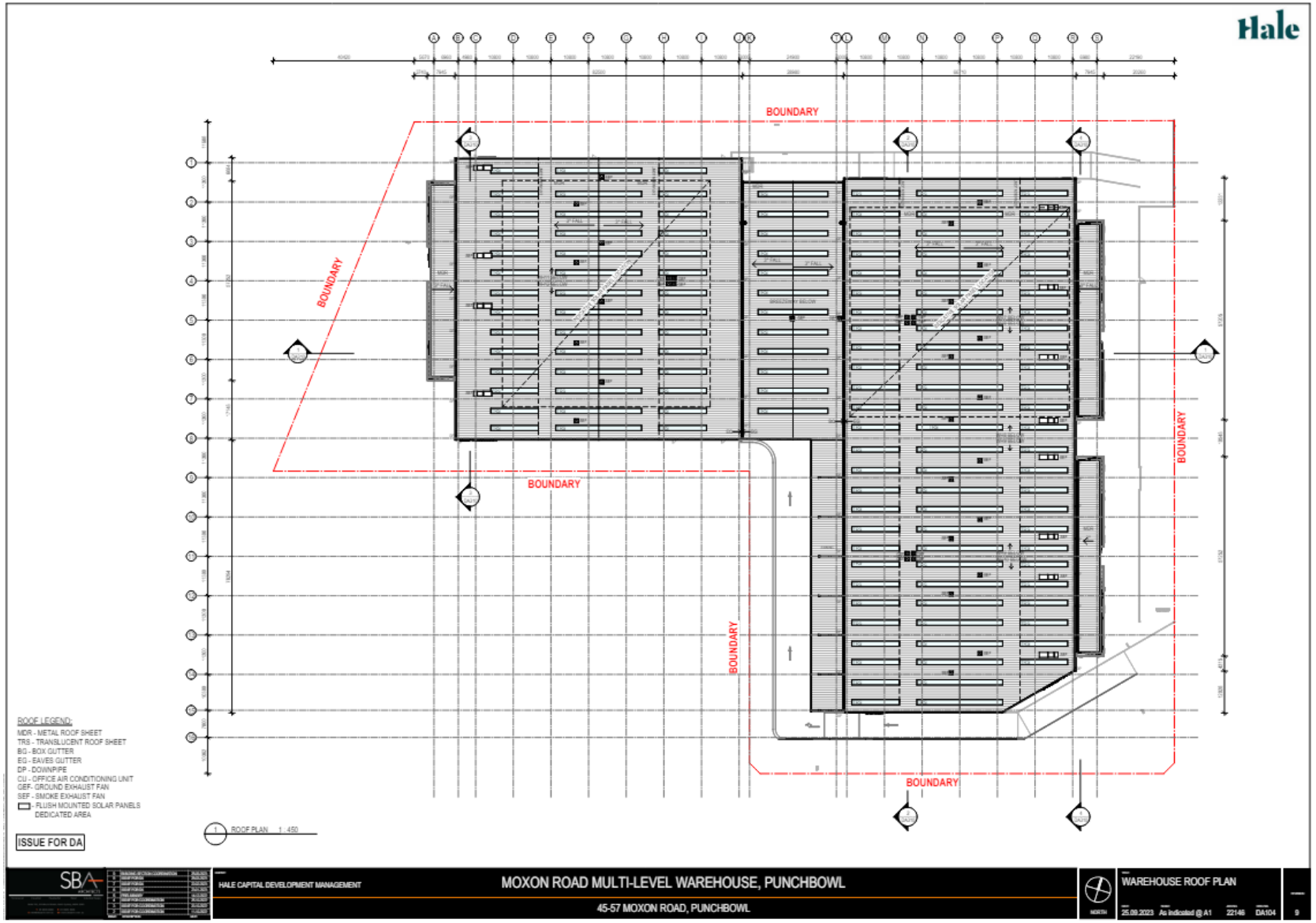

Figure 3: Roof Plan

APPENDIX 2 NOISE MONITORING LOCATIONS

APPENDIX 3 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	Stage	Approach
Traffic and Transport	Construction	For the construction stage, a Construction Traffic Management Plan be prepared for the site. ▪ Temporary exclusion fencing (chain mesh fencing) will be erected along the entire boundary of the Site and will be maintained for the duration of the construction program. ▪ Handling of all materials throughout the construction shall adhere to the following. - It is proposed that all material loading will occur within the construction site boundary. - No loading is proposed to occur outside of the provisioned areas. - Equipment, materials, and waste will be kept within the construction site boundary ▪ All vehicles transporting loose materials will have the entire load covered and/or secured to prevent any large items, excess dust or dirt particles depositing onto the roadway during travel to and from the site. ▪ An authorised Traffic Controller is to be present on-site throughout the construction stage of the project
Traffic and Transport	Operation	For the operation phase, an Operational Traffic Management Plan be prepared for the site. ▪ Detailed signage and line marking plan. ▪ Detail any traffic management devices required (e.g. speed humps, wheel stops, warning devices etc). ▪ Advisory speed signage (i.e. 45 km/h around bend) on Wiggs Road be installed to ensure sufficient minimum gap sight distance for right turning vehicles entering the site due to the sight-limited horizontal curve from Moxon to Wiggs Road, subject to engagement with Council. ▪ Loading Dock Management Plan. ▪ Internal road through the hardstand area would operate under a speed limit of 10-20km/hr. ▪ All three access driveways would operate under priority control and would always give priority to Moxon Road and pedestrian crossing.
Trees and Landscaping	Construction	Tree protection measures for trees proposed to be removed are provided according to encroachment type and should be increased relative to the level of encroachment: Nil ▪ Where indirect or inadvertent encroachments may occur due to haul routes or machinery movement tree protection should be installed Minor: ▪ The area lost to encroachment must be offset elsewhere and contiguous to the TPZ. ▪ Detailed root investigations should not be required. ▪ Tree protection must be installed and maintained Major: ▪ The Project Arborist must demonstrate the tree(s) will remain viable. ▪ Root investigations using non-destructive methods may be required to clarify or confirm the impacts to trees to be retained. ▪ The area lost to encroachment must be offset elsewhere and contiguous to the TPZ. ▪ All works and excavations within the TPZ must be supervised by the Project Arborist. ▪ Tree protection must be installed and maintained for project duration. ▪ Additional measures such as mulching or temporary irrigation may be required.
Trees and Landscaping	Operation	The Landscape Plans propose a total of 229 trees and a tree planting ratio of 2.9:1.
Biodiversity	Construction	Mitigation of construction impacts will be specified within a Construction and Environmental Management plan. Potential indirect impacts on biodiversity values will be mitigated through a range of measures:

Issue	Stage	Approach
		▪ Pre-clearance and clearance management of vegetation; ▪ Pre-demolition clearance surveys; ▪ Fauna rescue and relocation protocol; ▪ Euthanasia protocol; ▪ General biosecurity duty (GBD) compliance; ▪ Unexpected finds protocol; and ▪ Monitoring and reporting strategies ▪ These are to be documented in a Flora and Fauna Management Plan as a subplan to the project's Construction Environmental Management Plan.
Biodiversity	Operation	The proposed lighting design includes: ▪ Adherence to Dark Sky best practice to minimise lighting pollution; ▪ AS 4828-2019 Control of the Obtrusive Effects of Outdoor Lighting; ▪ Adaptive controls to manage the lighting systems brightness to reduce the need to have the system on all night when areas are not in operation; and ▪ Application of a maximum colour temperature (CCT) of 3000 K to reduce the adverse effects on humans and wildlife of blue, violet and ultra-violet wavelengths emitted by the light source. A range of exterior lighting and operation hours and dimming levels are also proposed, which included the following: ▪ Operating sunset to 8:00 pm at 100% light output. ▪ 75% light output from 8:00pm to 10:30pm ▪ 50% light output from 10:30pm to 11:00pm with PIR sensor to increase light level to 75% when people approach the area. ▪ 0% light output from 11:00pm to 6:00am with PIR sensor to increase light level to 15-20% when people approach the area. ▪ The curfew hours (11:00pm to sunrise) lighting control will be zoned, meaning only essential luminaires for building security will be operational during these times.
Air Quality	Construction	Communication ▪ Develop and implement a stakeholder communications plan that includes community engagement before work commences on site. ▪ Displays the name and contact details of the Responsible Person accountable for air quality and dust issues on the site boundary. ▪ Displays the head or regional office contact information. ▪ Develop and implement a Dust Management Plan (DMP). Site Management ▪ 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 (Council, EPA, etc). ▪ Record exceptional incidents that cause dust and/or air emissions, either on or off site, and the actions taken to resolve the situation in the logbook. Monitoring ▪ Undertake daily on-site and off-site inspections at nearby receptors to monitor dust. Record inspection results and make available to relevant authorities. This should include regular dust soiling checks of surfaces such as street furniture, cars, and window. Specific real-time dust monitoring is not necessary for this project. ▪ Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions. Preparing & Maintaining the Site

Issue	Stage	Approach
		▪ Plan site layout so that dust generating activities are located away from receptors, as far as possible. ▪ Avoid site runoff of water or mud. ▪ Remove materials that have a potential to produce dust from site as soon as possible, unless being reused on site. If being re-used, keep materials covered or contained in a way which prevents dust, for example dust suppression. ▪ Cover, seed, or fence stockpiles to prevent wind erosion. Construction Vehicles and Sustainable Travel ▪ Ensure all vehicles switch off engines when stationary – no idling vehicles. ▪ Impose and signpost a maximum-speed-limit of 25km/h on surfaced and 15km/h on unsurfaced haul roads and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided). Measures for General Construction Activities ▪ Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate. ▪ Ensure equipment is readily available on site to clean any dry spillages and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods. Measures Specific to Haulage ▪ Use water-assisted dust sweeper(s) on the access and local roads, as necessary. ▪ Avoid dry sweeping of large areas. ▪ Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport. ▪ Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable. ▪ Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable). ▪ Access gates to be located at least 10m from receptors where possible.
Air Quality	Operation	▪ Limit unnecessary idling of truck engines on-site. ▪ Ensure truck maintenance is up to date.
Noise and Vibration	Construction	A detailed Construction Noise and Vibration Management Plan will be prepared including the following management measures: ▪ Identification of nearby residences and other sensitive land uses; ▪ Description of approved hours of work; ▪ Description and identification of construction activities, including work areas, equipment and duration; ▪ Description of what work practices (generic and specific) will be applied to minimise noise; ▪ Consider the selection of plant and processes with reduced noise emissions; ▪ A complaints handling process; ▪ Noise monitoring procedures; ▪ Overview of community consultation required for identified high impact works; ▪ Overview of community consultation process and assessment required for identified additional works outside of standard construction hours; and ▪ Induction and training will be provided to relevant staff and sub- contractors outlining their responsibilities with regard to noise. Administrative Controls: ▪ Operate during approved hours ▪ Undertake regular noise monitoring to determine the impact of operating plant on sensitive receivers

Issue	Stage	Approach
		▪ Appropriate training of onsite staff ▪ Undertake community consultation and respond to complaints in accordance with established project procedures ▪ Turning off machinery when not in use ▪ Respite periods for pile drivers and rock breakers (if applicable) ▪ Conducting regular maintenance of plant to ensure that they are operating as efficiently and quietly as practicable Engineering Controls: ▪ Portable temporary screens ▪ Screen or enclosure for stationary equipment ▪ Maximising the offset distance between noisy plant items and sensitive receivers ▪ Avoiding using noisy plant simultaneously and / or close together, adjacent to sensitive receivers ▪ Orienting equipment away from sensitive receivers ▪ Carrying out loading and unloading away from sensitive receivers ▪ Using dampened tips on rock breakers ▪ Using noise source controls, such as the use of residential class mufflers, to reduce noise from all plant and equipment including bulldozers, cranes, graders, excavators and trucks ▪ Selecting site access points and roads as far as reasonably practicable away from sensitive receivers ▪ Using spotters, closed circuit television monitors, “smart” reversing alarms, or “squawker” type reversing alarms in place of traditional reversing alarms ▪ Employ non noise-generating structures such as site offices, storage sheds, stockpiles and tanks as noise barriers.
Noise and Vibration	Operation	An Operational Environmental Management Plan will be developed including any management requirements necessary to enforce non-operation hours between 10pm and 7am. The warehouse gates will be closed at 10pm and reopened at 7am.
Ground and Water	Construction	<u>Salinity Management Plan</u> Earthworks: ▪ Vegetation cover should be estimated and maintained on permanent batters upon completion to control erosion. ▪ The final surface of all areas of the development should be graded to prevent the ponding of surface water. ▪ Erosion control of temporary batters, stockpiles and disturbed areas should be planned prior to undertaking the earthworks and implemented during the earthworks, including: – Grading and sealing partially completed surfaces – Installation of clearly visible fencing and traffic control measures to prevent unnecessary trafficking f areas and ensuring site disturbance – Establishing set vehicular access points and roads. ▪ Sediment control implemented by means of sediment traps and silt fencing where necessary. Imported Soils: ▪ Fill materials to be imported to sire to be assessed for suitability for the intended use. Gardens and landscaped areas: ▪ Selection of plant species should consider the soil conditions, including moderate salinity, relatively poor fertility and clayey low permeability soil profiles. Successful revegetation is likely to require use of nutrient rich soil. ▪ Potential of water logging to be minimised by:

Issue	Stage	Approach
		– Adopting plant species with minimal watering requirements – Adopting 'waterwise' gardening principles – Minimise use of potable water in landscaped areas ▪ Properly designed and implemented irrigation systems Roads, footpaths and hardstand areas: ▪ Roads, footpath and hardstand surfaces should be graded, and the grades maintained at all times to prevent ponding of surface water at locations where this can result in infiltration into the underlying soils ▪ Connections between roads, footpath and hardstand surfaces and the surface water and stormwater drainage infrastructure should be designed, constructed and maintained to restrict infiltration into underlying soils ▪ Services that are to be located below the roads, footpath and hardstand surfaces should be installed, where practical, at the time of construction Surface water, stormwater and drainage: ▪ Disturbance of natural drainage patterns should be reduced. Where these are disturbed or altered appropriate artificial drainage should be installed ▪ Stormwater and surface water should be managed to restrict infiltration ▪ Temporary water retaining structures used during construction should be managed to restrict infiltration ▪ Guttering and down pipes should be connected and maintained ▪ Durability of concrete structures in contact with the ground: ▪ The design of structural concete members in contact with the ground (exclude piles) to adopt an A2 exposure classification as defined in AS3600:2018 ▪ The design of concrete cast in situ piles adopt a "Mild" to "Non-aggressive" classification as defined in AS2159:2009. ▪ Acid Sulfate Soils Management Plan ▪ Pre-disturbance Works: ▪ The sequencing of proposed piling, excavation, services installation and other activities should be planned in detail, taking into account the time and space necessary to complete the ASS/PASS management activities outlined in this document. The planning should provide a contingency for treatment of additional quantities of materials in the event that requirements for the disturbance of additional ASS/PASS material is identified following the commencement of site works, or heavy rainfall/storm events result in significant additional quantities of collected impacted water; ▪ The actual areas of ASS/PASS occurrence where disturbance/excavation will occur during each stage of works (piling, excavation, services installation etc.) as part of the site activities should be identified and suitable location(s) for treatment areas close to the areas of disturbance identified. Based on the proposed works, the available space for treatment and the approximate volume anticipated to be disturbed, staging of the disturbance activities should then be planned such that sufficient drying and mixing time can be achieved for all materials needing treatment. The staging should also allow for adequate time to obtain the results of verification testing before the material is placed at the final location or removed from the site. ▪ Neutralisation Chemicals: ▪ A small-scale treatment trial be implemented at the commencement of site works prior to broad scale implementation of alternative neutralising compounds. The small-scale trials should document the effectiveness of the revised approach. Consideration as to the feasibility of dewatering material and associated management of separated water and solids will also be required.

Issue	Stage	Approach
		▪ Treatment Area Design: <u>Small Quantities</u> ▪ For small scale disturbance activities, it is anticipated that a large, lined skip bin or suitable structure could be used as a 'treatment cell' to minimise the potential for release of acidic leachate or partially treated soil. This may be appropriate for the treatment of piling spoil or minor trenching activities. <u>Significant Excavation Quantities</u> ▪ Should quantities of material disturbed in a staged manner exceed that able to be managed in a large skip bin, a treatment area should be established with consideration of the following: ▪ The treatment area should be established separate to the area of disturbance but able to be accessed from the area of disturbance by plant/vehicles transporting the material to be treated and material to be removed from the treatment area at the completion of stabilisation activities; ▪ The treatment areas should be sufficiently large to facilitate a pre-treatment stockpile area, a treatment pad, water/sediment collection and treatment measures, post treatment stockpile storage area and lime storage area; ▪ The treatment area should be isolated from major external surface water catchments, including overland surface water flow and potential flood water, excavation flooding by rainfall events, by ground surface contouring, installation of perimeter drains or bunds covered with an impervious layer (concrete, geomembrane, compacted non-ASS clay, etc.); ▪ Pre-treatment and post-treatment stockpile areas should be separately bunded or drained to minimise the potential for re-acidification of treated material; ▪ A sufficient supply of aglime should be kept on site at all times for the treatment of ASS to be neutralised within the treatment area, for application on exposed excavation faces where ASS is expected or suspected; and for wet weather events where existing applications will require replacement and/or treatment of acidic water is necessary. Receipts, dockets and other field records showing the storage locations of all chemicals and location of all applications of neutralising agents must be kept. ▪ General Site Management: ▪ All soils must be treated as ASS material until such a time as the material is demonstrated to be non-ASS material or treatment effectively reduces the risk associated with the material and validation results meet the relevant specifications. ▪ ASS/PASS materials that have been excavated (or otherwise brought to the ground/water surface) should be immediately transferred to the treatment area or treated in-situ as soon as practicable to minimise the quantity of soil, sediment and/or water requiring treatment and the risk of environmental harm to the site and/or down-gradient receptors. ▪ Bunding, diversion drains, contaminated water treatment/containment etc. may be used to contain surface water run-off from ASS storage and treatment areas. However, ASS materials must not be used in the construction of bunds and other diversion devices. ▪ Equipment used in the treatment of ASS shall be washed with an alkaline solution at the completion of each work period to minimize corrosion of equipment. ▪ Excavation Works: ▪ Any material identified as non-ASS is to be removed from within the ASS zone footprint and treatment area; ▪ Materials identified as ASS, or suspected to comprise physical properties indicative of ASS should be assumed to be ASS unless demonstrated otherwise;

Issue	Stage	Approach
		▪ Works including disturbance of ASS materials will be subject to field testing upon initial exposure of each soil horizon. If either the field criteria or laboratory analysis results indicate the material is considered to be ASS, then the material will require treatment ▪ Treatment of Excavated PASS Material: ▪ Treatment of ASS soils will comprise the addition of sufficient quantities of finely ground neutralising agent and provide a factor of safety to compensate for potential impurities in the neutralising agent, non-homogenous mixing and limitations to the solubility of the neutralising agent. This will need to be determined on the basis of analysis data collected. ▪ The excavated ASS material will be immediately transferred to the treatment area and placed either in a stockpile within the pre-treatment stockpile area or immediately on the treatment pad. Treatment of excavated material should occur within one day of excavation of the material. ▪ Water Management During Treatment: ▪ Water will be neutralised, where required by the addition of lime (or equivalent alkaline product) within a dedicated treatment tank or lined detention basin. Lime shall be added incrementally and thoroughly mixed within the treatment vessel. ▪ In the event water volumes greater than the capacity of the water treatment holding capacity are produced during the acid sulfate soil management activities, consideration should be given to offsite disposal of water via a licensed contractor or treatment of water using neutralisation chemical dosing within holding tanks prior to re-irrigation of open excavations once the pH of the water has been demonstrated to be suitable.
Water Management and Flooding Risk	Construction	A Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff
Water Management and Flooding Risk	Operation	Developed impervious areas including roof, hardstand, car parking, roads and other extensive impervious areas are required to be treated by the Stormwater Treatment Measures (STM's). The STM's shall be sized according to the whole catchment area of the development. Components of the treatment train for the development are as follows: ▪ Primary treatment to the parking, roof, and hardstand areas is to be performed via the provision of an end-of-line Gross Pollutant Trap; ▪ A portion of the roof will also be treated via rainwater reuse and settlement within the rainwater tank. ▪ An end-of-line OceanProtect OceanSave Gross Pollutant Trap (GPT) is proposed as part of the treatment train system.
Water Management and Flooding Risk	Operation	Flood compensation storage is proposed in the areas beneath the suspended slab. The proposal also includes a rainwater harvesting tank to capture runoff for non-potable re-use on the site.
Aboriginal Cultural Heritage	Construction	▪ In the event that unexpected finds occur during any activity within the site, all works must in the vicinity must cease immediately. The find must be left in place and protected from any further harm. ▪ If unexpected finds occur during any activity within the study area, all works must in the vicinity must cease immediately. The find must be left in place and protected from any further harm. Depending on the nature of the find, the following processes must be followed: – If, while undertaking the activity, an Aboriginal object is identified, it is a legal requirement under Section 89A of the NPW Act to notify Heritage NSW, as soon as possible. Further investigations and an AHIP may be required prior to certain activities recommencing. – If, human skeletal remains are encountered, all work must cease immediately and NSW Police must be contacted, they will then notify the Coroner's Office. Following this, if the

Issue	Stage	Approach
		remains are believed to be of Aboriginal origin, then the Aboriginal stakeholders and Heritage NSW must be notified. ▪ All contractors undertaking earthworks on site should be briefed on the protection of Aboriginal heritage objects under the National Parks and Wildlife Act 1974 and the penalties for damage to these items. ▪ It is recommended that Hale Capital continues to inform the Aboriginal stakeholders about the management of Aboriginal cultural heritage within the site throughout the completion of the project.
Contamination	Construction	<u>Remedial Action Plan</u> ▪ Stockpile Management: All materials stockpiled onsite will be managed by the Principal Contractor for the duration of the remediation works. The following procedures will be implemented by the Site Owner or party completing the works: – No new stockpiles of contaminated materials are permitted to be stored at the site at any stage during the remedial program; – All stockpiles of soil or other materials shall be placed away from drainage lines gutters or stormwater pits or inlets; and – All stockpiles of soil or other materials likely to generate dust or odours shall be covered (where practical). ▪ Site Access: All vehicle access to the site shall be stabilised to prevent the tracking of sediment onto the roads and footpaths. All materials must be removed from the entry point on a daily, or as required, basis. Soil washings from wheels shall be collected and disposed of in a manner that does not pollute waters. ▪ Excavation Pump-out: As all proposed remediation works will take place above the existing ground level no excavation pump is anticipated as part of the proposed remediation. ▪ Landscaping / Rehabilitation: Once sufficient imported material has been placed to achieve the required design levels then all exposed soil on the site surface shall be progressively covered in the appropriate surface finishes approved in the project development consent. Primarily this will be in the form of concrete slabs, however some small areas will also be finished with landscaped vegetation at the surface. ▪ Vibration: The use of plant and machinery for the remediation works shall not cause vibrations to be felt or capable to be measured at any premises in proximity of the site. ▪ Hazardous Materials: Hazardous and / or intractable wastes are not anticipated to be generated from the remediation works, however should this circumstance arise it will be treated as an unexpected find (Section 9.1) and shall be removed and disposed of in accordance with the requirements of NSW EPA, SafeWork NSW and the relevant regulations by the Party Responsible for completing the works. In particular, any hazardous wastes will be transported by a NSW EPA licensed transporter. ▪ Community Consultation: The client will be responsible for any community consultation that may be required in relation to the remediation works ▪ Unexpected Finds Protocol: The nature of any residual hazards which may be present at the site are likely to be detectable through visual or olfactory means. As a precautionary measure to ensure the protection of the workforce and surrounding community, should any unexpected potentially hazardous substance be found, an unexpected finds protocol is to be followed.
Contamination	Operation	▪ <u>Preliminary Long Term Environmental Management Plan</u> Where shallow intrusive works are required, the following management measures will apply: ▪ Approval for the works must be sought from the person/s with management or control of the workplace who is responsible for the enforcement of this LTEMP. A standing / long-term approval would be appropriate for persons engaged as gardeners / maintenance workers within the site; ▪ Site personnel or contractors required to conduct intrusive works at the site must be inducted into the LTEMP and must be aware of their responsibilities with regard to health and safety.

Issue	Stage	Approach
		▪ A copy of the LTEMP is to be supplied to all persons conducting intrusive works on the site. ▪ Air monitoring is not required provided the environmentally impacted material beneath the marker layer is not disturbed. ▪ The marker layer shall not be disturbed, and any capping materials disturbed should be reinstated consistent with the description in Section 2.5.2 of this LTEMP. Where disturbed, the capping materials should be separately stockpiled, managed and reinstated consistent with this LTEMP (as applicable and appropriate). This shall include re-instatement of any areas of hardstand where hardstand is required to be removed. ▪ Any repairs to the capping and/or pavement (i.e. hardstand) overlying the marker layer shall be recorded and changes should be detailed in an updated survey plan, if required. Where deep intrusive works are required, the following management measures will apply: ▪ Prior to any deep intrusive work commencing, approval for the works must be sought from the person/s with management or control of the workplace who is responsible for the enforcement of the LTEMP will assess whether the works are necessary or if there is an alternative that will not result in exposure of environmentally impacted soil and whether the works are required to be carried out by a specialist contractor. The person/s with management or control of the workplace must also review and approve the Job Safety Risk Assessment (**JSRA**) and Safe Work Method Statement (**SWMS**) for the works and ensure that site personnel and/or contractors who will undertake the works understand the requirements of the LTEMP. ▪ Site personnel or contractors required to conduct deep intrusive works at the site must be inducted into the LTEMP and must be aware of their responsibilities with regard to health and safety. ▪ A copy of the LTEMP is to be supplied to all persons conducting deep intrusive works on the site. ▪ The works area must be isolated from casual entry using temporary barriers and only personnel inducted in the requirements of the site LTEMP will be permitted to enter the works area. ▪ Sufficient space must be provided within the works area to allow stockpiling of spoil from excavations, if required. ▪ In the event that materials from under the marker layer must be excavated, a water supply must be provided to the works area for the purpose of maintaining potential environmentally impacted soil in the excavations and stockpiles in a moist state. ▪ Personnel entering the works area must wear appropriate PPE. ▪ Decontamination procedures must be undertaken. ▪ Stockpiles of excavated spoil must be managed. ▪ Air monitoring to be undertaken. ▪ Once the works are complete, the capping and marker layer shall be reinstated with materials of similar nature as were originally present, as described in this LTEMP. Where materials are imported for use in the capping layer, if required, they must be validated as suitable for the site use. ▪ Areas of removal of hardstand / paving must be replaced with hardstand / paving in the reinstatement of the site. ▪ Any repairs to the capping and/or pavement shall be recorded and changes should be detailed in an updated survey plan, if required.
Waste	Construction	<u>Construction Waste Management</u> ▪ Develop a procurement policy which considers waste avoidance measures. ▪ Refine waste stream estimates to ensure adequate site storage and segregation. ▪ Refine estimated volumes of materials for construction.

Issue	Stage	Approach
		▪ Incorporation of waste management into development staging to promote reuse of materials across the site. ▪ Ensure areas for waste segregation are easily accessible and clearly defined. ▪ Ensure contractors are familiar with onsite waste storage areas for appropriate waste segregation ▪ Ensure wastes which cannot be reused or recycled and require disposal are clearly segregated from those which have the potential to be reused. ▪ Provide segregated bins for subcontractors to dispose of construction waste ▪ <u>Hazardous building materials mitigation measures</u> Friable Asbestos Hazards: ▪ Access to the internal areas of each structure at the site is restricted until further notice, or until the appropriate asbestos remediation works are completed. If access to the building is required, care should be taken to avoid any activities that may disturb settled dust and personal protective equipment (PPE) adopted to preclude potential inhalation exposures to dusts. Minimum PPE requirements of P2 half face respirators, disposable coveralls and gloves should be worn by any persons who require to enter the building. ▪ Remediation of the identified friable asbestos dust and accessible sediment/soils (i.e. roof gutters are not considered accessible) shall be completed as a matter of urgency and application of a sealant or barrier layer to the underside of the corrugated asbestos cement roof lining to prevent any further release of asbestos fibres shall also be completed. ▪ Notification of the identified workplace incident shall be made to the regulator (SafeWork NSW) in accordance with the WHS Act (2011). ▪ All site workers shall be offered the opportunity to undergo health monitoring. Non-friable Asbestos Hazards: ▪ All identified and suspected ACM are to be recorded on a site Hazardous Building Materials Register in accordance with Clause 425 of the Work Health and Safety Regulation (2017) with a register kept on-site and managed and updated under the responsibility of the site controller/owner ▪ Appropriate warning labels shall be applied to occurrences of non-friable asbestos materials, in accordance with SWNSW 2019b; ▪ The Hazardous Materials Register (Appendix A) must be updated following any changes to the condition of ACM identified within the register. Lead Containing Dust: ▪ Lead containing dust identified poses an immediate lead exposure hazard. It will be removed in conjunction with the friable asbestos impacted dusts removal works. Lead Based Paints: ▪ Where peeling or deteriorated they should be removed under controlled conditions by an experienced contractor and repainted to encapsulate the potential exposure pathway. A lead management plan (or hazardous material management plan) should be prepared for the site detailing the procedures to manage the remaining lead paints. These management procedures should involve program of regular inspection to ensure that the materials do not deteriorate further. ▪ Prior to demolition works, identified lead based paints should be removed under controlled conditions by an experienced contractor. Synthetic Mineral Fibres: ▪ The SMF materials can remain in situ and condition monitored on a regular basis. Alternatively, these SMF materials can be removed with the building and demolition waste with care taken not to generate fibres. Appropriate PPE is recommended.

Issue	Stage	Approach
Waste Management	Operation	▪ Develop a procurement policy which considers waste avoidance measures ▪ Refine waste stream estimates to ensure adequate on-site storage and waste segregation, and to inform future procurement policies ▪ Incorporate waste management into site management procedures to promote reuse and/or recycling of materials. ▪ Consider opportunities for materials reuse and/or recycling where practicable. ▪ If any of the warehouses are used by a third party, they will be required to provide their own operational waste management plan.
Environmental Heritage	Construction	If historical archaeological relics not assessed or anticipated are found during the works, all works in the immediate vicinity are to cease immediately and Heritage NSW must be notified in accordance with the conditions of the Section 60 permit. A qualified archaeologist is to be contacted.
Ecologically Sustainable Development	Operation	<u>Greenhouse Gas and Energy Efficiency</u> Thermal and Energy Performance: Reduction in greenhouse gas emissions resulting from energy consumption will be achieved across the development through a range of measures, including the following: ▪ *Improved building form and thermal envelope building fabric, including increased insulation and double glazing;* ▪ *Energy efficient HVAC systems;* ▪ *LED lighting with illumination power densities equal to or less than the maximum as set out in Part J6 of the relevant NCC;* ▪ *Lighting controls such as sensors and timers for external lighting and lighting in infrequently used areas, such as corridors and toilets;* ▪ *The provision of instantaneous hot water units.* With these initiatives, buildings will achieve a 10% improvement in energy consumption compared to a reference building. Building Sealing: All windows, doors, exhaust fans and pipe penetrations will be constructed to minimise air leakage as required by the provisions outlined in Section J3 of the relevant NCC. <u>Climate change, urban ecology and heat island effect mitigation</u> Reduced Average Rainfall and Extreme Rainfall Events ▪ *Oversize rainwater tanks and employ drought resistant landscaping to reduce the overall water load required for irrigation.* ▪ *Size all downpipes capable of withstanding high volumes of water flowing over the roofs, with eaves gutters designed for 1 in 20yr* Temperature Extremes: Air conditioners will be designed to handle higher specified conditions than required in Sydney. Consider including water fountains throughout the warehouse areas to ensure staff can easily hydrate during hotter temperatures. <u>Management</u> ▪ *Green Star Accredited Professional* ▪ *Environmental Performance Targets* ▪ *Building Systems Tuning* ▪ *Metering and Monitoring* ▪ *Formalised Environmental Management System* <u>*Indoor Environmental Quality*</u> ▪ *Ventilation System* ▪ *Provision of Outdoor Air* ▪ *Exhaust or Elimination of Pollutants* ▪ *Minimum Lighting Comfort* ▪ *Glare reduction* ▪ *Daylight* ▪ *Volatile Organic Compounds* <u>*Water*</u> ▪ *Efficient fixtures* ▪ *Rainwater collection and reuse* ▪ *Drought resistant landscaping* ▪ *Water efficient irrigation systems.*

Issue	Stage	Approach
		Material Concrete: A minimum of 50% of the concrete mix will contain recycled water (rainwater or purchased recycled water). Embodied carbon will also be reduced through use of Supplementary Cementitious Materials as appropriate for the mix and use of concrete. Steel: supplied from responsible steel makers with World Steel Association, Climate Action Program membership Low CO2-e Materials: Where possible, materials will be selected that have lower embodied emissions. Electric Vehicle Charging Provision for electric vehicle charging has been included within the design of the development.
Fire Safety	Operation	A Fire Safety Statement has been prepared by the project fire safety engineer including reviewing and assessing this issue. The fire safety requirements have been incorporated into the proposed architectural design. Further review will be undertaken during the Fire Engineering Brief Questionnaire in consultation with FRNSW.

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

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 C9 or, having given such notification, subsequently forms the view that an incident has not occurred.

2. Written notification of an incident must:
   (c) identify the development and application number;
   (d) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
   (e) identify how the incident was detected;
   (f) identify when the applicant became aware of the incident;
   (g) identify any actual or potential non-compliance with conditions of consent;
   (h) describe what immediate steps were taken in relation to the incident;
   (i) identify further action(s) that will be taken in relation to the incident; and
   (j) 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.