

## CONSTRUCTION CERTIFICATE No. 212330/01

Issued under the Environmental Planning and Assessment Act 1979 Sections 6.4 and 6.7 & Part 3 of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulations 2021

### Owner

Name: Tom Falconer  
Address: 25 Martin Place, Sydney NSW 2000

### Property details

Address: 754-789 Mamre Road, Kemps Creek  
Lot/Portion No: 180  
DP No: DP120397  
Municipality: Penrith City Council

### Description and value of development

Description: 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<sup>2</sup>, landscaping, construction of estate roads, site servicing and stormwater infrastructure  
Value of work: \$85,997,208.00

### Building Code of Australia building classification

Part: Earthworks Stage 1, Bulk Earth Works  
Use: Office, Warehouse  
BCA classification: 5, 7b

### Determination

Approved/Refused: Approved  
Date of Determination: 21 December 2023

### Plans and specifications approved

- MGC Approved Plans prepared by SBA Architects numbered DA110 [F], DA120 [F], DA310 [F], DA320 [F], MP01 [F], MP02 [F], MP03 [D], MP06 [F], C013874.06-SSDA300 [J], C013874.06-SSDA400 [N], C013874.06-SSDA405 [H], C013874.06-SSDA500 [M]

### Attachments

- Conditions of approval
- Application form for Construction Certificate
- Record of Site Inspection
- Long Service Levy Receipt prepared by Long Service Corporation dated 06 December 2023
- Design Certificate for Civil and Bulk Earthworks prepared by CRC dated 15 December 2023
- Plans for Civil and Bulk Earthworks prepared by CRC dated 15 December 2023
- Plans prepared by Dial before you dig dated 11 November 2023
- Email Correspondence regarding Deferment of Contributions prepared by GPT Group dated 12 December 2023
- Email Correspondence regarding Deferment of Contributions prepared by Penrith Council dated 12 December 2023
- Email Correspondence regarding LSL instalments prepared by GPT Group dated 8 November 2023
- Email Correspondence regarding LSL instalments for CC1 prepared by GPT Group dated 7 November 2023
- Post Execution Letter prepared by NBN dated 12 April 2023
- Email Correspondence regarding nbnT New Development Application STG-W000265206 prepared by NBN CO dated 15 December 2023
- NSW Land Registry services prepared by Dye & Durham dated 10 January 2023

---

**Development Consent**

Certificate no.: SSD-10272349  
Date of Determination: 22 September 2023

---

**Certificate / Registered Certifier**

McKenzie Group Consulting (NSW) Pty Ltd, certify that the work, if completed in accordance with these plans and specifications will comply with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 as referred to in Section 6.8 of the Environmental Planning and Assessment Act 1979.

**Signature**

Signed on behalf of the Company, McKenzie Group Consulting (NSW) Pty Ltd  
(ACN 093 211 995), Registered Body Corporate No. RBC 00006  
Signed by: Paul Curjak  
Registered Certifier Grade: Building Surveyor—Unrestricted  
BDC Registration No.: 2773

Date of endorsement **21 December 2023**  
Certificate Number **212330/01**

---

**Note:** Prior to commencement of work section 6.6 of the Environmental Planning and Assessment Act 1979 must be satisfied.

## ATTACHMENT 1

### Conditions of Approval

(Pursuant to Section 22 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021)

#### Fire safety systems in class 2-9 buildings – the Act S6.33(1)

1. It is a condition of this construction certificate for building work involving the installation, modification or extension of the relevant fire safety system cannot commence unless:
  - a) plans have been submitted to the principal certifying authority that show:
    - i. in the case of building work involving the installation of the relevant fire safety system—the layout, extent and location of key components of the relevant fire safety system, or
    - ii. in the case of building work involving the modification or extension of the relevant fire safety system—the layout, extent and location of any new or modified components of the relevant fire safety system, and
  - b) specifications have been submitted to the principal certifying authority that:
    - i. describe the basis for design, installation and construction of the relevant fire safety system, and
    - ii. identify the provisions of the Building Code of Australia upon which the design of the system is based, and
  - c) those plans and specifications:
    - i. are certified by a compliance certificate as complying with the relevant provisions of the Building Code of Australia, or
    - ii. are endorsed by an accredited practitioner (fire safety) as complying with the relevant provisions of the Building Code of Australia, and
  - d) if the plans and specifications were submitted before the construction certificate was issued—the are endorsed by a certifier with a statement that the certifier is satisfied that it correctly identifies relevant performance requirements and the deemed-to-satisfy provisions, and
  - e) if those plans and specifications were not submitted before the construction certificate was issued—each of them was endorsed by the principal certifier with a statement that the principal certifier is satisfied that it correctly identifies both the performance requirements and the deemed-to-satisfy provisions of the Building Code of Australia.
2. Subsection (1)(c)(ii) does not apply to the extent of an exemption under section 74(4).