

Development Consent

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

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

These conditions are required to:

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



Chris Ritchie
Director
Industry Assessments

Sydney

22 September 2023

File: EF 20/30129

SCHEDULE 1

Application Number:	SSD-10272349
Applicant:	GPT Pty Limited
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 180, DP 120397; 754-786 Mamre Road, Kemps Creek
Development:	Construction of an industrial estate including bulk earthworks, subdivision, construction, fit-out and operation of two buildings for warehouse and distribution uses and ancillary office space with a total gross floor area of 54,982 m ² , landscaping, construction of estate roads, site servicing and stormwater infrastructure

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DEFINITIONS

Applicant	GPT Pty Limited, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is 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	Construction of buildings, hardstands, offices, roads, permanent stormwater infrastructure and landscaping
Council	Penrith City Council
CPESC	Certified Professional in Erosion and Sediment Control
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 and Environment
Development	The development described in Schedule 1, the EIS, RTS and Supplementary Report including bulk earthworks, subdivision, construction, fit-out and operation of two warehouse buildings and ancillary office space, landscaping, construction of estate roads, site servicing and stormwater infrastructure, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
DPE	Department of Planning and Environment
Earthworks	Bulk earthworks, clearing, site levelling, import and compaction of fill material, installation of erosion and sediment controls, services and utilities, to prepare the site for construction
EHG	Environment and Heritage Group, Department of Planning and Environment
EIS	The Environmental Impact Statement titled Yiribana Logistics Estate Environmental Impact Statement SSD-10272349, prepared by Urbis dated 30 August 2021, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
Environmental Representative Protocol	The document of the same title published by the Department.
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
GFA	Gross floor area
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the

Environment Protection and Biodiversity Conservation Act 1999 (Cth), or anything identified as a heritage item under the conditions of this consent

ICNG		Interim Construction Noise Guideline, DECC 2009
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
Infrastructure Guidelines	Design	Sydney Water’s Stormwater Scheme Infrastructure Design Guidelines (draft) 2022
IWCM		Integrated Water Cycle Management
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: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister		NSW Minister for Planning and Public Spaces (or delegate)
Mitigation		Activities associated with reducing the impacts of the development prior to or during those impacts occurring
MRP		Mamre Road Precinct
MRP DCP		Mamre Road Precinct Development Control Plan 2021
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
OEMP		Operational Environmental Management Plan
Operation		The use of warehouse and industrial buildings for storage and distribution of goods upon completion of construction, as described in the EIS, RTS and Supplementary Report
PA		Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
Principal Certifier		The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act
Planning Secretary		Secretary of the Department, or delegate
POEO Act		<i>Protection of the Environment Operations Act 1997</i>
Reasonable		Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Regional Authority	Stormwater	Sydney Water Corporation
Regional Stormwater Scheme		Regional stormwater infrastructure as shown on the MRP Stormwater Scheme Plan, December 2022 prepared by Sydney Water
Registered Aboriginal Parties		Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Registered Surveyor		Means registered surveyor within the meaning of the term in the <i>Surveying and Spatial Information Act 2002</i> (NSW)
Rehabilitation		The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting

Relevant Roads Authority	The authority responsible for ownership and maintenance of the applicable road (either Council or TfNSW)
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 Yiribana Logistics Estate Submissions Report SSD-10272349, prepared by Urbis and dated 16 September 2022
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
Supplementary Report	Additional information provided by the Applicant titled Yiribana Logistics Estate SSD-10272349 Response to RFI Supplementary Report prepared by Urbis dated 22 September 2023
Technical Guidance	<i>Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022)
TfNSW	Transport for New South Wales
Trunk Drainage	Stormwater assets, typically open natural trunk drainage channels, wetlands and storage ponds, as shown on Sydney Water's Mamre Road Precinct Stormwater Scheme Plan, December 2022
VENM	Virgin Excavated Natural Material
WAD	Works Authorisation Deed, a contract between TfNSW and the Applicant to undertake roadworks on the State road network
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
WSUD	Water Sensitive Urban Design
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 Supplementary Report;
 - (d) in accordance with the Development Layout in **Appendix 1**; and
 - (e) in accordance with the management and mitigation measures in **Appendix 2**.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Maximum GFA

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

Table 1 Maximum GFA of the development

Land Use	Maximum GFA (m²)
Warehouses and distribution centres	52,870
Ancillary offices	2,112
Total	54,982

NOTIFICATION OF COMMENCEMENT

- A7. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) earthworks;
 - (b) construction; and
 - (c) operation.
- A8. If the earthworks, construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

- A9. 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

- A10. 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).
- A11. 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.
- A12. 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.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A13. Before the commencement of earthworks for the development, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.
- A14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

STRUCTURAL ADEQUACY

- A15. 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 NCC.

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.

CIVIL PLANS

- A16. Engineering plans are to be prepared in accordance with the development consent, Council's *Design Guidelines for Engineering Works for Subdivisions and Developments*, *Engineering Construction Specification for Civil Works* and *Austrroads Guidelines*.

SUBDIVISION

- A17. Prior to the issuing of Subdivision Certificates for any stage of the development, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.
- A18. Prior to the issuing of Subdivision Certificates for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.

- A19. Prior to the issuing of Subdivision Certificates for any stage of the development:
- (a) a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established; and
 - (b) a certificate from the Regional Stormwater Authority must be submitted to the Certifier certifying that satisfactory stormwater servicing arrangements for the site have been established.
- A20. Prior to issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road:
- (a) a final inspection of the estate road is to be undertaken by the relevant Roads Authority. All compliance documentation for road and drainage construction of the estate road must be submitted to the relevant Roads Authority in accordance with the relevant Roads Authorities specifications and requirements;
 - (b) a Maintenance Bond is to be lodged with Council for all road and drainage works that are to be dedicated to the relevant Roads Authority. The value of the bond shall be determined in accordance with Council's adopted Fees and Charges;
 - (c) where installation of any regulatory/advisory signage and line marking are proposed, plans are to be lodged with Council and approved by the Local Traffic Committee; and
 - (d) an application for proposed street names must be lodged with and approved by Council and the signs erected on-site. The proposed names must be in accordance with Council's Street Naming Policy.

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

COMPLIANCE

- A21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

DEVELOPMENT CONTRIBUTIONS

- A22. Prior to the issue of a Subdivision Certificate or Construction Certificate (as required by the contributions plan or agreed by Council), the Applicant must pay contributions to Council as required in accordance with the Penrith City Mamre Road Precinct Development Contributions Plan 2022.

Note: subject to agreement between Council and the Applicant, local contributions may be satisfied by a planning agreement or works-in-kind agreement between Council and the Applicant.

- A23. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (as in force when this development consent takes effect).

A person may not apply for a Subdivision Certificate or Construction Certificate (as the case may require, having regard to the Determination) in relation to development the subject of this development consent unless the person provides, with the application, written evidence from the Department of Planning and Environment that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

More information

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

OPERATION OF PLANT AND EQUIPMENT

- 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.

EXTERNAL WALLS AND CLADDING

- A25. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A26. Prior to the issuing of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate,

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

- A27. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

UTILITIES AND SERVICES

- A28. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A29. Before 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*.
- A30. Before the issuing of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
 - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.
- A31. Before the issuing 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.

WORK AS EXECUTED PLANS

- A32. Before the issuing of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

ENVIRONMENTAL REPRESENTATIVE

- A33. The Applicant must engage an Environmental Representative (ER) to oversee earthworks and construction of the development. Unless otherwise agreed to by the Planning Secretary, earthworks and construction of the development must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant. The approved ER must:
- (a) be a suitably qualified and experienced person who was not involved in the preparation of the EIS, RTS, Supplementary Report, and any additional information for the development and is independent from the design and construction personnel for the development;
 - (b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;
 - (c) consider and inform the Planning Secretary on matters specified in the terms of this consent;
 - (d) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
 - (e) review the CEMP required in Condition C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
 - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/Department for information or are not required to be submitted to the Planning Secretary/Department);
 - (f) regularly monitor the implementation of the CEMP, including the ESCP to ensure implementation is being carried out in accordance with the document and the terms of this consent;
 - (g) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits;
 - (h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;
 - (i) provide advice to the Applicant on the management and coordination of earthworks and construction on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, air quality, erosion and sediment control, stormwater management and noise;

- (j) attend the Mamre Road Precinct Working Group (see Condition A36) in a consultative role in relation to the environmental performance of the development;
 - (k) review the monthly audits of the erosion and sediment controls undertaken by the CPESC in accordance with Condition B25; and
 - (l) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading 'Environmental Representative Monthly Reports'. The **Environmental Representative Monthly Report** must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary
- A34. The Applicant must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A33 (including preparation of the ER monthly report), as well as:
- (a) the complaints register (to be provided on a daily basis); and
 - (b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).
- A35. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition C16. The Applicant must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
 - (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

MAMRE ROAD WORKING GROUP

- A36. Within three months of the date of this consent and until all components of the development are constructed and operational, the Applicant must join the working group established by relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:
- (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;
 - (b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;
 - (c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;
 - (d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, air quality, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;
 - (e) review community concerns or complaints with respect to environmental management;
 - (f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and
 - (g) provide the Planning Secretary with an update and strategies, if a review under subclause (d) and (e) identifies additional measures and processes are required to be implemented by the working group.
- A37. Three months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A36. The Applicant must:
- (a) consult with the Planning Secretary;
 - (b) provide confirmation that all components of the development are operational; and
 - (c) advise on the date of the proposed exit.

APPLICABILITY OF GUIDELINES

- A38. 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.
- A39. 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 earthworks of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) outline traffic management and contingency measures to be implemented for the site to:
 - (i) ensure access and road safety and network efficiency is maintained; and
 - (ii) manage cumulative construction traffic from other concurrent construction works within the Mamre Road Precinct;
 - (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 earthworks 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 earthworks and construction.

Temporary Access Road

- B3. The Applicant must design the left-turn deceleration lane on Mamre Road with a 90 kilometre per hour design speed limit in accordance with AUSTRROADS guidelines and to the satisfaction of TfNSW. The design must be endorsed by a suitably qualified practitioner whose qualification has been approved by TfNSW.
- B4. Prior to the issue of a Construction Certificate for the temporary access road, the Applicant must submit certified copies of the left-turn deceleration lane design plans for review and approval by TfNSW.
- B5. The Applicant must enter into a Works Authorisation Deed (WAD) for the temporary access road construction works on Mamre Road. The WAD must be executed prior the submission of the detailed design required under Condition B3 to TfNSW for approval.
- B6. The Applicant must:
- (a) carry out all public utility adjustment / relocation works necessary for the temporary access road construction works as required by relevant public utility authorities and/or their agents; and
 - (b) ensure any infrastructure (i.e. batters, retaining walls or drainage basins) required to support the development is not located within SP2 zoned land.
- B7. Once the North South Collector Road connection is operational for the development, the Applicant must remove the deceleration lane and intersection with Mamre Road as instructed by TfNSW and at no cost to TfNSW.

North South Collector Road

- B8. Prior to the issue of an Occupation Certificate for Warehouse 1, the Applicant must construct and dedicate the North South Collector Road connection, as a public road, as shown on **Figure 4** in **Appendix 1**, (Drawing No CO13874.06-R40, Issue B, dated 22/02/2023) to the satisfaction of the relevant roads authority. The North South Collector Road connection must be constructed by one contractor appointed by the Applicant.

Note: This is to ensure the construction of the North South Collector Road connection is delivered in a single package of works.

- B9. Within one month of registration of lot(s) for the portion of the North South Collector Road located on the site, the Applicant must notify the Planning Secretary that the land has been dedicated.

East-West Local Road

B10. Within 12 months of the date of this consent, or as otherwise agreed by the Planning Secretary, the Applicant must prepare and submit the following plans to facilitate the construction and delivery of the East-West Local Road, in consultation with Council and the landowner of 706-752 Mamre Road, Kemps Creek (Lot 1, DP 104958), and to the satisfaction of the Planning Secretary:

- (a) a Staging Plan for the East-West Local Road construction, including:
 - (i) details of the scope of works to be undertaken on the site (including connection to the adjoining North South Collector Road) and the adjoining site at 706-752 Mamre Road, Kemps Creek (Lot 1, DP 104958) (see **Figure 1** in **Appendix 1**);
 - (ii) an arrangement on timing of the works; and
- (b) a detailed design plan of the East-West Local Road prepared in accordance with the design requirements under the MRP DCP.

Note: The detailed design of the East-West Local Road may require modification(s) to SSD-10272349 or be subject to a merit assessment as part of a separate DA(s).

B11. The Applicant must ensure the portion of the East-West Local Road to be located on the site is constructed and operational in accordance with the design plans required under Condition B10.

Fire Brigade Access – Warehouse 3

B12. The Applicant must ensure the permanent fire brigade driveway egress for Warehouse 3 as shown on **Figure 1** in **Appendix 1** is fully constructed and operational upon commencement of operation of the East-West Local road, and the temporary fire brigade driveway egress is removed.

Dedicated Freight Corridor requirements

B13. Prior to commencement of earthworks, the Applicant must ensure all drainage from the development is adequately disposed of and managed and is not discharged into the dedicated freight corridor unless prior written approval has been obtained from TfNSW.

B14. Prior to the issue of a Construction Certificate for the first warehouse building, the Applicant must submit the following documents to TfNSW for review and obtain written confirmation from the Certifier that the construction drawings and specifications comply with these documents:

- (a) bulk earthworks as-built drawings;
- (b) bulk earthworks sections as-built drawings; and
- (c) detailed sections as-built drawings (in the area of the future dedicated freight corridor).

A copy of the confirmation from the Certifier must be provided to TfNSW, prior to the commencement of construction of the first warehouse building.

Street Trees

B15. Prior to the commencement of roadworks, or as otherwise agreed with the Planning Secretary, detailed design plans showing the provision of passively irrigated street trees within the relevant stage of works must be submitted to the satisfaction of Council. The plans must:

- (a) be prepared in consultation with Council; and
- (b) demonstrate compliance with the MRP DCP.

Parking

B16. The Applicant must provide sufficient parking facilities on-site in accordance with the MRP DCP, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

B17. Bicycle parking and end-of-trip facilities must be provided with suitable pedestrian connections linking these facilities with the offices and warehouse buildings in accordance with relevant guidelines and standards and the MRP DCP.

B18. A minimum of 5% of parking bays for each warehouse building must provide for electric vehicle charging, with a further 5% constructed as readily adaptable.

Operating Conditions

B19. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 *Parking facilities Off-street car parking* (Standards Australia, 2004), AS 2890.2:2018 *Parking facilities Off-street Commercial Vehicle Facilities* (Standards

Australia, 2018) and AS 2890.6.2009 *Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)

- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on-site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Operational Traffic Monitoring Program

B20. At the commencement of operation of the first warehouse building in the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program to verify light and heavy vehicle traffic numbers against the predictions in the Supplementary Report. The Program must be included in the OEMP (Condition C5) and monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:

- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
- (b) queue monitoring at the temporary access road / Mamre Road intersection and Mamre Road / AIE Access Road 1 intersection and background travel counts on Mamre Road;
- (c) verify the predicted traffic numbers and level of service against the actual impacts of the development, and analyse the potential cause of any significant discrepancies;
- (d) consider the current capacity and efficiency of the existing road network including Mamre Road; and
- (e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development.

Travel Plan

B21. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Travel Plan and submit a copy to the Planning Secretary. The Travel Plan must:

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

B22. The Applicant must implement the most recent version of the Travel Plan for the duration of the development.

EARTHWORKS

Imported Soil

B23. The Applicant must:

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

WATER QUALITY AND HYDROLOGY

Erosion and Sediment Control

B24. Prior to the commencement of any earthworks or other surface disturbance, the Applicant must prepare an Erosion and Sediment Control Plan (ESCP) to the satisfaction of the Planning Secretary. The ESCP must:

- (a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary;
- (b) be prepared in consultation with EHG, Sydney Water and Council and include written evidence of the outcomes of the consultation process and how the recommendations have been incorporated into the ESCP;
- (c) be independently reviewed and verified by the ER prior to submission to the Planning Secretary;

- (d) comply with the detailed technical specifications in the Technical Guidance or its latest version, the 'Blue Book' - Managing Urban Stormwater: Soils and Construction (Landcom 2004) and the performance criteria in **Appendix 3** in this consent;
- (e) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed; and
- (f) be included in the CEMP required by Condition E2.

B25. The Applicant must:

- (a) not commence earthworks until the ESCP required by Condition B24 is approved by the Planning Secretary;
- (b) ensure installation and operation of the erosion and sediment controls are supervised and certified by the CPESC appointed under Condition B24(a);
- (c) implement the ESCP approved by the Planning Secretary for the duration of earthworks and construction; and
- (d) engage the CPESC to conduct monthly audits of the erosion and sediment controls for the duration of earthworks and construction and for a further 12 months following the completion of construction works to ensure the controls remain effective in achieving the construction phase stormwater quality targets in the Technical Guidance. Monthly audit reports must be reviewed and verified by the ER and submitted to the Planning Secretary within 7 days of completing the audit.

B26. The ER appointed in accordance with condition A33, shall make a written statement to the Planning Secretary confirming the erosion and sediment controls are operational, prior to the commencement of earthworks and other construction activities for the development. The ER must also verify that disturbed areas have been adequately stabilised at the completion of earthworks.

Discharge Limits

B27. 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 Design

B28. Within three months of the date of this consent, or as otherwise agreed with the Planning Secretary, the Applicant must design the stormwater management system to the satisfaction of the Planning Secretary. The stormwater management system design must:

- (a) be prepared in consultation with the EHG, Sydney Water and Council and include written evidence of the outcomes of the consultation process and how the recommendations have been incorporated into the stormwater management system design;
- (b) be prepared and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, whose appointment has been endorsed by the Planning Secretary;
- (c) be consistent with the plan shown on **Figure 2** in **Appendix 1**;
- (d) include all private, Council and trunk drainage infrastructure within the site including connections to adjacent landholdings;
- (e) be designed in accordance with the Technical Guidance and demonstrate:
 - (i) through MUSIC modelling, how the waterway health objectives and targets set out in the MRP DCP and Technical Guidance will be achieved;
 - (ii) how the development will ultimately connect to the Regional Stormwater Scheme and how the interim measures (such as the water reuse components of on-site detention tanks, bioretention systems and rainwater tanks) will be decommissioned once the development is connected to the Regional Stormwater Scheme;
 - (iii) that all stormwater management devices contain an impermeable liner and all naturalised trunk drainage (or other open drainage) is either lined with an impermeable liner, or ameliorated (i.e., gypsum), and compacted to a suitable depth and topsoiled (AS44119) to limit infiltration to soils;
- (f) include functional design drawings that addresses the requirements of EHG's letter dated 31 August 2023;
- (g) ensure proprietary devices are located on private land and only include sediment and nutrient removal if certified under Stormwater Quality Improvement Device Evaluation Protocol (SQIDEP);
- (h) ensure gross pollutant traps are appropriately sized and designed in accordance with the Infrastructure Design Guidelines;
- (i) demonstrate maintenance access driveways to water storage or bio-retention basins are designed in accordance with Council's specifications;
- (j) demonstrate that sufficient land is reserved on-site for stormwater management purposes (such as irrigation areas and undeveloped areas) as shown on **Figure 2** in **Appendix 1**, to ensure the development meets the

waterway health objectives and targets in the MRP DCP and Technical Guidance, unless an alternative stormwater management strategy has been approved by the Planning Secretary;

- (k) include landscape drawings that include planting details of the WSUD systems;
- (l) include certification (and appropriate designed checklists) of the civil and landscape drawings by the chartered professional engineer appointed under Condition B28(b), that the design drawings comply with the Technical Guidance; and
- (m) include evidence that the design and mix of WSUD infrastructure has considered ongoing operation and maintenance, including a detailed lifecycle cost assessment (including capital, operation / maintenance and renewal costs over 30 years).

B29. The Applicant must:

- (a) not commence earthworks until the design required by Condition B28 is approved by the Planning Secretary;
- (b) ensure construction of the stormwater management system is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
- (c) implement the stormwater management system approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.

B30. The Applicant must not carry out construction, other than those works approved under this consent, on land shown as 'potential landscape irrigation areas' on **Figure 2** in **Appendix 1** (SSDA-405 Water Sensitive Urban Design Plan) unless the site is connected to the Regional Stormwater Scheme or an alternative Stormwater Management System for the site has been approved by the Planning Secretary.

Trunk Drainage Design

B31. Within three months of the date of this consent, or as otherwise agreed with the Planning Secretary, the Applicant must design the trunk drainage infrastructure on the site, to the satisfaction of the Planning Secretary. The trunk drainage infrastructure must:

- (a) be designed in consultation with the Regional Stormwater Authority;
- (b) be integrated into the Stormwater Management System Design required under Condition B28;
- (c) be consistent with the plan shown on **Figure 3** in **Appendix 1** and the Infrastructure Design Guidelines 2022 or its latest version, unless otherwise agreed with the Regional Stormwater Authority;
- (d) be designed so that the naturalised trunk drainage channel conveys, as a minimum, critical 1% AEP overland flows where the catchment area upstream of the commencement of the trunk drainage exceeds 15 ha or where overland flows are unsafe to pedestrians and vehicles, whichever occurs first;
- (e) be supported by hydraulic modelling that addresses the Infrastructure Design Guidelines and the requirements outlined in Sydney Water's letter dated 13 July 2023;
- (f) ensure external catchments are drained to the trunk drainage channel;
- (g) demonstrate alignment with the upstream neighbouring stormwater drainage channel;
- (h) include appropriate connections from the trunk drainage channel on-site to the trunk drainage infrastructure downstream of the site;
- (i) include landscape drawings showing planting details; and
- (j) include adequate access for maintenance by the Regional Stormwater Authority, in accordance with the Infrastructure Design Guidelines, including provision of an easement as required by Condition B36.

B32. The Applicant must:

- (a) not commence earthworks until the design required by Condition B31 is approved by the Planning Secretary;
- (b) ensure construction of the trunk drainage infrastructure is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
- (c) implement the trunk drainage infrastructure approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.

Water and Stormwater Management Plan

B33. Prior to commencement of operation of the first warehouse building in the development, the Applicant must prepare a Water and Stormwater Management Plan to the satisfaction of the Planning Secretary. The plan must:

- (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, whose appointment has been endorsed by the Planning Secretary;
- (b) be prepared in consultation with the EHG, Sydney Water, Council and the Department;
- (c) comply with the requirements of the Technical Guidance for the preparation of a Water and Stormwater Management Plan;

- (d) demonstrate how the development will comply with the stormwater quality and quantity targets in the Technical Guidance;
- (e) be consistent with the design approved under Condition B28 and the plan shown on **Figure 2 in Appendix 1**;
- (f) include:
 - (i) detailed engineering drawings for all WSUD elements including plan views, cross-sections and long sections;
 - (ii) detailed landscape drawings with topsoil requirements, planting schedules and hardscape (maintenance access) details;
 - (iii) an operation and maintenance plan for the WSUD measures;
- (g) include a protocol for investigating any non-compliances with the IWCM controls in the MRP DCP and the waterway health objectives and targets in the Technical Guidance and detail the contingency measures that would be implemented to address non-compliances;
- (h) detail triggers for a review of the plan, including, but not limited to a review of the plan within 6 months of the Regional Stormwater Scheme being available for the site to connect to; and
- (i) include certification (and appropriate designed checklists) for the WSUD measures by the chartered professional engineer appointed under Condition B33(a), that the detailed design complies with the Technical Guidance.

B34. The Applicant must:

- (a) not commence operation of the first warehouse building until the Water and Stormwater Management Plan required by Condition B33 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water and Stormwater Management Plan approved by the Planning Secretary for the duration of the development.

Water Reuse

B35. The Applicant must ensure any stormwater that is harvested for reuse during the interim stormwater management phases is first treated and disinfected in accordance with *Australian Guidelines for Water Recycling: Managing Health and Environmental Risks: Stormwater harvesting and reuse* (NRMC, EPHC and NHMRC 2009).

Easements and Maintenance

B36. Prior to the issue of a Compliance Certificate under Section 73 of the *Sydney Water Act, 1994*, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* naming the Regional Stormwater Authority (Sydney Water) as the prescribed authority, which can only be revoked, varied or modified with the consent of the Regional Stormwater Authority and which provides for appropriate access to all trunk drainage land for maintenance at no cost to the Regional Stormwater Authority must be registered on the title of the land.

B37. The permanent stormwater management system must continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

Note: *This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*

B38. All stormwater infrastructure (excluding the trunk drainage corridor), including bio-retention basins, shall remain under the ownership, control and care of the registered proprietor of the lots.

Note: *This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.*

B39. Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the permanent stormwater management systems (including on-site stormwater detention and water sensitive urban design measures), shall be registered on the title of the property. The restriction on the use of land and positive covenant shall be in Council's standard wording as detailed in Council's Stormwater Drainage Specification for Building Developments – Appendix F.

Dam Decommissioning Plan

B40. Prior to commencement of earthworks, the Applicant must prepare a Dam Decommissioning Plan to the satisfaction of the Planning Secretary. The Dam Decommissioning Plan must form part of the CEMP required by Condition C2. The Applicant must implement the Dam Decommissioning Plan approved by the Planning Secretary.

Vegetation Management Plan

- B41. The Applicant must update the Vegetation Management Plan for the trunk drainage corridor located on-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by Condition C5 and must:
- (a) be prepared in consultation with Sydney Water and Council;
 - (b) be consistent with the trunk drainage design and landscape drawings prepared in accordance with Condition B31; and
 - (c) detail monitoring and maintenance timeframes and responsibilities.
- B42. The Applicant must revegetate and maintain the trunk drainage corridor in accordance with the updated Vegetation Management Plan approved by the Planning Secretary, until ownership or maintenance responsibility for the corridor is transferred to the Regional Stormwater Authority.

NOISE

Hours of Work

- B43. The Applicant must comply with the hours detailed in Table 2.

Table 2 Hours of Work

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

- B44. Works outside of the hours identified in condition B43 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) works agreed to in writing by the Planning Secretary;
 - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

- B45. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline (ICNG)* (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 **Appendix 2**.

Construction Noise Management Plan

- B46. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be approved by the Planning Secretary prior to the commencement of earthworks and construction;
 - (c) describe procedures for achieving the noise management levels in the ICNG (DECC, 2009) (as may be updated or replaced from time to time);
 - (d) describe the measures to be implemented to manage high noise generating works such as rock breaking and piling, in close proximity to sensitive receivers;
 - (e) include strategies that have been developed with the community for managing high noise generating works;
 - (f) describe the community consultation undertaken to develop the strategies in condition B46(e);
 - (g) detail the timing, duration and frequency of monitoring to be undertaken to demonstrate the earthworks and construction meet the construction noise management levels in the ICNG; and
 - (h) include a complaints management system that would be implemented for the duration of earthworks and construction.
- B47. The Applicant must:
- (a) not commence earthworks or construction of the development until the Construction Noise Management Plan required by condition B46 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of earthworks and construction.

Operational Noise Limits

B48. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in **Table 3**.

Table 3 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)
Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)	36	31	26
BAPS Temple – Outdoor Use Are (Except Car Parking Area)	33 (When in use)		

Note Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to Figure 5 in **Appendix 4** for the location of residential sensitive receivers.

B49. The Applicant must ensure that noise generated by:

- (a) all fixed external mechanical plant for Warehouse 1 and 3 does not exceed a cumulative sound power level of L_{Aeq}(15min) 86 dB(A); and
- (b) any activity on the site does not exceed a sound power level of L_{AMax} 115 dB(A) or result in annoying noise characteristics as determined in accordance with the Noise Policy for Industry (EPA, 2017) and Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018).

Noise Verification Report

B50. Within three months of the completion of commissioning of each warehouse building in the development, the Applicant must prepare and submit a noise verification report. The noise verification report must:

- (a) be prepared to the satisfaction of the Planning Secretary;
- (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
- (c) verify the noise levels against the predictions in the Noise Impact Assessment for the Yiribana Logistics Estate prepared by RWDI dated 29 May 2023 and clearly identify any variances from the assumptions and the predicted noise levels at sensitive receivers;
- (d) include:
 - (i) an analysis of compliance with noise limits specified in condition B48 and condition B49;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B48; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

Road Traffic Noise

B51. 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.

VISUAL AMENITY

Landscaping

B52. Within 12 months of the commencement of construction 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 form part of the OEMP and be prepared in accordance with condition C5, and must:

- (a) be prepared in consultation with Council;
- (b) detail the species to be planted on-site that:
 - (i) are consistent with the plant list in Appendix C of the Mamre Road Precinct Development Control Plan; and
 - (ii) are suitable in relation to wildlife management in proximity to the Western Sydney Airport.
- (c) be consistent with:

- (i) the Landscape Plans included in the Supplementary Report;
 - (ii) the Applicant's Management and Mitigation Measures (see **Appendix 2** of this consent); and
 - (iii) Appendix 4 of *Planning for Bush Fire Protection* (RFS, 2019);
- (d) ensure sufficient deep soil to allow large tree planting is provided in the areas between retaining wall tiers and between retaining walls and the western site boundary for Warehouse 3 (as shown in the Landscape Plans included in the Supplementary Report);
- (e) demonstrate that the minimum tree canopy targets are achieved in accordance with the MRP DCP and the Canopy Target Plan in the Supplementary Report;
- (f) include a Street Tree Plan including details of selected street tree species, root protection barriers and soil specifications; and
- (g) describe the ongoing monitoring and maintenance measures to manage the landscaping works.

B53. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary and the landscaping is implemented;
- (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B52 for the life of the development.

B54. Prior to the issue of an Occupation Certificate for each warehouse building, the Applicant must provide the Certifier with written evidence in the form of plans and a report prepared by the project landscape architect confirming that trees identified in the approved document package as contributing to the site's canopy target have been installed and that the trees are capable of reaching maturity in their locations. Where the canopy cover target (in accordance with the MRP DCP) is identified as not being achievable through those trees planted, the report is to detail what measures have been undertaken to address the tree canopy shortfall and a rectification plan is to be provided

Lighting

B55. The Applicant must ensure the lighting associated with the development:

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

Signage and Fencing

B56. Prior to the commencement of construction of the first warehouse building in the development, the Applicant must submit a Signage Strategy to the satisfaction of the Planning Secretary. The Signage Strategy must demonstrate the proposed signage is consistent with Chapter 3 of *State Environmental Planning Policy (Industry and Employment) 2021* and the MRP DCP, including limiting illumination of signage and measures to control lighting impacts from illuminated signage.

B57. All signage and fencing must be erected in accordance with the approved Signage Strategy required by Condition B56.

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

AIR QUALITY

Dust Minimisation

B58. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B59. During construction of the development, the Applicant must ensure that:

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

Air Quality Management Plan

B60. Prior to the commencement of earthworks, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail and rank all emissions from all sources during construction of the development, including particulate emissions;
- (c) describe a program that is capable of evaluating the performance of the construction and determining compliance with key criteria, including installation of dust deposition gauges on the site boundary;
- (d) identify the control measures that will be implemented for each emission source; and
- (e) nominate the following for each of the proposed controls:
 - i) key criteria;
 - ii) monitoring method;
 - iii) locations, frequency and duration of monitoring;
- (f) outline procedures that will be implemented in relation to:
 - (i) record keeping;
 - (ii) reporting to the Environmental Representative required under condition A33;
 - (iii) complaints register;
 - (iv) response procedures;
 - (v) compliance monitoring; and
- (g) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.

B61. The Applicant must:

- (a) not commence earthworks until the CAQMP required by condition B60 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of earthworks and construction.

Air Quality Discharges

B62. 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 2010.

ABORIGINAL HERITAGE

B63. Prior to commencement of earthworks, the Applicant must implement the recommendations outlined in Section 8 of the Aboriginal Cultural Heritage Assessment Report, prepared by Urbis Pty Ltd, dated 3 September 2021.

Unexpected Finds Protocol

B64. 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.

B65. 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

B66. If any archaeological relics are uncovered during earthworks or construction, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW.

BIODIVERSITY

B67. Prior to any clearing or construction works for the development, the Applicant must purchase and retire the following biodiversity credits:

- (a) three ecosystem credits for the Forest Red Gum – rough barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin Bioregion (PCT 835);
- (b) one ecosystem credit for the Swamp Oak open forest on river flats of the Cumberland Plain and Hunter Valley (PCT 1800); and
- (c) three species credits for the *Myotis Macropus* / Southern Myotis.

The biodiversity credits must be retired in accordance with the requirements of EHG's Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016*.

- B68. The requirement to retire biodiversity credits (see condition B67) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of credits, as calculated by the EHG's Biodiversity Offsets Payment Calculator.
- B69. The Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of biodiversity credits has been completed (see condition B67); or
 - (b) a payment has been made to the Biodiversity Conservation Fund (see condition B68), prior to undertaking any clearing or construction works for the development.
- B70. Prior to and during construction works, the Applicant must implement the mitigation measures recommended in Section 9 of the Yiribana Logistics Estate Biodiversity Development Assessment Report prepared by Cumberland Ecology, dated 14 August 2023.

CONTAMINATION AND REMEDIATION

Remedial Works

- B71. The Applicant must remediate the site in accordance with the Remedial Action Plan included in the EIS/Supplementary Report and relevant guidelines produced or approved under the Contaminated Land Management Act 1997. Remediation works must be undertaken by a suitably qualified and experienced consultant(s). Remediation works must be undertaken by a suitably qualified and experienced consultant(s).

Validation Report

- B72. Within three months of completion of the remediation works for the development, the Applicant must submit a Remediation Validation Report (RVR) to the satisfaction of the Planning Secretary. The RVR must be prepared in accordance with the approved remedial action plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997* and must:
- (a) be reviewed and approved, by a consultant certified under either the Environment Institute of Australia and *New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC))* or the *Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme*; and
 - (b) demonstrate that:
 - (i) the site is suitable for its intended industrial land use, or
 - (ii) the site is suitable for its intended industrial land use with the implementation of an environmental management plan or long-term environmental management plan.

Unexpected Finds

- B73. 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.

HAZARDS AND RISK

Dangerous Goods

- B74. 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.

Bundling

- B75. 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

- B76. 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.

BUSHFIRE PROTECTION

- B77. The Applicant shall ensure the development (except for the trunk drainage corridor) complies with:

- (a) the relevant provisions of *Planning for Bushfire Protection* (NSW RFS, 2019);
- (b) the construction standards and asset protection zone requirements recommended in the *Bush Fire Assessment Report for the Yiribana Logistics Estate* prepared by Bushfire Consulting Services Pty Ltd and dated 29 May 2023; and
- (c) Australian Standard *AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning*.

WASTE MANAGEMENT

Waste Management Plan

- B78. Prior to the commencement of operation of the development, the Applicant must update the Waste Management Plan included in the EIS for the development. The Waste Management Plan must form part of the OEMP and be prepared in accordance with condition C5. The Plan must:
- (a) detail the type and quantity of waste to be generated during construction and operation of the development;
 - (b) describe the handling, storage and disposal of all waste streams generated on-site, consistent with the *Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Environment Protection Authority, 2014);
 - (c) detail the materials to be reused or recycled, either on or off site; and
 - (d) include the Management and Mitigation Measures included in **Appendix 2**.
- B79. The Applicant must implement the most recent version of the Waste Management Plan for the duration of construction and operation.

Waste Storage and Processing

- B80. Prior to the commencement of construction of the development, the Applicant must obtain agreement from Council for the design of the waste storage area for the development.
- B81. 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.

Statutory Requirements

- B82. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.

Pests, Vermin and Priority Weed Management

- B83. 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) detailed baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
 - (b) Erosion and Sediment Control Plan (see condition B24);
 - (c) Dam Decommissioning Plan (see condition B40);
 - (d) Construction Noise Management Plan (see condition B46);
 - (e) Construction Air Quality Management Plan (see condition B60); and
 - (f) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence earthworks or construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

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

- (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
- (ii) receive, handle, respond to, and record complaints;
- (iii) resolve any disputes that may arise;
- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Operational Traffic Monitoring (see condition B20);
 - (ii) Stormwater Management Plan (see condition B33);
 - (iii) Updated Vegetation Management Plan (see condition B41); and
 - (iv) Landscape Management Plan (see condition B52).

C7. The Applicant must:

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

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Within three months of:

- (a) the submission of a Compliance Report under condition C14;
- (b) the submission of an incident report under condition C10;
- (c) the approval of any modification of the conditions of this consent; or
- (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

C9. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The 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 5**.

Non-Compliance Notification

C11. 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.

C12. 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.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

C14. Within three months after the commencement of earthworks of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), for the duration of earthworks and construction works, the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:

- (a) identify any trends in the monitoring data;

- (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.

C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Monitoring and Environmental Audits

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

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

ACCESS TO INFORMATION

C17. At least 48 hours before the commencement of earthworks of the development and for the life of the development, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) 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 monthly;
 - (ix) the Compliance Report of the development;
 - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Table 4 Schedule of Approved Plans

Drawing No	Title	Issue	Date
Architectural Plans prepared by SBA Architects			
DA 110	Site and Warehouse E1 Plan	F	07/07/2023
DA 120	Warehouse E1 Elevations and Section	F	07/07/2023
DA 310	Site and Warehouse E3 Plan	F	07/07/2023
DA 320	Warehouse E3 Elevations and Section	F	07/07/2023
MP 01	SSDA Estate Masterplan	F	07/07/2023
MP 02	Estate Works Staging Plan	F	07/07/2023
MP 03	Subdivision Plan	D	22/05/2023
MP 06	Signage Plan	F	07/07/2023
Civil Drawings prepared by Costin Roe Consulting Pty Ltd			
CO13874.06-SSDA 300	Bulk Earthworks Plan	J	31/05/2023
CO13874.06-SSDA 400	Stormwater Drainage Masterplan	N	12/07/2023
CO13874.06-SSDA 405	Water Sensitive Urban Design Plan	H	08/08/2023
CO13874.06-SSDA 500	Roadworks Masterplan	M	31/05/2023
Landscape Plans prepared Site Image Landscape Architects			
003	Landscape Concept Masterplan	M	31/07/2023
004	Tree Canopy Coverage	M	31/07/2023
North South Collector Road Plan prepared by Costin Roe Consultants Pty Ltd			
CO13874.06-R40	General Arrangement Plan	B	28/02/2023

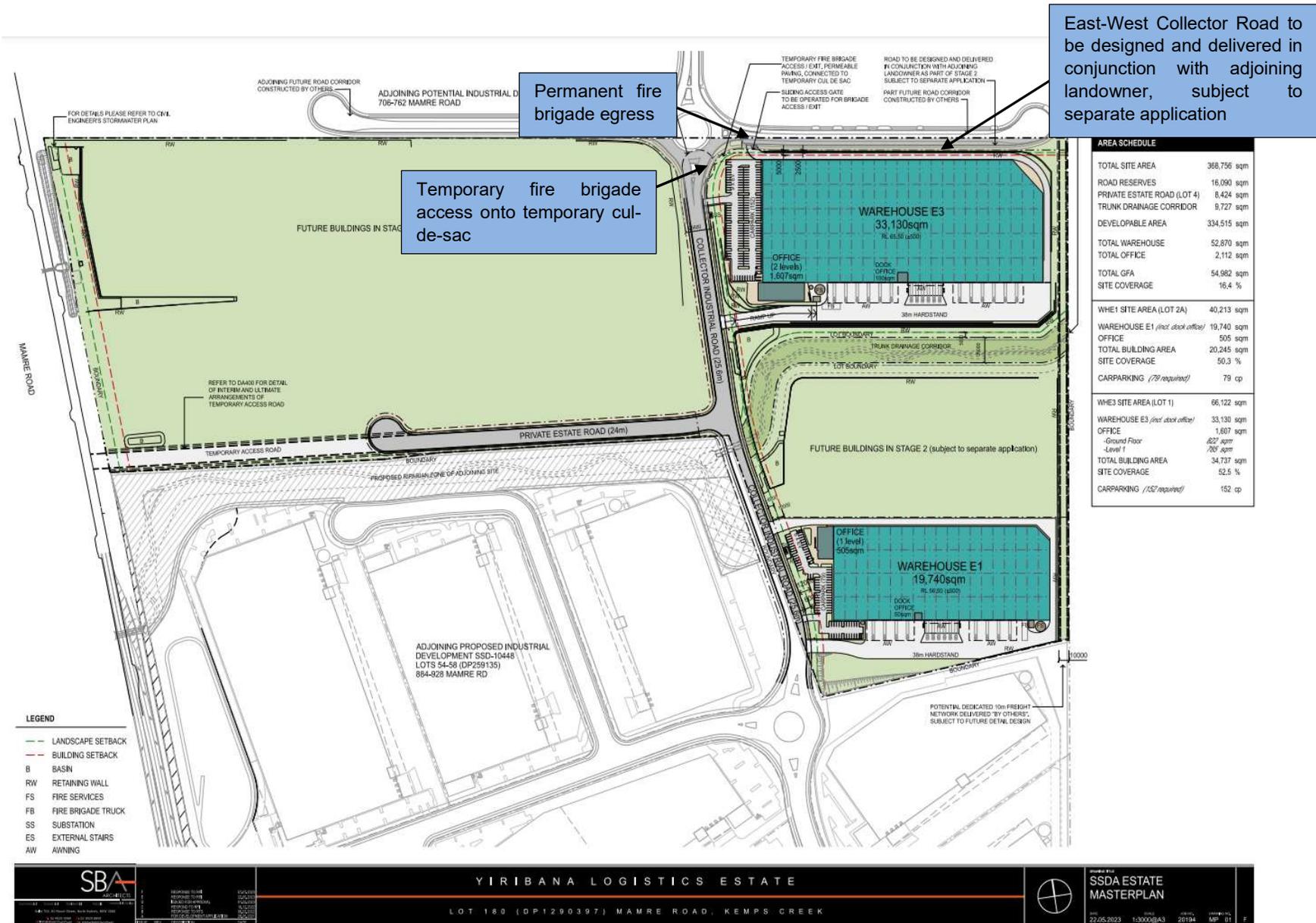


Figure 1: Site Plan

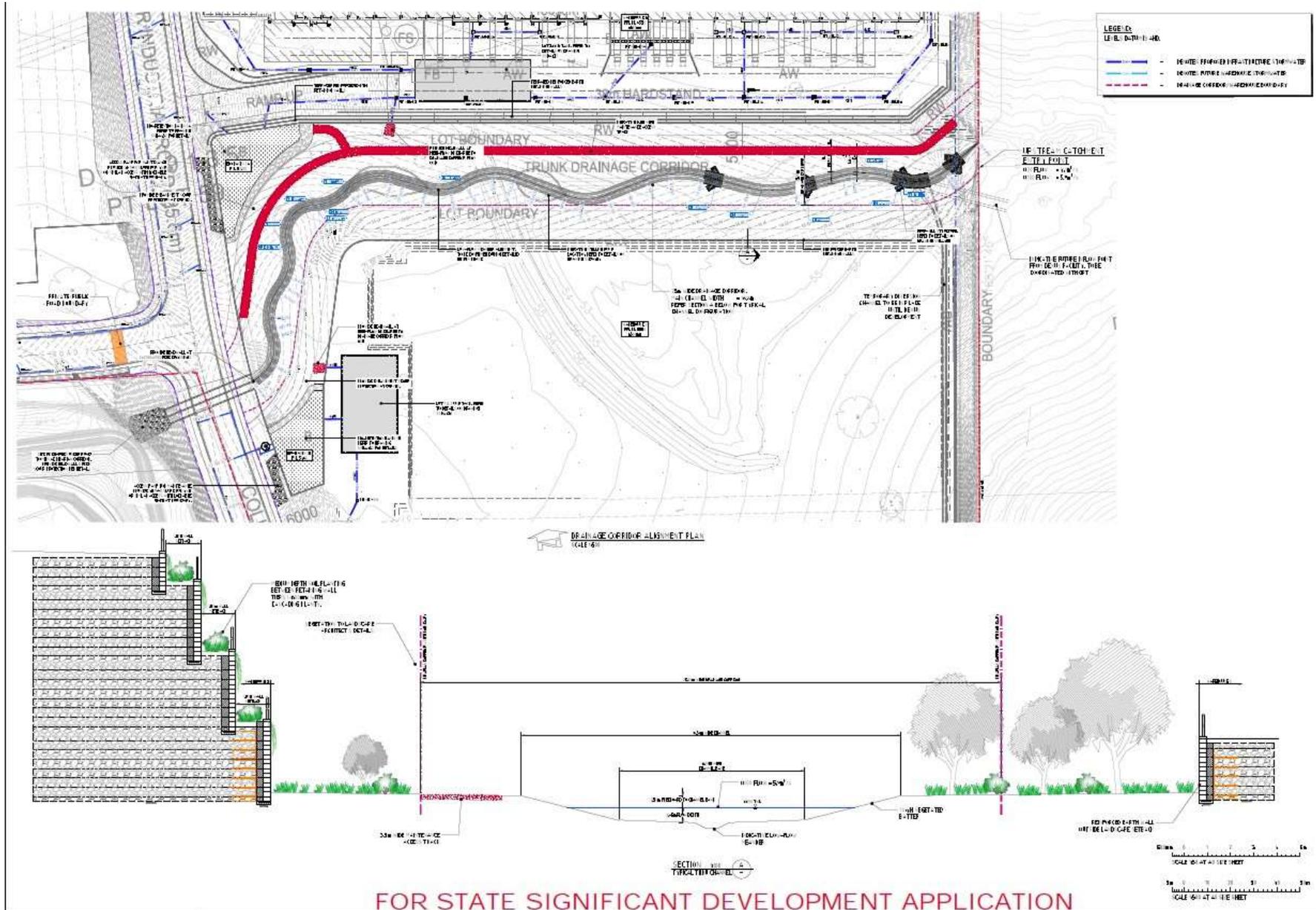


Figure 3: Trunk Drainage Corridor Plan

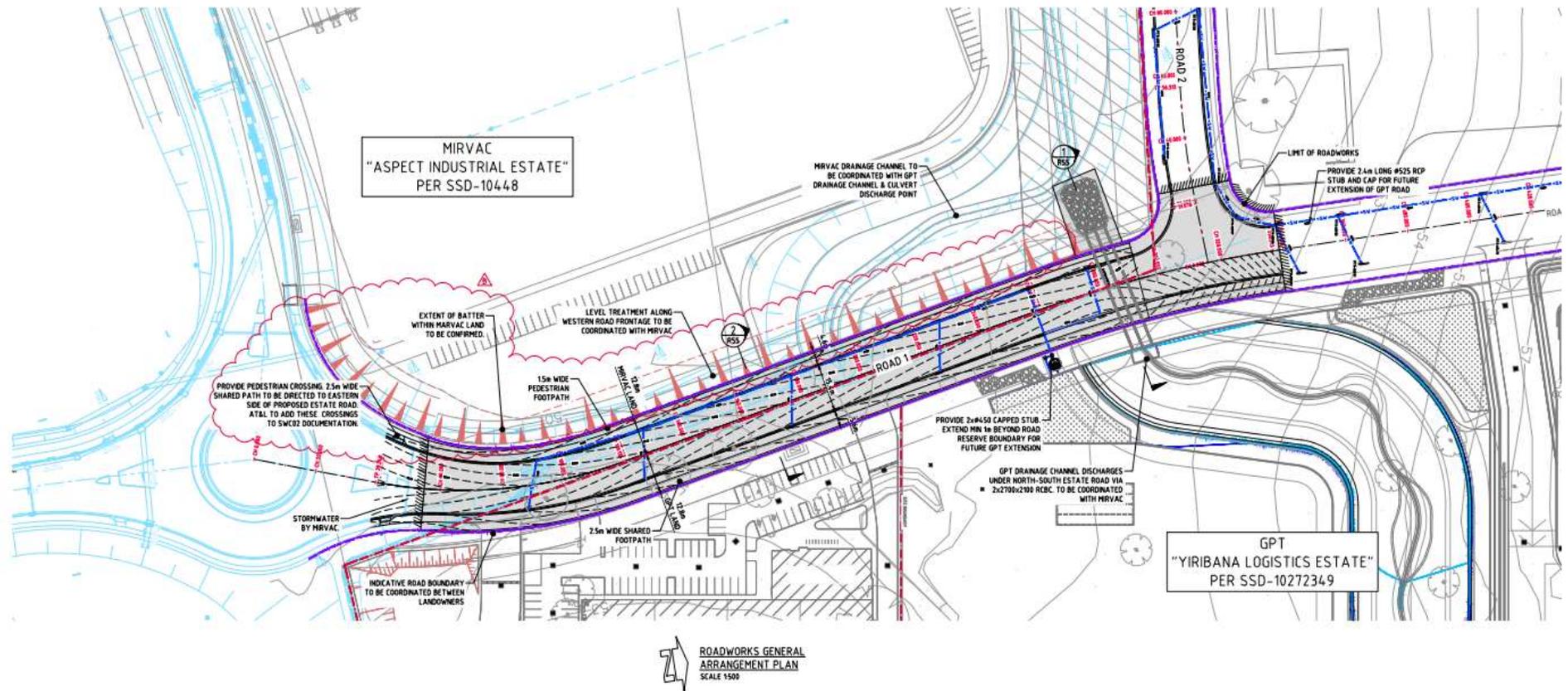


Figure 4: North South Road Collector Connection

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

The following section provides recommendation for mitigation measures in response to potential impacts identified as part of SSD-1027349. The structure of mitigation measures is based on the DPE's hierarchy of approaches for managing impacts identified in the Draft Environmental Impact Assessment Guidance Series released by DPE in June 2017, as:

- Performance based measure – identify performance criteria that must be complied with to achieve an appropriate environmental outcome but do not specify how the outcome is to be achieved.
- Prescriptive measure – require action to be taken or specify something that must not be done.
- Management based measure – identify one or more management objectives that must be achieved through the implementation of a management plan.

Following the implementation of appropriate mitigation measures as recommended, it is determined that the proposal will not result in any significant adverse impacts on the surrounding environment. The following table illustrates how the matters raised within the SEARs and CIP Conditions will be addressed.

This analysis comprises a qualitative assessment consistent with AS/NZS ISO 31000:2009 Risk Management–Principles and Guidelines (Standards Australia 2009). The level of risk was assessed by considering the potential impacts of the proposed development prior to application of any mitigation or management measures. In accordance with the SEARs, the Environmental Risk Assessment (ERA) addresses the following significant risk issues:

- The adequacy of baseline data;
- The potential cumulative impacts arising from other developments in the vicinity of the Site; and
- Measures to avoid, minimise, offset the predicted impacts where necessary involving the preparation of detailed contingency plans for managing any significant risk to the environment.

Risk comprises the likelihood of an event occurring and the consequences of that event. For the proposal, the following descriptors were adopted for 'likelihood' and 'consequence'.

Likelihood		Consequence	
A	Almost certain	1	Widespread and/or irreversible impact
B	Likely	2	Extensive but reversible (within 2 years) impact or irreversible local impact
C	Possible	3	Local, acceptable or reversible impact
D	Unlikely	4	Local, reversible, short term (<3 months) impact
E	Rare	5	Local, reversible, short term (<1 month) impact

The risk levels for likely and potential impacts were derived using the following risk matrix.

		LIKELIHOOD				
		A	B	C	D	E
CONSEQUENCE	1	High	High	Medium	Low	Very low
	2	High	High	Medium	Low	Very low
	3	Medium	Medium	Medium	Low	Very low
	4	Low	Low	Low	Low	Very low
	5	Very low	Very low	Very low	Very low	Very low

The results of the environmental risk assessment for the proposed development are presented in the below table and are based upon the range of technical and specialist consultant reports appended to the EIS. The table has directly related mitigation measures responding to each impact also based upon the range of technical and specialist consultant reports appended to the EIS.

N.B. 'O' – Operational; 'C' – Construction

'Pe' – Performance based mitigation measure; 'Pr' – Prescriptive based mitigation measure 'Ma' – Management based mitigation measure

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
Traffic & Transport	Increased traffic, impacting the local road network, specifically the adjoining Altis Industrial Complex (SSD-10448).	C & O	A	3	Medium	Traffic control would be required to manage and regulate construction vehicle traffic movements to and from the Site during construction. All vehicles transporting loose materials will have the load covered and/or secured to prevent any items depositing onto the roadway during travel to and from the Site. All vehicles are to enter and depart the Site in a forward direction, with reverse movements to occur only within the Site boundary. All contractor parking is to be wholly contained within the site; and Pedestrian and cycle traffic along the site frontage will be managed appropriately at all times.	Pe	Management of traffic and transport impacts specifically during the construction phase and ongoing during operational.
Biodiversity	Delineation of clearing areas	C	D	3	Low	To avoid unnecessary removal or damage to the TEC's or other retained vegetation, the clearing area will be clearly demarcated with temporary fencing and signed, where appropriate, to ensure no vegetation beyond these boundaries will be inadvertently cleared during the construction process.	Pe	Unnecessary damage to trees to be retained.
	Erosion, sedimentation and pollution control	C	C	3	Medium	Construction activities will be undertaken in accordance with "The Blue Book" (Landcom 2004). These include implementation of the following measures: Installation of sediment control fences; Covering soil stockpiles; and Avoiding soil disturbance prior to heavy rainfall.	Pr	Sedimentation into retained and adjoining vegetation
	Pre-clearance survey	C	C	3	Low	Pre-clearance surveys will be conducted in all areas of vegetation that are required to be cleared.		Increased and unnecessary

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Pre-clearing surveys will be undertaken within one week of clearing. Habitat features will be marked during the preclearing survey.		mortality of native fauna.
	Staging of clearing	C	B	2	High	Animals disturbed or dislodged during the clearance but not injured will be assisted to move to adjacent bushland or other specified locations If animals are injured during the vegetation clearance, appropriate steps will be taken to humanely treat the animal		Increased and unnecessary mortality of native fauna.
	Weed management	Prior to C	C	2	High	Appropriate weed control activities will be undertaken in accordance with the Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022		Spread of weeds throughout the subject land and surrounding land.
	Vegetation clearance timing	C	C	3	Medium	The clearance of trees and vegetation would only occur outside of winter (June, July and August) to ensure fauna is less disturbed.	Ma	Increased and unnecessary mortality of native fauna.
	Impacts to fauna during construction	C	D	3	Low	Pre-clearance surveys will be conducted in all areas of vegetation that are required to be cleared. Pre-clearing surveys will be undertaken within one week of clearing. Habitat features will be marked during the pre-clearing survey. Any fauna found will be captured and relocated to nearby remnant vegetation and released.	Pe	Increased and unnecessary mortality of native fauna.
	Clearance of habitats during construction	C	C	3	Medium	Vegetation clearing will be conducted using a two-stage clearing process. Animals disturbed or dislodged during the clearance but not injured will be assisted to move to adjacent bushland or other specified locations If animals are injured during the vegetation clearance, appropriate steps will be taken to humanely treat the animal	Pr	Increased and unnecessary mortality of native fauna.

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
	Spread of weeds throughout site	C	D	4	Low	Appropriate weed control activities will be undertaken in accordance with the Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022 (LLS: Greater Sydney 2017).	Pe	Spread of weeds throughout the study area and surrounding land.
	Dam dewatering	C	B	4	Low	Prior to dam dewatering activities a Dam Dewatering Plan prepared that includes a strategy for dewatering of the three dams within the subject land and a relocation site for any fauna captured.	Pr	Increased and unnecessary mortality of native fauna.
	Erosion and transport of sediments as a result of soil disturbance during construction	C	C	3	Medium	Construction activities will be undertaken in accordance with “The Blue Book” (Landcom 2004). These include implementation of the following measures: Installation of sediment control fences; Covering soil stockpiles; and Avoiding soil disturbance prior to heavy rainfall	Pr	Sedimentation into retained and adjoining vegetation
Urban Design & Visual	Loss of existing visual landscape and threat to view corridors of local residents/ sensitive receivers.	C	C	3	Medium	Extensive planting with a mix of low, medium and high-level planting Retention of existing vegetation where possible. Implementation of a landscape maintenance and management regime to ensure the planting successfully establishes and thrives. Selection of colours for the buildings which are complementary palate to the existing and emerging landscape colours.	Pe	Loss of existing landscape and intrusion by unacceptable level of development.
Noise & Vibration	Construction noise	C	C	3	Medium	Avoiding the coincidence of noisy plant working simultaneously close together would result in reduced noise emissions. Equipment which is used intermittently is to be shut down when not in use. Where possible, equipment with directional noise emissions should be oriented away from sensitive receivers.	Pe	Disturbance to local amenity, including proximal sensitive receivers. Given the high level of construction

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>Regular compliance checks on the noise emissions of all plant and machinery used for the proposal would indicate whether noise emissions from plant items were higher than predicted. Where possible, heavy vehicle movements should be limited to standard construction hours.</p> <p>Non-tonal reversing alarms should be used on all items of plants and heavy vehicles used for construction.</p> <p>Inform all potentially impacted residents of the nature of works to be carried out, the expected noise level and duration, as well as contact details.</p> <p>Where possible, times identified by the community when they are less sensitive to noise to further understand best measures of when and how to manage noise impacts.</p> <p>Selection of quietest feasible construction equipment.</p> <p>Use of saw cutting in preference to rock-breakers where feasible.</p> <p>Localised treatment such as barriers, shrouds, and the like around fixed plant, such as pumps, generators, and concrete pumps.</p> <p>Plant Noise Audit – Noise emission levels of all critical items of mobile plant and equipment should be checked for compliance with noise limits appropriate to those items prior to the equipment going into regular service. To this end, testing should be established with the contractor.</p> <p>Operator Instruction – Operators should be trained in order to raise their awareness of potential noise problems and to increase their use of techniques to minimise noise emission.</p> <p>Equipment Selection – All fixed plant at the work sites should be appropriately selected, and where necessary, fitted with silencers, acoustical enclosures, and other noise attenuation</p>		within the precinct, cumulative impact from construction remains a concern.

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						measures in order to ensure that the total noise emission from each work site complies with EPA guidelines. Site Noise Planning – Where practical, the layout and positioning of noise-producing plant and activities on each work site should be optimised to minimise noise emission levels.		
	Operational noise	O	C	4	Low	Relocating heavy vehicle access routes away from the site boundary, taking advantage of screening afforded by the building envelope. Reducing peak 15-minute heavy vehicle movements across the development by staggering delivery/pickup times. Reducing peak 15-minute light vehicle movements across the development by staggering shift change times for employees. Minimising the concurrent use of forklifts and other mobile plant outside the warehouses (i.e., in the hardstand areas) and/or limiting their use to the less sensitive daytime and evening periods. The use of quieter mobile plant options, such as electric forklifts instead of gas-powered forklifts. Locating fixed mechanical plant away from the most-affected sensitive receivers, such as ground level locations instead of rooftop locations, and/or shielded behind the warehouse/office structures. The use of quieter fixed mechanical plant options, noting that this assessment assumes an indicative noise level for modelled mechanical plant. Acoustic screening, no less than 500 mm higher than the top of the plant, located as close as practicable to the plant. Best management practice – such as switching vehicles and plant off when not in use, education of staff and drivers regarding noise impacts, regular maintenance of plant and	Pr	Risk of disturbance from cumulative operational impact with multiple tenants operating logistics facilities that has the potential to cause impact to nearby sensitive receivers.

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>equipment to minimise noise emissions, use of silent or non-tonal reverse alarms instead of tonal alarms, minimising use of reverse alarms by providing forward manoeuvring where practicable.</p> <p>Minimise use of reversing alarms or alternatively installing "squawkers".</p> <p>Turning off all engines when not required.</p> <p>Where possible, schedule heavy vehicle movements during the day and/or evening periods.</p> <p>Training of staff and employers should include noise awareness component, community consultation and response to complaints.</p> <p>Keeping roller shutter doors closed when not in use.</p> <p>Warehouse noise sources such as roof top mechanical plant and forklifts in hardstand areas have been modelled throughout the development.</p>		
Indigenous Heritage	Disturbance to sub-surface objects and artefacts.	C	C	2	Medium	An Archaeological Research Design & Methodology is to be prepared for the sub-surface investigation of the identified landscape features and their potential for retaining Aboriginal objects and archaeological resources.	Pr	Potential destruction of sub-surface objects are artefacts that have cultural value.
	Construction workers/ contractors inappropriately handling or destroying potential artefacts	C	C	2	Medium	Induction materials be prepared for inclusion in site inductions for any contractors working at the subject area.	Pr	A lack of education awareness could result in a contractor not following the correct procedure when finding a

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
	or items of significance.							potential artefact or item of significance.
	A recovered item is not respectfully handled upon being found on site.	C	D	2	Low	Aboriginal objects recovered from the test excavation program will be reburied within the study area, outside the proposed impact area.	Pe	A recovered item is not respectful reburied on site in line with the methodology as presented in the ACHA.
Stormwater & Drainage	Water Quality Management	C	D	3	Low	Detention storage via OSD/ Bio-Retention Basin	Pe	A lack of detention storage on site will result in increased local outflows from the development.
	Stormwater Quality	C	D	3	Low	Stormwater Treatment Measures (STM's) are to be incorporated into the civil design.	Pe	Development impervious areas such as roofs, hardstand, car parking, roads and other impervious areas will threaten the quality of water being output via stormwater.
Waterways & Riparian Areas	Realignment of an existing watercourse and the construction of	C	D	3	Medium	A VMP be prepared outlining how the creek systems and native vegetation within the re-aligned corridor are to be revegetated and managed.	Ma	The removal of vegetation throughout the land will result in

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
	a trunk drainage corridor.					<p>Rocks will be placed to recreate the natural appearance of a creek-bed with sufficient space between rocks for planting with riparian/aquatic plant species.</p> <p>The watercourse channel will also incorporate instream woody debris to create instream aquatic habitat, have a range of different surfaces along the bed and banks of the channel to create different geomorphic features such as pools and riffles during high flow events.</p>		alterations to drainage pathways and will alter flows as a result. The construction of the roads and other hardstand areas that was previously vegetated will have potential to alter surface hydrological conditions and increase volume and velocity flows impacting water quality.
	Dewatering and decommission of three farm dams	C	B	3	Medium	<p>A Dam Dewatering Plan will be prepared as specified in the VMP which will include provision for staged dewatering under ecologist supervision to enable relocation of aquatic species recorded from the dams.</p> <p>The loss of aquatic habitat will also be compensated for by the creation of a watercourse as well as water detention basins in the subject land.</p>	Pe	Loss of habitat for aquatic species on site.
	Discharge into creeks and drainage lines.	O	D	3	Low	WSUD has been incorporated into the design of the YLE to maintain quality of discharge into creeks and drainage lines	Pe	Ensuring no impact to discharge from the site into local waterways or

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
								drainage infrastructure.
	Erosion and sediment control	C	D	3	Low	Erosion and sediment control measures will be implemented throughout the construction periods in order to minimise potential impacts to the existing hydrological processes of the site. A Sediment and Erosion Control Plan has been lodged as an appendix to the EIS.	Pr	Potential for runoff and impact the existing hydrological processes of the site.
Soil & Water	Groundwater dewatering	C	C	3	Medium	Groundwater dewatering to be undertaken in accordance with the Groundwater Management Plan.	Pe	Incorrect procedure may result in contamination as the as the site can be exposed to and affect potential receptors (e.g. demolition, construction workers and future site users).
Bushfire	Impact to the proposed development by threat of bushfire.	O	D	4	Low	An emergency evacuation plan is to be prepared for the site. Rainwater tanks and hydrants are to be provided with each warehouse development. All hazardous materials and gas infrastructure is to be appropriately located from fire hazard. Tree canopy cover of less than 15% should be located greater than 2m from any part of the roofline of a building. Garden beds or flammable shrubs are not to be located under trees or closer than 10m from an exposed window/door.	Ma	Potential damage to life and property as a result of threat from bushfire and inappropriate mitigation measures.

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Trees should have lower limbs removed up to a height of 2m above the ground.		
Hazards & Risk	Dangerous goods stored on site	O	D	3	Low	<p>All DGs shall be stored in a manner which complies with the applicable storage standards (i.e. AS/NZS 3833:2007 or class specific standards such as AS 1940-2017).</p> <p>The documentation required by the Work Health and Safety (WHS) Regulation 2017 shall be prepared to demonstrate the risks have been assessed and minimised So Far As Is Reasonably Practicable (SFARP) as required by the WHS Regulations.</p> <p>Where flammable gases or liquids are stored, a hazardous area classification in accordance with AS/NZS 60079.10.1:2009 shall be prepared to ensure that an ignition source does not enter a hazardous atmosphere as required by the WHS Regulations.</p>	Pr	Potential risk from future dangerous goods to be stored in site within warehouse tenancies.
Waste Management	Amassing of waste as a result of both construction and operation	C & O	C	4	Low	<p>Practical building design and construction techniques, including construction staging and ordering pre-cut materials at the required sizes.</p> <p>Appropriate collection and subsequent reuse, recycling or treatment offsite for items such as batteries, cardboard, timber, plastic, glass etc. during construction, demolition and operational phases.</p> <p>Careful on-site storage, sorting and separation of different waste products, especially for waste appropriate for recycling and reuse.</p> <p>Returning certain waste products (e.g. packaging) to the suppliers where possible.</p> <p>Acquiring materials and goods from waste reducing sources (e.g., recycled materials, fit for purpose packaging, leased equipment and machinery).</p>	Pr	Threat of incorrect disposal of waste streams which have potential for environmental risk.

SEAR	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Other operational, waste reduction and management practices (e.g., provision of take back services to clients, flattening cardboard waste, recycle collection in offices and tearooms). Hiring of qualified contractors for handling waste removal properly informing sub-contractors of waste management procedures. Waste Storage and Management during the demolition, construction and operational phases is to be undertaken in accordance with the Waste Management Plan		
Greenhouse Gas & Ecologically Sustainable Development	Development note being undertaken in a manner that adopts ESD principles.	C	D	4	Low	Use natural ventilation to reduce mechanical ventilation costs. Incorporate standard solar design principles to maximise natural heating and cooling (e.g., managing levels of glazing, wall insulation, use of louvres and curtains). Investigate the viability of sustainable energy sources for operations (e.g., solar panels). Adopt air conditioning design features that improve efficiency (e.g., window sensors, sub-metering, temperature sensors). Utilize light saving technologies and principles (e.g., LED lighting, light sensors, natural lighting). Use of energy efficient appliances.	Ma	Development potentially resulting in increased greenhouse gas emissions and not adopting best practice in ESD principles.
Flooding	Threat of flooding from overland flow and the existing dam to the north-easts of the site.	C & O	D	3	Low	Overland flow can be managed by conveying through the realigned trunk drainage corridor while also draining portions via an inter-allotment pipe. The final conveyance arrangement will be subject to the precinct layout and trunk drainage strategy for the precinct. Development adjacent to the existing dam to the north east will be built with a minimum flood planning level	Ma	Flooding occurring to the site and causing associated damage.

APPENDIX 3 EROSION AND SEDIMENT CONTROL – PERFORMANCE CRITERIA

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

1. Minimise erosion
 - (a) minimise the duration of soil exposure by undertaking land clearing and stabilisation according to the 'Blue Book' Section 7.1.2 and Table 7.1;
 - (b) effectively stabilise all site surfaces using methods that will continue to achieve effective stabilisation in the medium to long term. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation, or lead to water contamination;
2. Manage concentrated stormwater flows
 - (a) implement drainage and erosion control measures (including contingency measures), prior to rainfall, which prevent or minimise rill erosion and gully erosion;
 - (b) ensure clean stormwater is diverted/managed around or through the site without increasing the concentration of total suspended solids or other contaminants in the flow and without causing erosion (on-site or off-site). If it is not feasible to divert all areas discharging clean stormwater around or through the site, the clean stormwater runoff is managed in the same manner as contaminated stormwater runoff and ensures that sediment basins are sized to accommodate the additional volume of runoff;
 - (c) prior to each rainfall event ensure concentrated stormwater flow paths are provided with capacity for the 10% AEP critical duration event and do not cause water contamination, rill or gully erosion, sedimentation or damage to structures or property for at least that event frequency;
3. Minimise sediment released from the site
 - (a) all site sub-catchments greater than 2,500m² in area, are to be provided with sediment controls which are designed, implemented and maintained to a standard which would achieve at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L Total Suspended Solids (TSS) or less, and pH in the range 6.5–8.5. Where this is proposed to be achieved through the use of sediment basins, the following applies:
 - (i) each basin is sized and operated in accordance with either a Type-A or Type-B sediment basin as documented in IECA BPESC Appendix B (June 2018), based on the contributing catchment area including undisturbed catchments which cannot be diverted;
 - (ii) each basin is to be provided with an automated system of flocculant dosing and a suitable supply of flocculant/coagulant, with the type of flocculant/coagulant determined based on jar testing and reference to the Chemical Coagulants and Flocculants Fact Sheet (IECA BPESC 2018). The proposed coagulant/flocculant must have regard to the downstream receiving environment and water quality;
 - (iii) each basin must have suitable access to allow for maintenance immediately following a rainfall event, including for sediment removal, dewatering and water treatment;
 - (iv) markers are provided within each basin indicating the maximum sediment storage level and any additional water storage capacity for water reuse;
 - (v) during discharge from the primary outlet system, the concentration of total suspended solids (TSS) discharged does not exceed 50mg/L and that pH is within the range of 6.5-8.5. These discharge standards apply equally to any intentional release of any water captured or stored within the site;
 - (vi) hydraulic structures such as inlets, outlets, spillways must be provided with the capacity, and be structurally sound, for the design events as specified in IECA BPESC Appendix B (June 2018);
 - (vii) the sediment basin is to be constructed and operational before any disturbance occurs in the catchment upslope of the basin;
 - (viii) accumulated sediment from basins and other controls is to be removed and disposed of appropriately without causing water contamination;
 - (b) for site sub-catchments less than 2,500m² in area and where it is not feasible to divert runoff from these small disturbed areas of the site to a sediment basin, compensatory erosion and sediment controls are implemented and maintained prior to rainfall to ensure that erosion of those areas is minimised and sediment controls are provided in accordance with the 'Blue Book'.
4. Manage works within waterways
 - (a) work within waterways and drainage lines with catchments exceeding 15ha is to be:
 - (i) scheduled to occur between June–October, where possible;
 - (ii) rescheduled if rainfall is forecast, where possible;
 - (iii) promptly rehabilitated conforming to the natural channel form, substrates and riparian vegetation as far as possible;

- (iv) provided with flow diversion works and temporary bank and channel stabilisation works such that the works are stable during at least the 39% AEP stream flow event;
- (b) temporary vehicular crossings of waterways are to be designed and constructed to convey flows for the 63% AEP and remain stable for all rainfall events up to the 10% AEP event of critical duration;
- (c) erosion and sediment controls are not to be constructed within the riparian buffer zone, unless it is not feasible to site them elsewhere, and then only within cleared areas.

5. Manage other contaminants

- (a) any release of captured or contained stormwater or groundwater from the site or to stormwater drainage or waterways within the site (for example pumping or releasing water from trenches, excavations or water impoundments) is to achieve a concentration of total suspended solids (TSS) which does not exceed 50mg/L and pH within the range of 6.5-8.5;
- (b) there are to be no visible oils, sheens, anthropogenic litter or discolouration in any release from the site or to stormwater drainage or waterways within the site. Facilities are to be provided for litter collection and designated concrete washout areas to assist in meeting this requirement. Storage areas for site materials and waste are to be kept covered;
- (c) erosion and sediment controls are to be constructed with UV stabilised materials that will not become a pollutant source and are to be promptly removed once the contributing catchment has been permanently stabilised.

APPENDIX 4 RESIDENTIAL SENSITIVE RECEIVERS



Figure 5: Residential Sensitive Receivers

APPENDIX 5 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 C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

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