



Construction Environmental Management Plan

Mirvac Projects Pty Ltd

Prepared by:

SLR Consulting Australia

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Revision Record

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Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Mirvac Projects Pty Limited (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.



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Appendices

Appendix A	SSD 10448 Consent
Appendix B	SSD 60513208 Consent
Appendix C	Relevant Conditions of Consents
Appendix D	Construction Traffic Management Plan
Appendix E	Erosion and Sediment Control Plans
Appendix F	Construction Noise and Vibration Management Plan
Appendix G	Construction Air Quality Management Plan
Appendix H	Community Consultation and Complaints Handling



1.0 Introduction

This Construction Environmental Management Plan (CEMP) has been prepared by SLR Consulting Australia Pty Ltd (SLR) on behalf of Mirvac Industrial Developments Pty Limited (Mirvac) in support of:

- a concurrent Concept Approval modification application to SSD-10448 (MOD 6) and; (see **Section 1.1**)
- a Stage 4, State Significant Development Application (SSDA) for the staged development of 788-882 Mamre Road, Kemps Creek (Lots 1, 2 and 5 DP 1285305 and Lots 6 and 7 in DP1291562) known as Aspect Industrial Estate (AIE). (see **Section 1.2**)

This CEMP has been specifically prepared to cover the construction of warehouse and distribution centre buildings proposed in Lot 8 (Warehouse 8).

It should be noted that, a Master Construction Environmental Management Plan (Master CEMP) (SLR, 2022) covers the estate-wide earthworks, infrastructure and services of the approved construction works (Stage 1 – BEW & Infrastructure).

Aspect Industrial Estate (AIE) is a regional warehouse, distribution and industrial centre located at Kemps Creek within the Penrith local government area (LGA) and forms part of the broader Mamre Road Precinct located within the Western Sydney Employment Area (WSEA) (see **Figure 1**). Warehouse 8 is within Lots 1, 2 and 5 DP 1285305 and Lots 6 and 7 in DP1291562. AIE Lot 8 (the site) has a total area of 75,720 m².

1.1 SSD 10448

Mirvac Property Services (Aust) Pty Ltd (Mirvac) obtained the State Significant Development (SSD) Consent SSD 10448 on 24 May 2021 from the Department of Planning and Environment (DPE) for the AIE Concept Proposal and Stage 1 Development of the AIE (AIE – Stage 1). SSD 10448 sets out the conditions for Warehouse 8/Lot 8. There have been six modifications to SSD 10448 with Mod 6 the most relevant to Warehouse 8. A copy of SSD 10448 is attached as **Appendix A**.

- MOD 1 was determined on 25 August 2022, an administrative modification to clarify the consent by imposing requirement of a Works Authorisation Deed (WAD) for temporary construction access on Mamre Road.
- MOD 2 was determined on 30 November 2022 and made modifications to the approved Stage 1 development including amendments to layouts of Warehouses 1 and 3 and Access Road 2.
- MOD 3 was determined on 2 March 2023 for reconfiguration of the estate layout south of Access Road 1 and west of Access Road 3, resulting in a reduction of lots and new warehouse footprints with an amendment to Access Road 4.
- MOD 4 was for incorporation of the Elizabeth Enterprise Precinct (EEP) site into the AIE concept proposal, and the undeveloped EEP site in the interim stormwater management approach at the AIE to meet the Wianamatta-South Creek stormwater management targets.
- MOD 5 was determined on 12 December 2023, administrative modification for the use of the temporary left-in/left-out construction access on Mamre Road by Warehouse 1 operational vehicles.



- MOD 6 was for concept modifications and modifications to conditions of consent relating to plan references.

The AIE Concept Proposal comprises of 9 industrial or warehouse and distribution centre buildings, internal road network layout, building locations, gross floor area (GFA) of up to 245,377 square metres (m²), car parking, concept landscaping, building heights, setbacks and built form parameters.

1.2 SSD 60513208

Mirvac obtained SSD 60513208 on 11 October 2024 from DPHI for Stage 4 construction and operation of Warehouse 8. A copy of SSD 60513208 is attached as **Appendix B**.

1.3 CEMP Context

This CEMP has been prepared to address the specific requirements of SSD 10448, SSD 60513208 and in consideration of the *Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources 2004).

This CEMP has been prepared to cover only Stage 4 – Building Works for Lot 8.

This CEMP contains the following key components:

- A description of the construction activities to be undertaken on site, including construction staging and timing
- Environmental management framework, including key contacts, roles and responsibilities, and regulatory requirements
- Environmental management commitments and responsibilities
- Monitoring, inspections and reporting requirements
- Complaints and non-compliance management strategy
- Environmental incident management strategy
- Inclusion of specialist management plans and protocols, listed below:
 - Construction Traffic Management Plan (CTMP)
 - Erosion and Sediment Control Plan (ESCP)
 - Construction Noise and Vibration Management Plan (CNVMP)
 - Construction Air Quality Management Plan (CAQMP)
 - Community Consultation and Complaints Handling Strategy (CCCHS)

The CEMP and specialist management plans will be reviewed, implemented, and monitored together as an integrated suite of documents.



Figure 1: Regional Locality

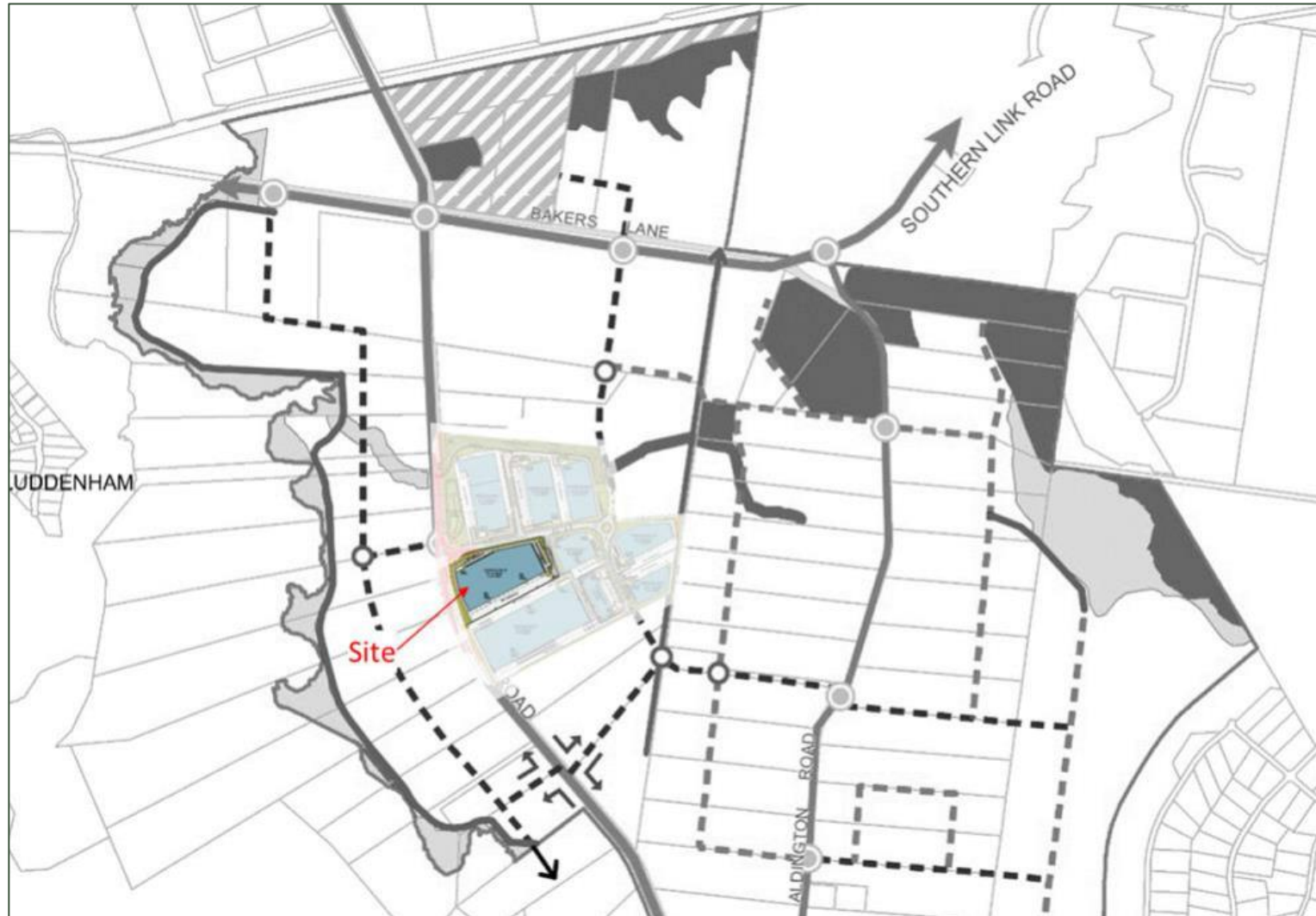


Figure 2: Site Overview



1.3.1 Scope

This CEMP has been prepared to satisfy Conditions E1, E2 and E4 of SSD 10448 and Conditions C1, C2, C3 and C4 of SSD 60513208. The specific requirements of these consent conditions, along with where these requirements have been addressed within this CEMP, are listed in **Table 1**. In addition to this, all conditions of consent relevant to this CEMP are attached at **Appendix C**, including reference to where they have been addressed.

Table 1: CEMP Conditions Review

SSD 10448 Consent Conditions	CEMP Section
E1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	
(a) detailed baseline data;	Appended Management Plans



(b) details of: (i) the relevant statutory requirements (including any relevant approval, licence, or lease conditions);	Section 3.2.1
(ii) any relevant limits or performance measures and criteria; and	Appended Management Plans
(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;	Appended Management Plans
(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Section 4.0
(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;	Section 5.0
(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;	Section 6.0
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Section 7.0
(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	Section 3.4.2 and Section 3.5
(h) a protocol for periodic review of the plan.	Section 7.0
Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans	Noted
E2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition E1 and to the satisfaction of the Planning Secretary.	This Plan, refer to Condition E1 cross references above
E4. The Applicant must:	
(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and	This CEMP and appended management plans will be referred to the Secretary for approval
(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.	Noted
SSD 60513208 Consent Conditions	CEMP Section
C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	Section 4.0
(a) a condition compliance table for that plan;	
(b) detailed baseline data where required;	Appended Management Plans
(c) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and	Section 3.2.2



(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;	
(d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Section 4.0
(e) a program to monitor and report on the: (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;	Section 5.0
(f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;	Section 6.0
(g) a program to investigate and implement ways to improve the environmental performance of the development over time;	Section 7.0
(h) a protocol for managing and reporting any: (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and	Section 3.4.2 and Section 3.5
(i) a protocol for periodic review of the plan.	Section 7.0
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.	This Plan
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);	Section 4.2, Appendix D
(b) Erosion and Sediment Control Plans (see condition B15);	Section 4.3, Appendix E
(c) Construction Noise and Vibration Management Plan (see condition B29);	Section 4.4, Appendix F
(d) Construction Air Quality Management Plan (see condition B45); and	Section 4.5, Appendix G
(e) Community Consultation and Complaints Handling.	Section 4.6, Appendix H
C4. The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Noted

It is also noted that Mirvac, the construction contractor, and any engaged subcontractors shall at all times operate in compliance with Condition C1 of SSD10448 and Condition A1 of SSD 60513208 which reads:

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 Stage 4 Development, and any rehabilitation required under this consent.

1.3.2 Objectives

The objectives of this CEMP are to:

- Establish the framework for managing and mitigating the potential for adverse environmental impacts as a result of the construction of Stage 4 – Building Works for Lot 8



- Clearly and concisely document the commitments made in the Environmental Impact Statement (EIS) (Urbris,2023) including relevant management plans, that are required to be implemented with during construction
- Demonstrate to DPHI how the applicant proposes to meet all its regulatory obligations including those outlined in the Conditions of Consent
- Outline the controls to be implemented by the contractor to meet those obligations
- Clearly and concisely document the conditions imposed by SSD 10448 and SSD 60513208 that are required to be implemented and/or complied with during the construction phase
- Assist to establish Stage 4 – Building Works for Lot 8 in a manner that avoids (where possible) or minimises impact to the surrounding environment and community.

1.3.3 Preparation

This CEMP has been prepared by SLR and the author qualifications are listed in **Table 2** below.

Table 2: Author Qualifications

Name, Role & Division	Qualifications	Experience
Jessica Keegan Project Consultant Environmental Assessment & Management	M Env M and S B SW/A	Jessica is a Project consultant with industry experience, in sand and hard rock quarries. Jessica has experience in Environmental Reporting, Site Compliance Monitoring and Reporting, Water Consumption Management Plans, Monitoring and Environmental Management Plans. Jessica previously has worked as a Senior Social Worker with experience in Government, Community and Stakeholder Consultation and Engagement.
Harry Peter Project Consultant – Environmental Management, Permitting and Compliance	Master of Urban Planning & Environment Bachelor of Architecture	Harry is a Project Consultant at SLR within the Environmental Management, Permitting & Compliance team. He has a background in Town Planner/Architect and also worked as a Client Manager for a Residential Builder, securing Developer Approvals (DA's) and Building Permits for home buyers.
Alanna Ryan Principal Consultant Environmental Assessment & Management	B Env Sc Grad Cert Community Relations	Alanna is a Principal Environmental Consultant with over 15 years of experience in industry. Experience Alanna has, includes Environmental Management Systems (incorporating risk assessment/management, strategies, management plans, inspections and auditing) and statutory reporting.
Sean Wilson Principal Consultant - Environmental Management, Permitting and Compliance	Master of Urban Planning & Environment	Sean has over 27 years of Town Planning experience and has been working at SLR Consulting since April 2022. Sean has worked on various projects Australia wide including large renewable energy projects for wind and Hydrogen within Victoria and Western Australia including project managing and authoring traffic light and desktop assessments for offshore wind farms in the Gippsland region. Sean has also worked on infrastructure projects for APA, Telstra, Northeast Link (NELP) & Client assessing



		planning, environment and heritage risks, Planning Scheme Amendments, CEMP's and obtaining approvals where required for infrastructure works in Australia wide.
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1.3.4 Consultation

In accordance with SSD 10448 and SSD 60513208, consultation has been undertaken with the applicable stakeholders which is summarised in **Table 3**, and documentation attached at **Appendix H**.

Table 3: Consultation

Condition	Comment
SSD-10448	
<p>Staging Plan</p> <p>A10. Prior to the commencement of construction of any stage of the Concept Proposal, the Applicant shall prepare a Staging Plan for the Development, to the satisfaction of the Planning Secretary. The plan shall:</p> <p>a) be prepared in consultation with Council, utility and service providers and other relevant stakeholders;</p>	<p>In accordance with Condition A10, Mirvac developed a staging Plan and has consulted with the relevant parties required under the relevant CEMP sub-management plan conditions.</p>
<p>Evidence of Consultation</p> <p>A18. Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<p>CEMP Consultation: In accordance with Condition C8, Mirvac has consulted with relevant parties required under the relevant CEMP sub-management plan conditions.</p> <p>General consultation: Consultation required under the conditions of consent will be undertaken by the Applicant or the Applicant's representative and provide a minimum of 10 business days' consultation period. Details of this consultation will be provided to the Planning Secretary in accordance with Condition C8(b) prior to submitting any documentation to the Planning Secretary in accordance with Condition C8(a).</p>
<p>Evidence of Consultation</p> <p>C8. Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <p>(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<p>Consultation required under the conditions of consent will be undertaken by the Applicant or the Applicant's representative and will provide a minimum 10 business day consultation period. Details of this consultation will be provided to the Planning Secretary in accordance with Condition C8(b) prior to submitting any documentation to the Planning Secretary in accordance with Condition C8(a).</p>
<p>Protection of Public Infrastructure</p> <p>C12. Before the commencement of construction, the Applicant must:</p> <p>(a) consult with the relevant owner and provider of services that are likely to be affected by the Stage 4 Development to make suitable arrangements for access to, diversion, protection, and support of the affected infrastructure;</p>	<p>(a) The Applicant has undertaken dial before you dig investigations and detailed survey and potholing to confirm any services likely to be affected by the Stage 4 development. The applicant has made suitable arrangements for either access to, diversion of, protection, and support</p>



<p>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters, and footpaths); and</p> <p>(c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.</p>	<p>of any affected infrastructure which includes the following:</p> <ul style="list-style-type: none"> • Endeavour Energy • Telstra / NBN • Jemena • TfNSW • Sydney Water • Penrith City Council • Landowner at 833B (in accordance with Condition D12) <p>(b) A dilapidation report has been prepared in accordance with this condition.</p> <p>(c) Planning Secretary: Dilapidation report was uploaded to the Major Projects Portal under Post Approval Document SSD-10448-PA-4. The Planning Secretary acknowledged receipt of the dilapidation report.</p> <p>TfNSW: Dilapidation report was provided to TfNSW via email and TfNSW acknowledged the receipt.</p>
<p>External Walls and Cladding</p> <p>C24. Prior to the issue of:</p> <p>(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</p> <p>(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. 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.</p>	<p>The Applicant will provide documented evidence to the Certifier and Planning Secretary in accordance with Condition C24.</p>
<p>Utilities and Services</p> <p>C28. Before the issue of a Subdivision 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:</p> <p>(a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and</p> <p>(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.</p>	<p>The Applicant will provide evidence to the Certifier in accordance with Condition 28.</p>
<p>Environmental Representative</p> <p>C31(e). The Applicant must engage an Environmental Representative (ER) to oversee construction of the Stage 4 Development. Unless otherwise agreed to by the Planning Secretary, construction of the Stage development must not commence until an ER has been approved by the Planning</p>	<p>This CEMP will be reviewed by the ER and a written statement will be provided to the Planning Secretary in accordance with Condition 31(e).</p>



<p>Secretary and engaged by the Applicant. The approved ER must:</p> <ul style="list-style-type: none"> e) review the CEMP required in Condition E2 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: <ul style="list-style-type: none"> (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); (j) attend the Mamre Road Precinct Working Group (see Condition C34) in a consultative role in relation to the environmental performance of the Stage 4 development; and <p>...</p>	<p>ER will attend the Mamre Road Precinct Working Group (see Condition C34), as scheduled</p>
<p>Mamre Road Precinct Working Group</p> <p>C34. Within three months of the commencement of construction of the Stage 1 Development and until all components of the Stage 1 development are constructed and operational, the Applicant must establish and participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:</p> <ul style="list-style-type: none"> (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP; (b) meet periodically throughout the year to discuss, formulate, and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP; (c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group; (d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP; (e) review community concerns or complaints with respect to environmental management; (f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and (g) provide the Planning Secretary with an update and strategies, if a review under subclause (d) and (e) identifies additional measures and processes are required to be implemented by the working group. <p>C35. Three (3) months prior to completion of construction of all components of the Stage 4 development, the Applicant is</p>	<p>A Mamre Road Precinct Working Group has been established to coordinate works throughout the Mamre Road Precinct and follow the requirements of C34 and C35.</p> <p>The Working Group will regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of meetings and actions to be undertaken by the Working Group.</p>



<p>eligible to exit the working group required under condition C34. The Applicant must:</p> <ul style="list-style-type: none"> (a) consult with the Planning Secretary; (b) provide confirmation that all components of the Stage 1 development are operational; and (c) advise on the date of the proposed exit. 	
<p>Construction Traffic Management Plan</p> <p>D1. Prior to the commencement of construction of the Stage 4 Development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition E2 and must:</p> <ul style="list-style-type: none"> (b) be prepared in consultation with Council and TfNSW; 	<p>Undertaken as part of the Construction Traffic Management Plan (see Appendix D).</p>
<p>Traffic Signal Plan (TSP)</p> <p>D14. Prior to the issue of a construction certificate for the Mamre Road/Access Road 1 intersection (the intersection) construction, the Applicant must finalise and submit the detailed design of the intersection works, including an endorsed Traffic Signal Plan (TSP) to TfNSW for approval. The TSP must:</p> <ul style="list-style-type: none"> (a) demonstrate the proposed traffic control light at the intersection is designed in accordance with Austroads Guide to Road Design, RMS Signal Design Manual, and Australian Codes of Practice; and (b) be approved and endorsed by a suitably qualified practitioner. 	<p>The requirements under Condition D14 will be satisfied prior to the commencement of construction of Building 8 of the Stage 4 development.</p>
<p>Stormwater Management Plan</p> <p>D30. Within three (3) months prior to the commencement of operation of building 8 of the Stage 4 Development, the Applicant must prepare a Stormwater Management Plan (SMP) to the satisfaction of the Planning Secretary. The SMP must:</p> <ul style="list-style-type: none"> (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 Environment and Heritage, Sydney Water, DPE, and Council; 	<p>The requirements under Condition D30 will be satisfied prior to the commencement of operation of Building 8 of the Stage 4 development.</p>
<p>Biodiversity</p> <p>D67. The Applicant must provide the Planning Secretary with evidence that:</p> <ul style="list-style-type: none"> (a) the retirement of ecosystem credits has been completed (see Condition D65); or (b) a payment has been made to the Biodiversity Conservation Fund (see Condition D66), prior to undertaking any clearing of native vegetation and <i>Myotis macropus</i> habitat. 	<p>Noted – The Applicant has provided evidence of completed credit retirement and payment to the Planning Secretary prior to the undertaking of any clearing of native vegetation and <i>Myotis macropus</i> habitat.</p>
SSD-60513208	
<p>A14. 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:</p> <ul style="list-style-type: none"> (a) construction 	<p>Noted, the applicant will notify the Planning Secretary in writing, at least one month before construction.</p>



<p>A16. Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval;</p> <p>(b) provide details of the consultation undertaken including:</p> <p style="padding-left: 40px;">(i) the outcome of that consultation, matters resolved and unresolved; and</p> <p style="padding-left: 40px;">(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<p>A Community Consultation and Complaints Handling has been prepared and can be found at Appendix H</p>
<p>A18. 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.</p>	<p>Noted</p>
<p>A20. Prior to the commencement of construction of the development, the Applicant must:</p> <p>(a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;</p> <p>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and</p> <p>(c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.</p>	<p>(a) Relevant consultation has been undertaken (refer to subplans) and will continue throughout the construction phase.</p> <p>(b) A dilapidation report will be prepared.</p> <p>(c) The dilapidation report will be submitted to the Planning Secretary and TfNSW.</p>
<p>A35. The Applicant must engage an Environmental Representative (ER) to oversee construction of the development. Unless otherwise agreed to by the Planning Secretary, construction of the development must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant.</p>	<p>This CEMP will be reviewed by the ER and a written statement will be provided to the Planning Secretary</p>
<p>A38. Prior to the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:</p> <p>(a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;</p> <p>(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;</p> <p>(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;</p> <p>(d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;</p>	<p>A Mamre Road Precinct Working Group has been established to coordinate works throughout the Mamre Road Precinct.</p> <p>The Working Group will regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of meetings and actions to be undertaken by the Working Group.</p>



<p>(e) review community concerns or complaints with respect to environmental management;</p> <p>(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</p> <p>(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.</p>	
<p>A39. Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A38. The Applicant must:</p> <p>(a) consult with the Planning Secretary;</p>	Noted
<p>B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:</p> <p>(b) be prepared in consultation with Council and TfNSW;</p> <p>(h) include a consultation strategy for liaising with and managing the cumulative impacts of other developments in the MRP including the Mamre Road and Elizabeth Drive Upgrade Projects;</p>	A Construction Traffic Management Plan has been prepared and can be found in Appendix D
<p>B22. Prior to the commencement of construction of the development, the Applicant must prepare a Flood Emergency Response Plan (FERP). The Plan must:</p> <p>(b) be prepared in consultation with the NSW State Emergency Services (SES);</p>	A Flood Emergency Response Plan has been prepared.
<p>B29. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:</p> <p>(e) describe the community consultation undertaken to develop the strategies in condition B29(d);</p>	A Noise and Vibration Management Plan has been prepared and can be found at Appendix F
<p>B37. Prior to the commencement of construction, the Applicant must prepare and submit an updated Landscape Plan for the development to the satisfaction of the Planning Secretary. The plan must:</p> <p>(a) be prepared in consultation with Council;</p>	Noted
<p>C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:</p> <p>(e) Community Consultation and Complaints Handling.</p>	A Community Consultation and Complaints Handling has been prepared and can be found at Appendix H



2.0 Development Overview

2.1 Location

AIE is located at 788-864 Mamre Road, Kemps Creek, and is legally described as Lots 1, 2 and 5 DP 1285305 and Lots 6 and 7 in DP1291562 in the Mamre Road Precinct within the broader WSEA, which falls within the Penrith LGA. AIE is located approximately 6.5km north-east of the future Western Sydney International (Nancy-Bird Walton) Airport (WSA), 13.5km south-east of the Penrith CBD and 40km west of the Sydney CBD.

2.2 Site Description

The AIE has an area of approximately 56.3 hectares (ha) and currently is in the process of being created in accordance with the Concept Proposal and Stage 1 Development SSD-10448. The site is bound by rural land uses transitioning to commercial developments for warehouses. The site is bound by Mamre Road to the west and agricultural uses to the north, south and east. The historic land uses on the site include rural residential, grazing, dairy farming, poultry farming and horticulture. This land has been rezoned to facilitate future employment with the Mamre Road Precinct. Lot 8 location within the western side of the AIE, situated between Lot 9 (south-western corner) and Lot 1 (north-western corner).

2.3 Project Details

The approved works under SSD 60513208 are as follows:

- construction and operation of a warehouse and distribution facility (Warehouse 8) with loading docks, hardstand and ancillary office space
- minor on lot earthworks
- installation of services and utilities
- landscaping
- construction of light and heavy vehicle access driveways and parking
- inclusion of the Elizabeth Enterprise Precinct site for stormwater management purposes only.

2.4 Construction Timeframe

Construction is expected to commence in October 2024, with practical completion planned by September 2025 (duration of approximately 11 months). The following is a breakdown of the key construction phases and estimated timeframes:

- Bulk excavation and earthworks – 1.5 months.
- External concrete pours and external inground services – 2.5 months.
- Main build including construction, services and internal concrete pours – 7 months.

2.5 Construction Hours

Construction hours will be in accordance with SSD 10448 and SSD 60513208, outlined in **Table 4**.



Table 4: Hours of Work

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

2.6 Site Access

Access to AIE will be via the signalised intersection of Mamre Road and Access Road 1, due to be operation in October 2024. This intersection has been designed to accommodate all vehicles up to 30m articulated vehicles, as required by Condition A9 of SSD-10448. No vehicles larger than this will be used throughout all construction works with the AIE access strategy shown in **Figure 3**.

2.7 Contact Details

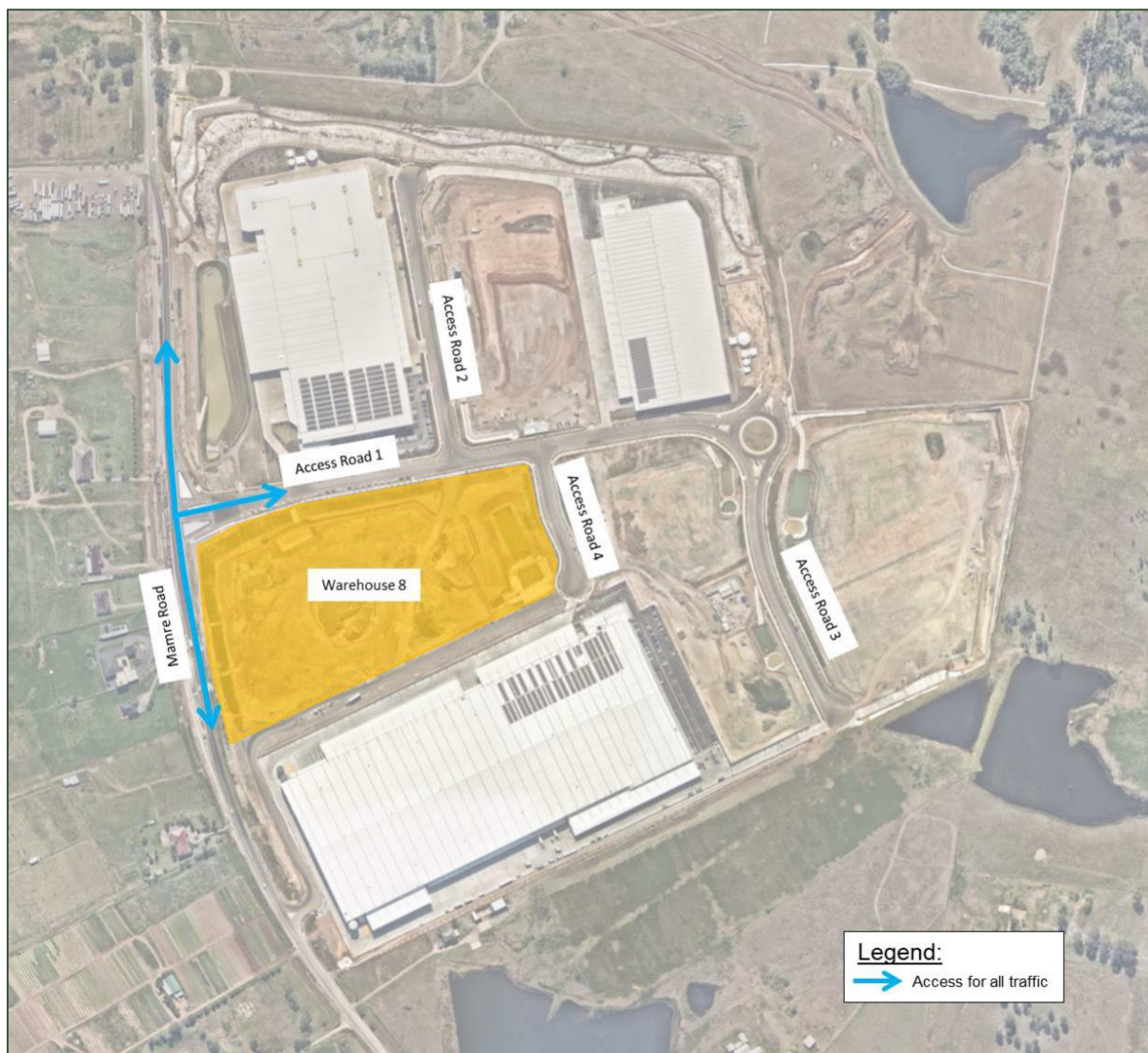
Table 5 lists the key contacts relevant to the construction of Stage 4 – Building Works for Lot 8.

Table 5: Site Personnel Contact List

Role	Name	Company	Contact Details
Project Principal	Andrew Hollander	Mirvac	andrew.hollander@mirvac.com
Project Manager	Dean Quarisa	Richard Crookes	QuarisaD@richardcrookes.com.au
Site Manager	Michael Redmond	Richard Crookes	redmondm@richardcrookes.com.au
Contractor’s Certified Professional and Erosion and Sediment Control (CPESC)	Carl Vincent	Ersed Environmental Pty Ltd	0424 203 046 carl.vincent@ersed.com.au
Independent Environmental Representative (ER)	Maurice Pignatelli	OptimE Pty Ltd	0407 493 176 maurice@optimenv.com.au
Work Health and Safety (WHS) Coordinator	Marcello Di Paolo	Richard Crookes	dipaolom@richardcrookes.com.au
Principal’s Environmental Consultant (PEC)	Carl Vicent	Ersed Environmental Pty Ltd	0424 203 046 info@ersed.com.au
Communications and Community Liaison Representative (CCLR)	Sean Wilson	SLR Consulting	0411 141 881 spwilson@slrconsulting.com



Figure 3: Site Access



3.0 Environmental Management Framework

Richard Crookes (RC), and all sub-contractors engaged by RC, will implement their Environmental Policy throughout the duration of construction.

3.1 Roles and Responsibilities

The Construction Contractor will review, implement, and monitor this CEMP and specialist management plans together as an integrated suite of documents.

The key personnel responsible for environmental management during construction of Stage 4 – Building Works for Lot 8 are listed in **Table 6**.

Table 6: Roles and Responsibilities

Role	Responsibilities
Project Principal	<ul style="list-style-type: none"> • Environmental reporting responsibility associated with development. • Overall responsibility for environmental management and compliance with SSD 10448 and SSD 60513208 and relevant legislation. • Liaise with the Proponent to keep them informed of the project’s progress. • Record, notify, investigate and respond to any environmental incidents and, where necessary, develop and implement corrective actions. • Consult and engage with any subcontractors or interfacing contractors regarding the environmental management of the Site. • Provide adequate environmental inductions/training to employees and contractors regarding their requirements under this CEMP. • Provide Project Environmental Representative (ER) with all documentation requested by the ER in order for the ER to perform their functions specified below and 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). • Attend the Mamre Road Precinct Working Group in a representative role in relation to the Stage 4 development.
Project Manager	<ul style="list-style-type: none"> • Environmental reporting responsibility associated with the development. • Ensure the legislative and corporate safety, health and environment management measures and controls are implemented and maintained. • Record, notify, investigate and respond to any environmental incidents and, where necessary, develop and implement corrective actions. • Responsibility for compliance with approval requirements. • Liaise with the Proponent to keep them informed of the project’s progress. • Consult and engage with any subcontractors or interfacing contractors regarding the environmental management of the Site. • Lead and manage the community involvement activities, including liaison with property owners and key stakeholders. • Lead the delivery of communication and community engagement strategies and plans. • Facilitate meetings, forums and arranging interviews to address concerns from community. • Provide advice and participate with the project teams to improve and enhance the delivery of communication services to the community. • Build, maintain collaborative and consultative working relationships with internal and external stakeholders. • Be available for contact by local residents, key stakeholders and community representatives to answer queries and provide more information or feedback.



<p>Site Manager</p>	<ul style="list-style-type: none"> • All the responsibilities attributed to the Construction Contractor throughout this CEMP. • Environmental reporting responsibility associated with the development. • Ensuring that the appropriate management response and handling procedures are instigated and carried through in the event of an incident and/or non-compliance. • Regularly monitor the implementation of the CEMP to ensure implementation is being carried out in accordance with the document and the terms of this consent. • Provide adequate environmental inductions/training to employees and contractors regarding their requirements under this CEMP. • Participate in risk and hazard identification and control. • Participate in incident investigations and management. • Participate in health and safety inspections. • Be the primary daily contact to the public handling of enquiries / complaints management / interface issues. • Maintain the complaints register and make available the complaints register to the Contractors Project Manager on a daily basis. • Be available for contact by local residents and the community at all reasonable times to answer any questions. • Liaise with property owners to co-ordinate access and to deal with specific property related issues arising from the upgrade works.
<p>Independent Environmental Representative (ER)</p>	<ul style="list-style-type: none"> • Be a suitably qualified and experienced person who was not involved in the preparation of the EIS, RtS, ADR, and any additional information for the Stage 4 Development and is independent from the design and construction personnel for the Stage 4 Development. • Receive and respond to communication from the Planning Secretary in relation to the environmental performance of the Stage 4 development. • Consider and inform the Planning Secretary on matters specified in the terms of this consent. • 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. • Review the CEMP required in Condition A35 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: <ul style="list-style-type: none"> ○ 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 ○ 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). • Regularly monitor the implementation of the CEMP to ensure implementation is being carried out in accordance with the document and the terms of this consent. • 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. • As may be requested by the Planning Secretary, assist the Department in the resolution of community complaints. • Provide advice to the Applicant on the management and coordination of construction works on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, earthworks and sediment control and noise. • Prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Quarterly Report providing the information set out in the Environmental Representative Protocol



	<p>under the heading 'Environmental Representative Quarterly Reports'. The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each quarter for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p> <ul style="list-style-type: none"> Attend the Mamre Road Precinct Working Group in a consultative role in relation to the environmental performance of the Stage 4 development.
WHS Coordinator	<ul style="list-style-type: none"> Ensure the legislative and corporate safety, health and environment management measures and controls are implemented and maintained. Participate in risk and hazard identification and control. Participate in incident investigations and management. Participate in health and safety inspections.
Principal's Environmental Consultant (PEC)	<ul style="list-style-type: none"> Provide the Principal advice and guidance relating to Environmental reporting responsibilities associated with the development. Provide the Principal advice and guidance relating to environmental management and compliance with SSD 10448 and relevant legislation. Assist the Principal in providing the Project Environmental Representative (ER) with all documentation requested by the ER in order for the ER to perform their functions. Provide guidance for the reporting, notification, investigation and response to any environmental incidents and, where necessary, develop and implement corrective actions. Providing advice to the principal in relation to any subcontractors or interfacing contractors regarding the environmental management of the Site.
Contractor's Certified Professional in Erosion and Sediment Control (CPESC)	<ul style="list-style-type: none"> 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. Ensure installation and operation of the erosion and sediment controls are supervised. Assist the contractor to execute the responsibilities attributed to the Construction Contractor throughout this CEMP. Provide guidance and assistance to the Contractor regarding the environmental reporting responsibilities associated with the development. Guide the contractor to ensure that the appropriate management response and handling procedures are instigated and carried through in the event of an incident and/or non-compliance.
Communications and Community Liaison Representative (CCLR)	<ul style="list-style-type: none"> Lead and manage the community involvement activities, including liaison with property owners and key stakeholders. Be the primary daily contact to the public handling of enquiries / complaints management / interface issues. Maintain the complaints register and make available the complaints register to the ER on a daily basis. Be available for contact by local residents and the community at all reasonable times to answer any questions. Liaise with property owners to co-ordinate access and to deal with specific property related issues arising from the upgrade works. Lead the delivery of communication and community engagement strategies and plans. Facilitate meetings, forums and arranging interviews to address concerns from community. Provide advice and participate with the project teams to improve and enhance the delivery of communication services to the community.



	<ul style="list-style-type: none"> • Build, maintain collaborative and consultative working relationships with internal and external stakeholders; and • Be available for contact by local residents, key stakeholders and community representatives to answer queries and provide more information or feedback.
All employees, contractors, and subcontractors	<ul style="list-style-type: none"> • Ensure familiarity, implementation and compliance with this CEMP and appended management plans. • Support the Proponent’s commitment to sustainability, environmental management and compliance. • Work in a manner that will not harm the environment or impact on surrounding receptors. • Report all environmental incidents, non-compliances and complaints to the Project Manager without delay. • Immediately notify the Contractor’s Project Manager of any hazard or potential hazard that may result in an incident and/or non-compliance, regardless of the nature or scale. • Take immediate action (where it is safe to do so) to prevent, stop, contain and/or minimise any adverse impact associated with an incident and/or non-compliance. • Report any inappropriate construction practices and/or environmental management practices to the Project Manager without delay.

3.2 Statutory Requirements

3.2.1 SSD 10448

The Development will be constructed in accordance with:

Condition C2 of SSD 10448 and the Development will be carried out:

- a) in compliance with the conditions of the Development Consent;
- b) in accordance with all written directions of the Planning Secretary;
- c) in accordance with the EIS (Urbis 2020), the Response to Submissions (Urbis 2021) and Additional Development Report (Urbis 2022);
- d) in accordance with the Modification Assessments;
- e) in accordance with the Development Layout attached to the Development Consent at Appendix 2; and
- f) in accordance with the management and mitigation measures attached to the Development Consent at Appendix 4.

In accordance with Condition C3 of SSD 10448, consistent with the requirements of the Development Consent, the Planning Secretary may make written directions to Mirvac 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 C2(a) of the Development Consent.

In accordance with Condition C4 of SSD 10448, the conditions of the Development 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 C2(c) or C2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed



in condition C2(c) or C2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

The Project Manager will be notified if any inconsistencies are identified.

SSD 10448 impose a number of environmental performance and management requirements applicable to the construction of Stage 4 – Building Works for Lot 8. A copy of the Consent for SSD 10448 is attached at **Appendix A**.

3.2.2 SSD 60513208

The Development will be constructed in accordance with:

Condition A2 of SSD 60513208 and the Development will be carried out:

- 1 in compliance with the conditions of this consent;
- 2 in accordance with all written directions of the Planning Secretary;
- 3 in accordance with the EIS, RTS and AR;
- 4 in accordance with the Development Layout in Appendix 1; and
- 5 in accordance with the management and mitigation measures in Appendix 2.

In accordance with Condition A3 of SSD 60513208, 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).

In accordance with Condition A4 of SSD 60513208, 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.

The Project Manager will be notified if any inconsistencies are identified.

SSD 60513208 is the primary Development Consent and imposes a number of environmental performance and management requirements applicable to the construction of Stage 4 – Building Works for Lot 8. A copy of the Consent for SSD 60513208 is attached at **Appendix B**.

3.2.3 Other Licences, Permits, Approvals and Consents

Table 7 summarises the additional licences, permits, approvals and consents required throughout these works. This information has been summarised from the SSD 10448 and SSD 60513208 Consent Conditions, the EIS (Urbis 2023), and contributions from Mirvac. It is the Construction Contractor's responsibility to ensure that any license, permit, approvals listed in (but not limited to) **Table 7**, has been obtained in the required timeframe.



A current list of licences, permits, approvals and consents, and their status, including any new additions as the project progresses, will be included in the Construction Contractor's monthly report to Mirvac.

It is noted that an Environment Protection Licence (EPL) is not required, although the EPA have advised that if any future tenancies involve a scheduled activity pursuant to the POEO Act, an EPL would be required prior to undertaking the activity (NSW DPE 2022).

Table 7: Other Licences, Permits, Approvals and Consents

Licence, Permit, Approval, or Consent	Person Responsible	Timing	References/ Notes
SSD 10448			
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 consent.	Project Principal, Project Manager	Ongoing	SSD 10448 and SSD 60513208 Condition AN1
Relevant approvals obtained from Endeavour Energy, or relevant service provider.	Project Manager	Prior to the commencement of construction	SSD 10448 Condition B17
Construction and occupation certificates for the proposed building works obtained.	Project Manager	Prior to construction/occupation	SSD 10448 C15
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.	Project Manager	Prior to the issue of the Construction Certificate	SSD 10448 C24
All relevant approvals from utility service providers.	Project Manager	Before construction of any utility works	SSD 10448 Condition C26
A Compliance Certificate for water and sewerage infrastructure servicing at the site will be obtained.	Project Manager	Before the commencement of operation	SSD 10448 Condition C27
Evidence to the Certifier that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots ... (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots ...	Project Manager	Prior to the issue of the Construction Certificate	SSD 10448 Condition C28.
Evidence from the carrier that the fibre ready facilities are fit for purpose.	Project Manager	Before final Occupation Certificate issued	SSD 10448 Condition C29
Works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved	Site Manager	Before final Occupation Certificate issued	SSD 10448 Condition C30
A Road Occupancy Licence (ROL) must be obtained from TfNSW Transport Management Centre for any works that may impact on traffic flows on Mamre Road during construction.	Project Manager	Prior to works that may impact on traffic flows on Mamre Road	SSD 10448 Condition D15



Licence, Permit, Approval, or Consent	Person Responsible	Timing	References/ Notes
		during construction.	
The Applicant must provide the Planning Secretary with evidence that: (a) the retirement of ecosystem credits has been completed (see Condition D65); or (b) a payment has been made to the Biodiversity Conservation Fund (see Condition D66)	Project Principal, Project Manager	Prior to undertaking any clearing of native vegetation and <i>Myotis macropus</i> habitat.	SSD 10448 Condition D67
Agreement from Council obtained for the design of the waste storage area for each warehouse.	Project Manager	Prior to the commencement of construction of Building 1 and 2	SSD 10448 Condition D73
If fauna is to be relocated on site, the following permit would be required to be held by the contractor relocation the fauna: <ul style="list-style-type: none"> Catch and Release Licence - Biodiversity Conservation Act 2016 (for possums and reptiles). 	Project Manager	During fauna relocation	EIS Section 5.6.3
Where compliance matters are proposed to comply with the Performance Requirements (rather than the DtS Provision) the development of a Performance Solution Report will be required prior to the issue of the Construction Certificate.	Project Principal, Project Manager	Where compliance matters are proposed to comply with the Performance Requirements (rather than the DtS Provision).	EIS Section 6.10.1 (2023)
SSD 60513208			
Prior to the commencement of construction of the development, the Applicant must: (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals , access to, diversion, protection and support of the affected services or infrastructure;	Project Principal, Project Manager	Prior to the commencement of construction	SSD 60513208 Condition A20
Prior to the commencement of construction of the development, the Applicant must obtain a Building Plan Approval from Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by the development.	Project Manager	Prior to the commencement of construction	SSD 60513208 Condition A22
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.	Project Principal, Project Manager	As required	SSD 60513208 Condition AN1



Licence, Permit, Approval, or Consent	Person Responsible	Timing	References/ Notes
<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p>	Project Manager	As required	SSD 60513208 Condition C1
<p>Within three months of:</p> <p>c) the approval of any modification of the conditions of this consent;</p> <p>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.</p>	Project Principal, Project Manager	Within three months of the approval of any modification	SSD 60513208 Condition C8
<p>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.</p>	Project Principal, Project Manager	As required	SSD 60513208 Condition C9
<p>Within six months after the commencement of construction of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), 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)</p>	Project Principal, Project Manager	Within six months after commencement of construction, and annually thereafter	SSD 60513208 Condition C13
<p>At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (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; 	Project Principal, Project Manager	At least 48 hours before commencement and for the life of the development	SSD 60513208 Condition C16



Licence, Permit, Approval, or Consent	Person Responsible	Timing	References/ Notes
<p>(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, including the Environmental Representatives Monthly Reports;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) the Compliance Report of the development;</p> <p>(x) any other matter required by the Planning Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>			

3.3 Induction and Environmental Training

The Contractor’s Project Manager will ensure that all employees and contractors involved in the project are appropriately inducted and trained prior to commencing work on site. Training in relation to environmental responsibilities and implementation of this CEMP will take place initially through the site induction training and then on an ongoing basis through ‘toolbox talks’ (or similar).

All employees, contractors (and their sub-contractors) conducting environmental training and site staff assigning work activities will demonstrate that they are competent and appropriately trained to train and manage construction site specific environmental issues.

Inductions and Training will meet the objectives of Condition C19 of SSD 10448 and Condition A30 of SSD 60513208, which is to ensure that all employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the Consent Conditions relevant to activities they carry out in respect of the development.

A register of all environmental training carried out, including dates, names of persons trained, and trainer name and qualification details will be established and maintained for the duration of works.

3.3.1 Environmental Induction Training

The environmental induction training will cover all elements of the CEMP and records of inductions with attendance registers will be maintained. The training will provide an overview of the requirements as outlined below in **Table 8**, and instruction on how to access the CEMP and appendices.

Table 8: Environmental Induction Training

Inductions and Environmental Training	References/ Notes
Purpose and objectives of the CEMP	Section 1.3.1 and



	1.3.2
Obligation to minimise harm to the environment	Section 1.3
Hours of Construction	Section 2.5
Requirements of due diligence and duty of care	Section 3.1
Conditions of any environmental licences, permits and consent approvals	Table 7
Reporting, and notification and management requirements for pollution, contamination, and other environmental incidents, and for damage and maintenance to environmental controls	Section 3.4.2
Noise, vibration, and air quality management controls	Section 4.4 and 4.5
Drivers' code of Conduct	Section 4.2
Construction Traffic Management including permitted access routes to and from the construction site for all vehicles, as well as standard environmental, work, health, and safety (WHS), driver protocols and emergency procedures.	Section 4.2
Sound erosion and sediment control practices, water quality controls and sediment basin management	Section 4.3

3.3.2 Toolbox Talks

Toolbox talks or similar will be held to identify environmental issues and controls when works commence in a new area of the site or a new activity, as well as when environmental issues arise on site. Records of toolbox talks shall be maintained including topics and attendance registers. The toolbox talk will include but not be limited to:

- A description of the activity and the area
- Identification of the environmental issues and risks for the area (including fauna or flora)
- Outline the mitigations measures for the works and the area (see **Section 4.0**).

3.4 Incident and Non-Compliance

3.4.1 Incident Response

The Incident and Non-Compliance Procedure in **Figure 4** must be implemented to ensure that any incident and/or non-compliance caused by or relating to construction is effectively responded to, reported accordingly, and any resulting adverse environment and/or human health impact is promptly prevented or effectively managed. An 'Other Environmental Event' would also be managed as in accordance with the incident and non-compliance response and handing procedure in **Figure 4**.

For the purposes of this CEMP the definitions detailed in **Table 9** will be adopted and applied during construction.

Table 9: Incident Definitions

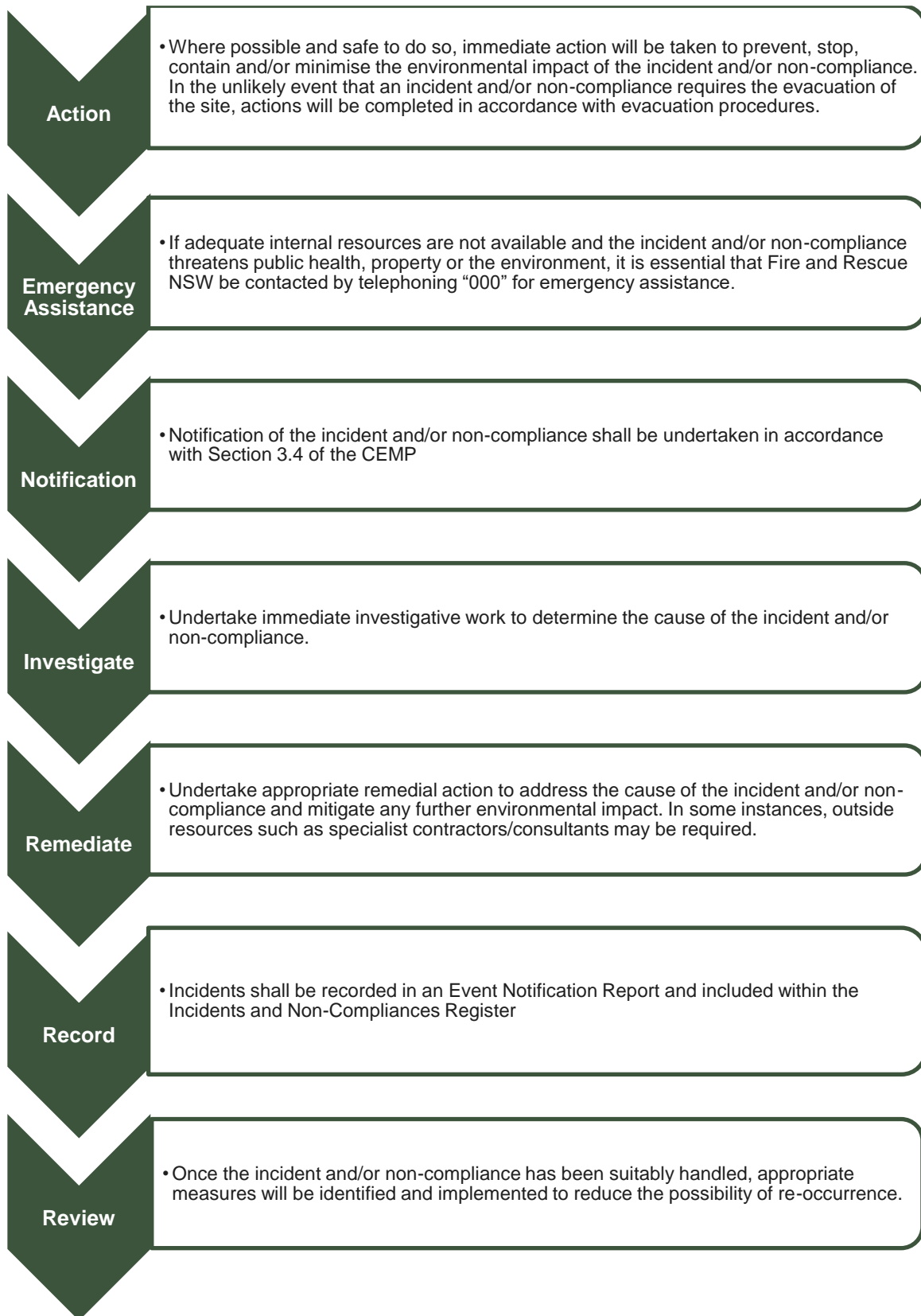
Term	Definition
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
Material Harm Incident	Is harm that: a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission, other escape or deposit of a substance,



	and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Non-Compliance	An occurrence, set of circumstances or development that is a breach of this consent or other statutory requirements.
Other Environmental Event	An incident that is minor where there has been no potential or actual material harm to the environment (see 'material harm' definition above).



Figure 4: Incident and Non-Compliance Procedure



3.4.2 Incident and Non-Compliance Notification

In the instance of an incident, the notification protocols outlined in **Table 10** will be implemented.

Table 10: Notification Protocols

Notification Requirement	Responsible	Timeframe	Reference
Incident			
Once becoming aware of an incident, the appointed Contractor will notify the relevant agency if an incident or potential incident causes (or may cause) harm to the environment.	Project Manager	Immediately after awareness of a potential or actual incident	Best Practice
The Contractor's Project Manager will notify Mirvac of any incident, including all relevant information.	Project Manager	Immediately after awareness of a potential or actual incident	Best Practice
The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including: (a) date, time and location; (b) a brief description of what occurred and why it has been classified as an incident; (c) a description of what immediate steps were taken in relation to the incident; and (d) identifying a contact person for further communication regarding the incident.	Project Manager	Within 24 hours of becoming aware of an incident	Condition C10 within SSD 60513208
Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that: (a) identifies how the incident was detected; (b) identifies when the Applicant became aware of the incident; (c) identifies any actual or potential non-compliance with conditions of consent; (d) identifies further action(s) that will be taken in relation to the incident; and (e) a summary of the incident; (f) outcomes of an incident investigation, including identification of the cause of the incident; (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and (h) details of any communication with other stakeholders regarding the incident.	Project Manager	Within 7 days after becoming aware of the incident	Condition C11 and Appendix 4 within SSD 60513208



Non-Compliance			
Provide written notification of any actual or potential non-compliance to the Major Projects website.	Project Manager	Within 7 days after becoming aware of non-compliance	Appendix 4 within SSD 60513208

Under the POEO Act, “relevant authority” means any of the following:

- The appropriate regulatory authority – the Environment Protection Authority (EPA)
- If the EPA is not the appropriate regulatory authority – the local authority for the area in which the pollution incident occurs (i.e., Council)
- NSW Public Health Unit
- SafeWork NSW
- Fire and Rescue NSW

Table 11 provides key contact details for emergency services and other relevant authorities.

Table 11: Regulatory Authority Contact List for Material Harm Incident

Regulatory Authority/ Stakeholders	Key Contact	Contact Details	
Department of Planning, Housing and Infrastructure (DPHI)	Compliance Unit	Major Projects Portal	
Environment Protection Authority (EPA)	Environment Line	131 555 info@environment.nsw.gov.au	
	Head office (Sydney)	02 9995 5000	
Environment, Energy and Science (EES) Group	Main switchboard	1300 361 967 info@environment.nsw.gov.au	
Penrith City Council	Main switchboard	02 4732 7777 council@penrith.city	
Water NSW	Main switchboard	1300 662 077 environmental.assessments@waternsw.com.au	
	Incident Notification Number – 24 hours	1800 061 069	
NSW Public Health Unit	Sydney Local Health District	Business hours: 1300 066 055 After hours: 02 9515 6111	
SafeWork NSW	Incident Notification Hotline	131 050 Select Option 3 to report a “Serious Incident or Fatality” – this will result in the incident being recorded and the appropriate person being contacted.	
Emergency Services	NSW Police	131 444	In case of emergency – 000
	Fire and Rescue NSW	1300 729 579	
	Ambulance Service NSW	-	

The person reporting the pollution incident will provide the following key details:

- Location of the pollution incident/emergency
- Nature of the pollution incident/emergency



- Their name and contact details
- Details of any required assistance.

A material harm incident notification will identify the development and the application number for it, the way in which it does not comply and the reasons for the material harm incident (if known) and what actions have been, or will be, undertaken to address the material harm incident.

3.4.3 Register

Records of all incidents and non-compliances will be maintained in Mirvac's incident register system. Details of all incidents and complaints will be retained for at least five years after the event to which they relate.

3.4.4 Consent Conditions

In accordance with Condition E10 of Development Consent SSD 10448 and Condition C10 of SSD 60513208, once Mirvac becomes aware of an incident Mirvac is required to immediately notify the Planning Secretary via the Major Projects website. 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.

3.4.4.1 SSD 10448

In accordance with Appendix 6 of SSD 10448, a written incident notification addressing the requirements is to be provided to the Planning Secretary via the Major Projects website within seven days. The written notification of an incident must:

- Identify the development and application number
- Provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)
- Identify how the incident was detected
- Identify when the applicant became aware of the incident
- Identify any actual or potential non-compliance with conditions of consent
- Describe what immediate steps were taken in relation to the incident
- Identify further action(s) that will be taken in relation to the incident
- Identify a project contact for further communication regarding the incident.

Additionally, a detailed incident report is then to be provided to the Planning Secretary and any other relevant public authorities within 30 days of the incident. The Incident Report must include:

- Summary of the incident
- Outcomes of an incident investigation, including identification of the cause of the incident
- Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence
- Details of any communication with other stakeholders regarding the incident.



3.4.4.2 SSD 60513208

In accordance with Appendix 4 of SSD 60513208, within 7 days (or as otherwise agreed by the Planning Secretary) following the immediate incident notification (as per condition C10), the Applicant is required to submit a subsequent incident report that:

- identifies how the incident was detected;
- identifies when the Applicant became aware of the incident;
- identifies any actual or potential non-compliance with conditions of consent;
- identifies further action(s) that will be taken in relation to the incident; and
- a summary of the incident;
- outcomes of an incident investigation, including identification of the cause of the incident;
- details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
- details of any communication with other stakeholders regarding the incident.

3.4.4.3 Non-Compliance

In accordance with Condition E11 of SSD 10448 and Condition C12 of SSD 60513208, the Planning Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.

As per Condition E12 of SSD 10448, 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.

E13 of SSD 10448 notes that a non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

3.5 Complaints Response and Handling Procedure

All complaints will be handled in accordance with the *Community Consultation and Complaints Handling Strategy* (CCCHS) (SLR 2024) (see **Appendix H**).

All employees who take receipt of a complaint, either verbal or written, are to take note of the name and contact details of the complainant and the nature of the complaint and immediately notify the Contractor's Project Manager, who will then contact the CCLR.

The following complaints handling procedure is duplicated from the CCCHS for quick reference. For further detail please consult the CCCHS.

Record and Acknowledge

Any employee who takes receipt of a complaint, either verbal or written, are to immediately notify the Contractor's Project Manager who will then contact the Communications and Community Liaison Representative. The Contractor's Project Manager will be available 24 hours a day, seven days a week and have the authority to stop or direct works. All relevant contact details are available in **Table 5**.



In the normal course of events, the first contact for complaints will usually be made in person or by telephone.

The complainant's name, address and contact details, along with the nature of the complaint, will be requested. If the complainant refuses to supply the requested information, a note will be made on the form and complainant advised of this.

Assess and Prioritise

The CCLR will prioritise all complaints by considering the seriousness of the complaint including risk to health and safety and will attempt to provide an immediate response via phone or email. This will be undertaken in accordance with the CCCHS (SLR, 2023).

Investigate

A field investigation will be initiated to confirm details relevant to the complaint and the cause of the problem. Any monitoring information and/or records at and around the time of the complaint will be reviewed for any abnormality or incident that may have resulted in the complaint.

If the complaint is due to an incident, the notification requirements and handling procedures outlined in Section 3.5 will be followed.

Action or Rectify

Once the cause of the complaint has been established, every possible effort will be made to undertake appropriate action to rectify the cause of the complaint and mitigate any further impact. The Communications and Community Liaison Representative will assess whether the complaint is founded or unfounded and delegate the remediation of the issue to the Contractor's Project Manager for action, as required.

Respond to Complainant

The Communications and Community Liaison Representative will oversee the rectification of the issue and respond to the complainant once the issue has been resolved. The complainant will be provided with a follow up verbal response on what action is proposed within two hours during night-time works (between the hours of 6:00 pm and 10:00 pm) and 24 hours at other times. Where a complaint cannot be resolved by the initial or follow-up verbal response, a written response will be provided to the complainant within ten days.

Record

It is imperative that an assessment of the situation is carried out and documented to minimise the potential for similar complaints in the future. On this basis, every complaint received is to be recorded in the Complaints Register (Appendix A of the CCCHS). A copy of the completed form will be maintained for at least five years. The complaint will also be recorded in the Complaints Register, as per Section 3.6.

Preventative Action

Once the complaint has been suitably handled, appropriate measures will be identified and implemented to negate the possibility of re-occurrence. The Community Correspondence Register is not finalised until the preventative actions are completed and recorded on the form.

Refer to **Figure 5** below for complaints handling procedure.

3.5.1 Complaints Register

A Complaints Register will be maintained during construction and will contain the following:

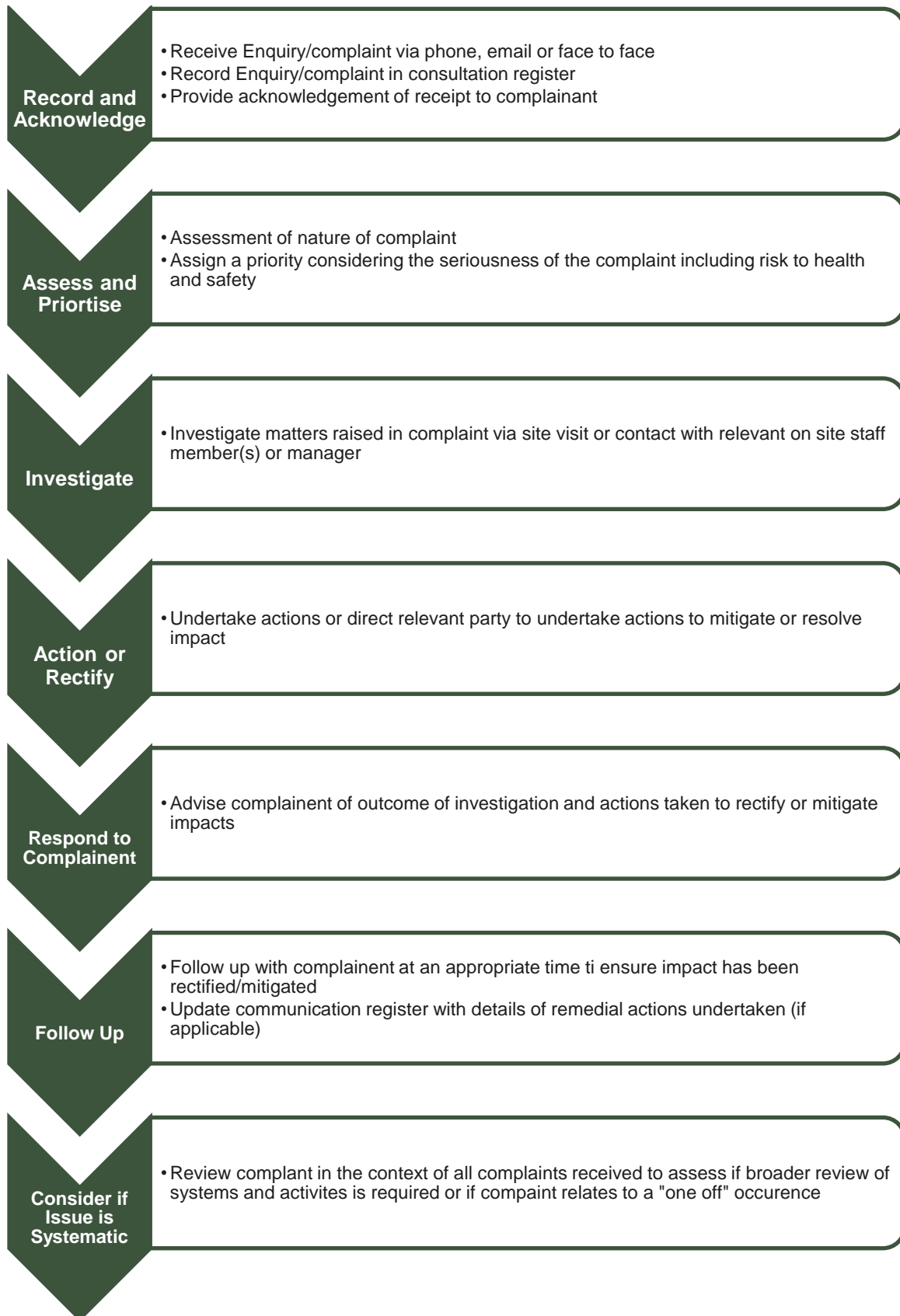


- A separate reference sheet containing the contact details listed in **Table 5**;
- Blank hard copies of the Community Correspondence Register, and
- Copies of all completed Community Correspondence Register, which are to be maintained for at least five years after the event to which they relate.

In accordance with Condition C32 of SSD 10448 and Condition A36 of SSD 60513208, the complaints register shall be made available to the appointed ER on a daily basis.



Figure 5: Complaints Handling Procedure



4.0 Mitigation Measures

Environmental aspects with the potential to be impacted through the construction of Stage 4 - Building Works for Lot 8 are addressed in the following sub-sections. These issues have specific regulatory requirements imposed by SSD 10448 and SSD 60513208 and/or are considered to have the highest potential to result in a non-compliance with a legislative requirement or generate community complaints.

The tables in this section are a compliance management tool outlining how controls are to be implemented. The Construction Contractor will ensure that the checklists included in their Project Management Plan, including the Daily Observations Checklist and Weekly Environmental Checklist, address all relevant management commitments outlined in the CEMP and appended management plans.

4.1 General

Table 12 lists the general environmental controls that will be implemented throughout the construction to minimise the potential for adverse impacts on the local environmental and surrounding receptors.

Table 12: General Environmental Controls

Environmental Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
All reasonable and feasible measures will be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from construction.	Site Manager	Ongoing	SSD 10448 Condition C1 and SSD 60513208 Condition A1
All licences, permits, approvals and consents as required by law will be obtained and maintained as required for the development.	Project Principal, Project Manager	As required	SSD 10448 and SSD 60513208 Condition AN1
Works will not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by Mirvac.	Project Principal	Prior to commencing construction	SSD 10448 Condition C31 and SSD 60513208 Condition A35
All plant and equipment will be maintained in accordance with manufacturers requirements. A Plant and Equipment Maintenance Schedule and record is to be prepared and maintained onsite. The Plant and Equipment Maintenance Schedule is to be issued to the Superintendent on a quarterly basis. Plant prestart will be completed to ensure plant is operating as expected with any issues noted for rectification at the earliest possible opportunity. Noise amelioration will be fitted as per manufacturers requirements. No modifications are to be made to noise amelioration devices. Only qualified and experienced personnel are to maintain and operate plant and equipment.	Site Manager, Equipment Technician	Ongoing	SSD 10448 Condition C22 and SSD 60513208 Condition A33



Construction employees and contractors will be suitably inducted and trained in accordance with Section 3.4 of this CEMP.	Site Manager	Prior to commencing construction and ongoing	CEMP Section 3.4
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.	Site Manager		SSD 60513208 Condition A33
The incidents and complaints will be promptly and effectively addressed in accordance with the management strategies contained within Sections 3.5 and 3.6 of this CEMP.	Site Manager, Project Manager	Ongoing	CEMP Sections 3.5 and 3.6
All monitoring records will be maintained to demonstrate compliance with the CEMP, including: <ul style="list-style-type: none"> • Site environmental inspection reports • Environmental monitoring data and • Internal and external audit reports • Reports of environmental incidents, environmental, associated actions taken, and follow-up actions. • Minutes of management review meetings • Induction and training records 	Project Manager	For 5 years after completion date	Best practise
Construction will comply with section 120 of the POEO Act, which prohibits the pollution of waters.	Site Manager	Ongoing	SSD 10448 Condition D27 CEMP Section 4.6

4.2 Traffic

The environmental management controls in **Table 13** will be implemented to ensure road safety and network efficiency during construction. Construction traffic will be managed in accordance with the Construction Traffic Management Plan (CTMP) attached as **Appendix D**.

Table 13: Environmental Controls for Traffic

Environmental Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
All listed mitigation and management measures outlined in Section 3.3 to Section 3.11 of the CTMP will be implemented throughout construction.	Site Manager	Ongoing	Appendix D - CTMP Section 3.3 to Section 3.11 and Appendix D of CTMP

4.3 Water and Soil

The environmental management controls in **Table 14** will be implemented to minimise the potential for adverse water and soil impacts during construction. Erosion and sediment



control will be managed in accordance with the Erosion and Sediment Control Plan (ESCP) (Ersed 2023) as referenced in **Appendix E**.

Table 14: Environmental Controls for Water and Soil

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
All erosion and sediment control measures indicated within the ESCP shall be implemented during construction	Site Manager, Certified Professional in Erosion and Sediment Control	Ongoing	Appendix E - ESCP Section 8
The water quality measures outlined in Appendix 5 of SSD 10448 will be implemented throughout construction	Site Manager, Certified Professional in Erosion and Sediment Control	Ongoing	SSD 10448 Appendix 5 Water Quality
Imported Soil Requirements: <ul style="list-style-type: none"> Only Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM), or other materials approved in writing by the Environmental Protection Authority (EPA) will be brought onto the site. Verification checks will be conducted before importing any soil to ensure compliance with EPA requirements. 	Site Manager, Certified Professional in Erosion and Sediment Control	Ongoing	SSD 60513208 – Condition B14

4.4 Noise and Vibration

The environmental management controls in will be implemented to minimise the potential for adverse noise impacts during construction. Construction noise will be managed in accordance with the Construction Noise and Vibration Management Plan (CNVMP) (SLR, 2024), attached as **Appendix F**.

Table 15: Environmental Controls for Noise and Vibration

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
All listed mitigation and management measures outlined in Section 7.2 of the CNVMP will be implemented throughout construction. These mitigation measures cover the following activities: <ul style="list-style-type: none"> Project Planning Scheduling for High Noise or Vibration Generating Works Site Layout Training Plant and Equipment Source Mitigation Screening Community Consultation Monitoring 	Site Manager	Ongoing	Appendix F - CNVMP Section 7.2



4.5 Air Quality

The environmental management controls in **Table 16** will be implemented to minimise the potential for adverse dust emissions and impacts during construction. Construction air quality will be managed in accordance with the Construction Air Quality Management Plan (CAQMP) (SLR 2024), attached as **Appendix G**.

Table 16: Environmental Controls for Air Quality

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
<p>All required and highly recommended Dust and Odour Mitigation measures outlined in Section 9 of the AQMP will be implemented throughout construction. These mitigation measures cover the following activities:</p> <ul style="list-style-type: none"> • Communications • Site Management • Preparing and Maintaining the Site • Operating Vehicle/Machinery and Sustainable Travel • Operations • Waste Management • Earthworks • Construction • Track out • Demolition <p>Desirable mitigation measures will be considered and implemented where it is a reasonable step to minimise dust generated during work</p>	Site Manager	Ongoing	Appendix G - CAQMP Section 9

4.6 Community

The community management controls in **Table 17** will be implemented to minimise the potential for adverse impacts to the community during construction. Community consultation and complaints at Stage 4 – Building Works for Lot 8 will be managed in accordance with the Community Consultation and Complaints Handling Strategy (CCCHS) (SLR 2024), attached as **Appendix H**.

Table 17: Environmental Controls for the Community

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
<p>All listed mitigation and management measures outlined in Section 4 of the CCCHS will be implemented throughout construction. These measures cover the following activities:</p> <ul style="list-style-type: none"> • Communication, management, and mitigation tools • Notification procedure • Complaints procedure 	Communications and Community Liaison Representative	Ongoing	Appendix H - CCCHS Section 4



4.7 Hazards and Risks

To ensure compliance with hazardous materials regulations and minimize environmental risks associated with dangerous goods on site, the following measures in **Table 18** will be implemented.

Table 18: Environmental Controls for Hazards and Risks

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
Storage Limits: Dangerous goods quantities will be maintained below the threshold quantities specified in the <i>Department's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> .	Site Manager	Ongoing	Condition B47 within SSD 60513208
Compliance with Standards: <ul style="list-style-type: none"> • Dangerous goods will be stored and handled in accordance with: <ul style="list-style-type: none"> ○ All relevant Australian Standards applicable to dangerous goods management. ○ For liquids, the requirements outlined in the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i>. 	Site Manager	Ongoing	Condition B48 within SSD 60513208
Appropriate Bunding: <ul style="list-style-type: none"> • All chemicals, fuels, and oils will be stored in properly banded areas that comply with relevant Australian Standards and EPA requirements (<i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i>). 	Site Manager	Ongoing	Condition B50 within SSD 60513208

4.8 Waste

To ensure compliance with waste regulations and minimize environmental risks associated with waste generation, handling, and disposal on-site, the following measures outlined in **Table 19** will be implemented.

Table 19: Environmental Controls for Waste

Environmental Management Controls	Person Responsible	Timing/ Frequency	Reference/ Notes
Waste Classification: Assess and classify all liquid and non-liquid wastes before removal, in accordance with EPA's <i>Waste Classification Guidelines</i> .	Site Manager	Ongoing	Condition B51 within SSD 60513208
Waste Disposal: Ensure waste material is directed only to a lawful waste management facility that is permitted to accept the waste.	Site Manager	Ongoing	Condition B52 within SSD 60513208



Waste Storage: Secure and maintain all waste within designated storage areas on-site at all times.	Site Manager	Ongoing	Condition B53 within SSD 60513208
Waste Security: Prevent waste from leaving the site or encroaching onto neighbouring public or private properties.	Site Manager	Ongoing	Condition B54 within SSD 60513208
Pests, Vermin, and Priority Weed: Suitable control measures will be put in place to manage pests, vermin, and priority weeds, as defined by the Biosecurity Act 2015.	Site Manager	Ongoing	Condition B56 within SSD 60513208



5.0 Monitoring and Reporting

Table 20 summarises the monitoring and reporting requirements for the construction of Stage 4 – Building Works for Lot 8 as set out in SSD 10448 and SSD 60513208, and relevant management plans. Environmental Monitoring and reporting are inclusive of inspection and audit requirements.

Prior to the commencement of construction, the Construction Contractor will ensure their Project Management Plan includes a detailed Monitoring and Reporting Matrix to clearly document the specific applicable forms, registers or reports that will be used (this might include Supervisor Diary, Weekly Environmental Inspection Checklist, Waste Register, Complaints Register etc). The Construction Contractor will provide a copy of this matrix to Mirvac and the ER.

The Construction Contractor will ensure the checklists included in the Project Management Plan, including the Daily Observations Checklist and Weekly Environmental Checklist address all relevant monitoring and reporting commitments outlined in the CEMP and appended management plans.

Table 20: Monitoring and Reporting

Aspect	Monitoring/ Reporting Requirements	Person Responsible	Timing/ Frequency	References/ Notes
Daily				
General	Daily observation will be recorded in Supervisor's Diary or similar, including plant and equipment prestart checks that include environmental observations (including weather, erosion, sediment control dust, etc.).	Site Manager	Daily	Best practice
General	The Applicant must provide the ER with the complaints register	Project Manager, Project Principal	Daily	SSD 10448 Condition C32 and SSD 60513208 Condition A36
General	Compliance with site rules	Site Manager	Daily	Best Practice
Air Quality	Site Hive Logger, Odour and visible emissions.	Site Manager	Daily	CAQMP Section 11
Weekly				
General	The Weekly Environmental Checklist will be completed as part of general environmental site inspection to ensure all relevant environmental controls listed in this CEMP are in place and any required maintenance and/or remediation works are identified and undertaken.	Site Manager	Weekly	Best practice
General	The Construction Contractor will report environmental performance during regular management meetings and/or 'toolbox talks'. Items to be discussed include:	Site Manager	Weekly	CEMP Section 3.4



	<ul style="list-style-type: none"> Results of any monitoring activities undertaken Any environmental incidents that have occurred during the previous period, including the management / corrective actions taken Any complaints that have been received during the previous period, including any management / corrective actions taken. 			
General	The PEC (or alternative delegate when PEC is unavailable) to attend weekly ER Inspections at the commencement of the project, reducing to fortnightly/monthly on a risk basis.	Environmental Representative	Weekly at commencement	Best practice
Soil	Inspections will be undertaken of sediment basins weekly and immediately after rainfall events to assess storage capacity and water quality treatment prior to discharge, and clean to requirements.	Site Manager, Certified Professional in Erosion and Sediment Control	Weekly	ESCP Section 7.7
Monthly				
General	The Applicant must provide the ER with all documentation requested by the ER for the ER to perform their functions specified in condition C31 (including preparation of the ER monthly report), as well as: 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).	Project Principal, Project Manager	As required by the ER to perform their role under the conditions of consent	SSD 10448 Condition C31, C32 and SSD 60513208 Condition A36
Traffic	Regular reviews will be undertaken	Site Manager	Monthly	CTMP Section 4.1
Air Quality	The Air Quality Monitoring program provided in Section 11 of the CAQMP shall be implemented.	Site Manager	Monthly	CAQMP Section 11
Soil	Monthly audits of erosion and sediment controls shall be undertaken by CPESC and kept on record for the duration of the construction and an additional 12 months following construction works.	Certified Professional in Erosion and Sediment Control	Monthly	SSD 10448 Condition D26 and SSD 60513208 Condition B16
Community	The following will be monitored: <ul style="list-style-type: none"> Total number of complaints 	Communications and Community	Monthly	CCCHS Section 5.1



	<ul style="list-style-type: none"> Number of complaints relating to lack of consultation / misinformation / confusion Number of enquiries relating to information previously disseminated Number of complaints / enquiries within defined categories based on theme or subject Close-out actions and follow-up Response timeframes 	Liaison Representative		
Community	<p>The monthly community consultation summary will be made publicly available on the project web page and shall include:</p> <ul style="list-style-type: none"> A summary of community consultation activities undertaken within the preceding month A summary of all enquiries and complaints received within the preceding month, including details of response and/or remediation activities 	Communications and Community Liaison Representative	Monthly	CCCHS Section 5.2
Event Based				
Incident/ Non-Compliance	In the event of an Incident or Non-Compliance, an Event Notification Report will be completed, as outlined in Table 10 in Section 3.5 of the CEMP.	Project Manager	In the event of an Incident or Non-Compliance	CEMP Section 3.5
Hazards and Risks	Maintain records of standards and guidelines applicable to each type of dangerous good, noting the most stringent requirement where inconsistencies exist.	Site Manager	Ongoing as part of regular compliance checks	Best Practice
Hazards and Risks	Conduct regular maintenance checks on bunded areas to ensure they are functioning correctly and can contain any accidental spills.	Site Manager	Ongoing/Immediately after any spills or significant weather events.	Best Practice
Hazards and Risks	Verify that all chemicals, fuels, and oils are stored in appropriately bunded areas to contain potential spills.	Site Manager	Ongoing/Immediately after any spills or significant weather events.	Best Practice
Water	<p>All discharges will be recorded on a discharge permit which will include:</p> <ul style="list-style-type: none"> Volume to be discharged Treatment details (e.g. Coagulant/ flocculant used, dosage, 	Principal's Environmental Consultant	As required	ESCP Section 7.7 Appendix B of ESCP: Sediment Basin Management



	<ul style="list-style-type: none"> • duration and treatment date) • Water quality monitoring results (including date and time of testing) • Discharge water quality results • Date and time of discharge 			& Dewatering Procedure
Water	Pumped discharge of any water off site will be monitored regularly to ensure that tested water quality meets all applicable criteria.	Principal's Environmental Consultant	As required	ESCP Section 7.7 Appendix B of ESCP: Sediment Basin Management & Dewatering Procedure
Traffic	Tracking deliveries against the volumes outlined within the report. Deliveries will be tracked against approved volumes and will keep a vehicle log - including Rego & time of entry - for the purpose of assessing the effectiveness of these monitoring programs.	Site Manager	As required	CTMP Section 4.1
Traffic	To identify any shortfalls and develop an updated action plan to address issues that may arise during construction (parking and access issues)	Site Manager	As required	CTMP Section 4.1
Traffic	Ensure TGS's are updated (if necessary) by "Prepare a Work Zone Traffic Management Plan" cardholders to ensure they remain consistent with the set-up on-site.	Site Manager	As required	CTMP Section 4.1
Traffic	Regular checks to ensure all loads are entering and leaving the site covered as outlined within this CTMP.	Site Manager	As required	CTMP Section 4.1
Traffic	A Dilapidation report shall be undertaken periodically to assess the condition of the road and note whether there has been any reduction in the quality of the road as a result of construction vehicles.	Site Manager	As required	CTMP Section 4.1
Other				
Noise & Vibration	Noise and/or vibration reporting and monitoring will be conducted in accordance with Section 7.3 of the CNVMP	Site Manager	Ongoing	CNVMP Section 7.3
Air Quality	All dust and air quality incidents and complaints will be	Site Manager	As required	CAQMP Section 9



	investigated and responded to as per Section 11 of the CAQMP.			
Traffic	Monitoring and review of the CTMP and onsite traffic management effectiveness shall be undertaken	Site Manager	Ongoing	CTMP Section 4
Contamination	Any material identified as contaminated will be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	Site Manager	As required	SSD 10448 Condition D77
General	Inspection and maintenance of all plant and equipment items to ensure optimal operating condition.	Site Manager	As specified by the manufacturer / supplier	Best practice
General	All incoming and outgoing traffic movement to be monitored and recorded as per Section 4.1 of the CTMP to ensure adherence to the approved construction hours as per Section 2.3 of this CEMP.	Site Manager	Ongoing	Best practice
General	The Project Manager will be notified if any inconsistencies are identified between the documents listed in Section 3.3 of this CEMP.	Site Manager	As required	CEMP Section 3.3
General	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: <ul style="list-style-type: none"> (a) identify any trends in the monitoring data over the life of the development; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (c) describe what measures will be implemented over the next year to improve the environmental performance of the development 	Project Principal, Project Manager	Within six months after the commencement of construction of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary),	SSD 60513208 Condition C13
General	Each Compliance Report will be made publicly available.	Project Principal, Project Manager	No later than 60 days after submitting it to the DPPI and notify the DPPI	SSD 10448 Condition E15 and SSD 60513208



			in writing at least 7 days before this is done.	Condition C14
General	Access to information shall be facilitated through the publication of environmental performance and monitoring results on the project website	Project Principal, Project Manager	48 hours prior to commencing construction and ongoing	SSD 60513208 Condition C16
General	A copy of all environmental records will be maintained, including: <ul style="list-style-type: none"> • Site environmental inspection reports • Environmental monitoring data • Internal and external audit reports • Reports of environmental incidents, environmental, associated actions taken, and follow-up actions • Minutes of management review meetings • Induction and training records • Register of all complaints and non-compliances. 	Project Principal, Project Manager	For at least 5 years after completion	Best practice
Water and Soil	Record-Keeping: <ul style="list-style-type: none"> • Accurate records of the volume and type of fill materials imported to the site will be maintained. • These records will include: <ul style="list-style-type: none"> ○ Type of material (VENM, ENM, or other EPA-approved material) ○ Volume of each material type ○ Date of import ○ Source location of each material type. Records will be stored within the site's environmental records system and will be accessible at all times.	Site Manager, Certified Professional in Erosion and Sediment Control	Updated and maintained on an ongoing basis	SSD 60513208 – Condition B14
Water and Soil	Availability for Review: Records of imported soil will be made available to the Planning Secretary upon request.	Site Manager, Certified Professional in Erosion and Sediment Control	Ongoing	SSD 60513208 – Condition B14
Water and Soil	Monitoring and Verification: <ul style="list-style-type: none"> • Regular audits will be conducted to verify that only 	Site Manager, Certified Professional in	Ongoing	SSD 60513208 – Condition B14



	<p>approved materials are being imported.</p> <ul style="list-style-type: none"> Any non-compliance with this requirement will be immediately addressed, and corrective actions will be implemented to prevent recurrence. 	Erosion and Sediment Control		
Waste	Inspect waste storage areas to ensure waste is securely contained within designated areas and does not spill over into neighbouring public or private properties.	Site Manager	Ongoing	Best Practice



6.0 Contingency Management Plan

Table 21 lists the actions to be implemented if inspections, monitoring and/or auditing indicate that the mitigation measures listed in **Section 4.0** and the specialist management plans are not effective in managing environmental impacts.

Table 21: Contingency Plan

Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
Noise and Vibration				
Noise impacts at sensitive receiver locations	Trigger	LAeq(15minute) noise levels do not exceed applicable NMLs	LAeq(15minute) noise levels measured or predicted to exceed applicable NMLs or noise related complaints received	LAeq(15minute) noise levels measured or predicted to exceed Highly Noise Affected criteria (75 dBA) or noise related complaints received
	Response	On-going best practice management measures to minimise noise emissions	Undertake all feasible and reasonable mitigation and management measures to minimise noise impacts (aiming to achieve NMLs)	Works exceeding the Highly Noise Affected criteria will be managed in accordance with the strategies for high noise generating works determined through community consultation, as detailed in Section 7.1 and 7.2 .
Vibration impacts at sensitive receiver locations	Trigger	Vibration intensive works undertaken outside minimum working distance for the specific equipment in use	Vibration intensive works undertaken within minimum working distance for the specific equipment in use	Vibration levels exceed applicable vibration limits
	Response	On-going best practice management measures to minimise vibration emissions	Undertake vibration monitoring for the duration of the works to confirm vibration levels.	Stop work. Undertake all feasible and reasonable mitigation and management measures to ensure vibration levels are below applicable limits. If vibration levels cannot be kept below applicable limits, then a different construction method or equipment must be utilised.
Air Quality				
Visible dust leaving the site	Trigger	Daily inspections show that there is no visible dust leaving the site.	Daily inspections show that there is visible dust leaving the site.	Daily inspections show that there is visible dust leaving the site multiple times during a day OR from multiple locations within the site.
	Response	Continue monitoring program as normal.	Review and investigate construction activities and respective control measures. Where appropriate, implement additional	Undertake an investigation of the dust generating activities, and if necessary, temporarily halt the dust generating activities



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
			remedial measures, such as: <ul style="list-style-type: none"> Deployment of additional water sprays, water trucks etc 	
Dust deposition reading of >4g/m ² /month	Trigger	Dust deposition rates are less than 4 g/m ² /month at all the dust gauges.	Dust deposition rate greater than 4 g/m ² /month is recorded by any of the dust gauges	Dust deposition rates greater than 4 g/m ² /month are recorded by two or more dust gauges for two months in a row.
	Response	Continue monitoring program as normal.	<ul style="list-style-type: none"> AIE Project Manager to analyse data to try to identify the source(s) of dust. Consideration should be given to the differences between the monitoring closer to other construction sites compared to those further away for identification of potential cumulative impacts. Construction Contractor to review operations to reduce dust emissions from the identified key source(s). Implement any additional mitigation measures as required, such as additional watering. 	<ul style="list-style-type: none"> AIE Project Manager to review and investigate construction activities and respective control measures for the monitoring period. If it is concluded that construction activities at AIE were directly responsible for the exceedance (i.e., the exceedance event was not caused due to high regional dust levels or local non-project dust source), Construction Contractor to submit an incident report to government agencies.
Intense Meteorological Conditions	Trigger	Normal Meteorological Conditions	Forecast winds greater than 5 m/s and dry conditions.	Forecast winds greater than 10 m/s and dry conditions.
	Response	Continue monitoring program as normal.	<ul style="list-style-type: none"> Limit the activities that generate dust within 200 m of downwind sensitive activities. Additional visual inspection of 	Stop activities that generate dust up to 200 m downwind of the construction activities, until wind eases.



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
			<p>exposed areas and activities.</p> <ul style="list-style-type: none"> Assess the need for additional controls such as increased water application rates. 	
Complaints received regarding nuisance dust	Trigger	There are no complaints received during the construction	An air-quality related complaint is received from a nearby resident	Further complaints (more than 2) are received from the same complainant after the additional mitigation measures have been implemented
	Response	Continue monitoring program as normal.	<ul style="list-style-type: none"> Report the complaint to the regulator, in line with complaints handling procedure (See Section 3.6). Review timing of the complaint compared to known site activities to identify if site activities (or lack of activity in the case of mitigation measures) are contributing to the complaints. Review and investigate construction activities and increase dust suppression measures (additional watering, covering stockpiles etc), where appropriate. 	<ul style="list-style-type: none"> Review monitoring data from the existing monitors to investigate the likelihood of onsite activities contributing. The investigation should take into account (but not limited to) regional dust/particulate data, prevailing wind data on the day/time of complaints, onsite activities at the time of complaints and offsite activities at the time of complaints. Conduct real time air quality monitoring at the complaint location (or as near as practicable) including meteorology if required. This monitoring should be conducted in consultation with a suitably qualified air quality professional. Identify the following from any monitoring conducted: <ul style="list-style-type: none"> Monitoring method; Location, frequency and duration of monitoring; Assessment against compliance with criteria identified in Section 5.2 of the CAQMP Recommendations for further mitigation
Traffic				



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
Construction movements	Trigger	Both peak hour and daily Construction traffic volumes are in accordance with volume and time constraints as outlined within Section 3.1 (144 LV & 176 HV Movements per day) and Section 3.2	Construction traffic volumes exceed programmed Peak volumes but is within permissible daily volume constraints (144 LV & 176 HV Movements per day)	Construction traffic volumes exceeds permissible volume and time constraints (144 LV & 176 HV Movements per day)
	Response	No response required. Continue monitoring program.	Review and investigate construction activities, and where appropriate, implement additional remediation measures such as: <ul style="list-style-type: none"> Review CTMP and update where necessary Provide additional training 	As with Condition Amber, plus; <ul style="list-style-type: none"> If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies. Stop all transportation into and out of the site.
Queuing	Trigger	No queuing identified.	Queuing identified within site.	Queuing identified on the public road.
	Response	No response required. Continue monitoring program.	Review the delivery schedule prepared by the builder. If drivers are not following the correct schedule, then they should be provided with additional training and an extra copy of the Driver Code of Conduct.	As with Condition Amber, plus <ul style="list-style-type: none"> Review and investigate construction activities. If it is concluded that construction activities were directly responsible for the exceedance, submit an incident report to government agencies. Temporary halting of activities and resuming when conditions have improved. Stop all transportation into and out of the site. Review CTMP and update where necessary, provide additional training.
Traffic noise	Trigger	Noise levels do not exceed imposed noise constraints	Noise levels in minor excess (<10dBA) of imposed noise constraints	Noise levels greatly in greatly excess (>10dBA) of imposed noise constraints
	Response	No response required	Undertake all feasible and reasonable mitigation and management measures to minimise noise impacts.	Undertake all feasible and reasonable mitigation and management measures to ensure noise levels are below Highly Noise Affected criteria. If noise levels cannot be kept below applicable limits, then a



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
				different construction method or equipment must be utilised. Response to also be consistent with the CNVMP.
Traffic Guidance Scheme	Trigger	No observable issues	Minor inconsistencies with TGS to onsite operations	Near miss or incident occurring regardless of / as a result of the TGS being implemented
	Response	No response required. Continue monitoring TGSs.	Traffic Controller to amend TGS on site and to keep a log of all changes.	Stop work until an investigation has been undertaken into the incident. There are to be changes made to the TGS to ensure that the safety of all workers, students and civilians are catered for.
Traffic Air Quality Impacts	Trigger	No observable dust	Minor quantities of dust in the air and tracking on to the road.	Large quantities of dust in the air and tracking on to the road.
	Response	No response required	Review the ESCP and investigate construction activities and respective control measures, where appropriate. Implement additional remedial measures, such as: <ul style="list-style-type: none"> • Deployment of additional water sprays • Relocation or modification of dust-generating sources • Check condition of vibrating grids to ensure they are functioning correctly. • Temporary halting of activities and resuming when conditions have improved 	As with Condition Amber. <ul style="list-style-type: none"> • If it is concluded that construction activities were directly responsible for the exceedance submit an incident report to government agencies. • Implement relevant responses and undertake immediate review to avoid such occurrence in future.
Water and Soil				
Soil / dust / mud on public road network	Trigger	No soil / dust / mud tracked onto the public road network.	Evidence of soil / dust / mud at entry but none tracked onto public roads.	Evidence of soil / dust / mud tracked onto the public roads.



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
	Response	Continue ESCP/CEMP implementation.	Check condition of wheel wash facility to ensure it is functioning correctly.	Check condition of wheel wash facility to ensure it is functioning correctly. Stop work and clean soil / dust / mud off road network (e.g., engage street sweeper).
Erosion	Trigger	No evidence of erosion.	Minor gully or tunnel erosions present and/or rilling. Evidence of sediment or sediment laden water leaving the site.	Significant gully or tunnel erosions present and/or rilling. Evidence of sediment or sediment laden water leaving the site.
	Response	Continue ESCP / CEMP implementation.	A suitably trained person to inspect the site. Review of erosions and sediment structures. Remediate as appropriate.	A suitably trained person to inspect the site. Review of erosion and sediment structures. Remediate as soon as practical.
Water management structures	Trigger	Water management structures have been designed, constructed, and managed in accordance with the Blue Book and the ESCPs.	Inspections indicate that water management structures illustrate minor non-compliance with the Blue Book and the ESCPs.	Inspections indicate a failure of the water management structures.
	Response	Continue ESCP / CEMP implementation.	A suitably trained person to inspect the site. Review of water management structures. Remediate as appropriate.	A suitably trained person to inspect the site. Remediate as soon as practical. Review of engineering design and revise ESCPs.
Water Quality Monitoring	Trigger	Water quality monitoring results are in accordance with Section 5.5 of SMP and approved by the ER.	Water quality monitoring results exceed the criteria listed in Section 5.5 of SMP and not approved by the ER.	Follow up water quality monitoring results exceed the criteria listed Section 5.5 of SMP and not approved by the ER.
	Response	Continue ESCP / CEMP implementation.	Follow up water quality monitoring will be completed to ensure results are just an anomaly and not a trend.	Appropriate measures are implemented. Follow up water quality monitoring is undertaken to ensure they satisfy the criteria in Section 5.5 of SMP and are approved by the ER.
Waste				
Waste	Trigger	Inspections identified no waste outside of dedicated bins and stockpiles.	Inspections identified minimal waste outside of dedicated bins and stockpiles.	Inspections identified large quantities of waste outside of dedicated bins and stockpiles. Complaints received regarding waste.



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
	Response	Continue WMP / CEMP implementation.	The waste is cleaned up immediately.	The waste is cleaned up immediately. The Communications and Community Liaison Representative is also notified and the complaints handling process outlined in Section 3.6 and the CCCHS is implemented.
Community				
Submission	Trigger	General feedback/comment (no complaint or query).	Enquiry made by formal or informal channels.	Complaint made by formal or informal channels.
	Response	Acknowledge receipt and record in Complaints Register. No further response required.	Acknowledge receipt and record in Complaints Register. Direct enquiry to relevant person for actioning and response within 5 days.	Acknowledge receipt and record in Complaints Register. Respond to complaint immediately, if possible, if not direct enquiry to relevant person for actioning and provide complainant with a follow up verbal response on what action is proposed within two hours during construction works (including night and weekend works) and 24 hours at other times.
Media	Trigger	Positive story in print, online, radio or television.	Neutral or advisory story in print, online, radio or television.	Negative story in print, online, radio or television.
	Response	Record in Complaints Register and advise the proponent media/marketing team. No further response required.	Record in Complaints Register and advise the proponent media/marketing team. No further response required.	Record in Complaints Register and advise the proponent Project Team for further action and response. Contact relevant person for actioning and response within 48 hours
Unscheduled Event	Trigger	Event occurring outside of plan or schedule without impact or potential impact.	Event occurring outside of plan or schedule with minor impact or potential impact.	Event occurring outside of plan or schedule with major impact or potential impact.
	Response	No response required. Identify opportunities for improvement to manage potential future events.	Contact relevant person for actioning and response within 48 hours. Acknowledge in Complaints Register. Identify opportunities for improvement to manage potential future events.	Contact relevant person for actioning and response immediately. Acknowledge in Complaints Register. Identify opportunities for improvement to manage potential future events.
Political Interest	Trigger	General or non-specific enquiry by Local, State or Federal political representative.	Enquiry or complaint relating to minor issue by Local, State or	Enquiry or complaint relating to major issue by Local, State or Federal political representative.



Key Elements	Trigger/ Response	Condition Green	Condition Amber	Condition Red
	Response	CCLR in conjunction with The Proponent Project Team to prepare and provide response or assign response task to relevant staff member for comment. Record in Complaints Register.	Federal political representative. CCLR in conjunction with the proponent Project Team to prepare and provide response within 48 hours. Record in Complaints Register.	CCLR in conjunction with the proponent Project Team to prepare and provide response within 24 hours. Record in Complaints Register.



7.0 Review and Improvement

Review and improvement of environmental performance against CEMP will be undertaken at least quarterly and will include participation by the Proponent. The review will comprise, as a minimum, the following:

- Identification of areas of opportunity for improved environmental performance;
- Analysis of the causes of incidents and non-compliances, including those identified in environment inspections and audits (see Section 3.4);
- Verification of the effectiveness of corrective and preventative actions; and
- Highlighting any changes in procedures resulting from process improvement.

Condition E8 of SSD 10448 and Condition C8 of SSD 60513208 also states that all strategies, plans, and programs will be reviewed, and Planning Secretary notified of the review within three months of:

- the submission of a Compliance Report
- the submission of an incident report
- the approval of any modification of the conditions of this consent; or
- the issue of a direction of the Planning Secretary which requires a review.

This CEMP and all relevant strategies, plans and programs will also be reviewed and, if necessary, revised in the following circumstances:

- Where there is any change to the scope of the construction activities and/or disturbance footprint;
- Where it is identified that the environmental performance is not meeting the objectives of the CEMP; and/or
- At the request of a relevant regulatory authority.

Notwithstanding the review requirements outlined above, in accordance with the requirements of Condition E1(h) the following is provided as the protocol for periodic review of this CEMP and all management plans required under SSD 10448 and SSD 60513208.

- The periodic review is to take account of any required changes to procedures, updates or changes to best practice, any non-compliances in the proceeding 6-month period and whether changes can be made to improve the environmental performance of the development.

As per Condition E9 (SSD 10448) and Condition C9 (SSD 60513208) where documents are revised under the above reviews the revised documents will be sent to Planning Secretary within 6 weeks of review. Additionally, it is a requirement to gain DPHI approval of the revised plans and programs. All employees and contractors will be informed of any revisions to the CEMP by the Contractor's Project Manager during toolbox talks.

In accordance with Conditions A19 of SSD 10488 and Condition A17 of SSD 60513208, Mirvac may, at their discretion, seek to stage, combine or update strategies, plans or programs.

In accordance with Conditions A20 of SSD 10488 and Condition A18 of SSD 60513208, 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 of the Development Consent.

In accordance with Conditions A21 of SSD 10488 and Conditions A19 of SSD 60513208, 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.





Appendix A SSD 10448 Consent

Development Consent

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

As delegate of the Minister for Planning under delegation executed on 9 March 2022, I determine:

- a) to grant consent to the Staged Development Application referred to in Schedule 1, subject to the Concept Proposal conditions and Stage 1 Development Application conditions in Schedule 2;
- b) that pursuant to section 4.37 of the *Environmental Planning and Assessment Act 1979* (NSW), any subsequent development under the Concept Proposal is only considered to be State Significant Development should the development meet the relevant criteria in Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021 (or any substituted SEPP).

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

24 May 2022

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument, but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application Number:	SSD-10448
Applicant:	Mirvac Projects Pty Ltd
Consent Authority:	Minister for Planning
Site:	<p><u>Aspect Industrial Estate</u></p> <p>Lots 54-58 DP 259135 Lots 1, 2 and 5 DP 1285305 and Lots 6 and 7 DP 1291562</p> <p>Lots 301 and 305 DP 1305254, Lots 104 and 105 DP 1305965</p> <p>788-882-788-882 Mamre Road, Kemps Creek NSW 2178</p> <p><u>Elizabeth Enterprise Precinct</u></p> <p>Lot 100 DP 1283398 and Lot 741 DP 810111</p> <p>1669A and 1669-1723 Elizabeth Drive, Badgerys Creek NSW 2555</p> <p>1669-1723 Elizabeth Drive, Badgerys Creek NSW 2555</p>
Development:	<p>The Staged Development Application for the Aspect Industrial Estate comprised of:</p> <ul style="list-style-type: none">• a Concept Proposal for the staged development of an industrial estate comprising of 9 buildings with a total GFA of up to 244,016 square metres (m²) for industrial, warehousing and distribution centres, and café uses• Stage 1 development comprising site preparation works, vegetation clearing, realignment of the existing creek, construction of access roads and eastern half of Mamre Road/ Access Road 1 intersection works, construction, fit out, and operation of one warehouse and one industrial building with ancillary offices, car parks, landscaping, signage, construction and operation of services and utilities, and subdivision of the site into three lots.; and• inclusion of the Elizabeth Enterprise Precinct site for stormwater management purposes only.

FOR INFORMATION

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-10448-MOD-1	25 August 2022	Principal Planning Officer, Industry Assessments	Modification to include additional conditions required by TfNSW for SSD-10448
SSD-10448-MOD-2	30 November 2022	Team Leader, Industry Assessments	Modification to Concept Plan and Stage 1 Development layouts
SSD-10448-MOD-3	2 March 2023	Director, Industry Assessments	Modification to Concept Plan and Stage 1 Development
SSD-10448-MOD-5	12 December 2023	Director, Industry Assessments	Use of the temporary left-in/left-out construction access on Mamre Road by Warehouse 1 operational vehicles.
SSD-10448-MOD-4	21 December 2023	Director, Industry Assessments	Modification to amend the Concept Proposal and Stage 1 stormwater management strategy
SSD-10448-MOD-7	15 July 2024	Team Leader, Industry Assessments	Use of the temporary left-in/left-out construction access on Mamre Road by Warehouses 1 and 9 operational vehicles.
SSD-10448-MOD-6	11 October 2024	Director, Industry Assessments	Modify the Concept Plan and Stage 1 Development layout for Warehouse 8

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CONSOLIDATED CONSENT

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FOR INFORMATION

DEFINITIONS

ADR	Amended Development Report titled 'SSD-10448 Aspect Industrial Estate Amended Development Report', prepared by Urbis and dated 5 May 2022
Applicant	Mirvac Projects Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i> (NSW)
Calendar year	A period of 12 months commencing on 1 January
CAQMP	Construction Air Quality Management Plan
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in s 7 of the <i>Telecommunications Act 1997</i> (Cth)
CDWMP	Construction and Demolition Waste Management Plan
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under s 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
CNMP	Construction Noise Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this consent
Concept Proposal	Concept layout of 44 9 buildings and ancillary offices for industrial, warehousing and distribution centres, and café uses, as described in the EIS, Response to Submissions and ADR
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks and erection of buildings and other infrastructure permitted by this consent
Council	Penrith City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling, and disposal after the cessation of operations
Demolition	The deconstruction and removal of buildings, sheds, and other structures on the site
Department	Department of Planning and Environment
Development	The development described in Schedule 1, the EIS, Response to Submissions, and ADR, including the construction and operation of 44 9 buildings, ancillary offices and associated infrastructure for industrial, warehousing and distribution centres, and café uses, as shown on the plans in Appendix 1, and as modified by the conditions of this consent
Development layout	The Plans at Appendix 1 of this consent
DPE	Has the same meaning of the Department
Earthworks	Bulk earthworks, site levelling, import and compaction of fill materials, excavation for installation of drainage and services, to prepare the site for construction
EEP	Elizabeth Enterprise Precinct (Lot 100 DP 1283398 and Lot 741 DP 810111), (1669A and 1669-1723 Elizabeth Drive, Badgerys Creek NSW 2555) as described in the Modification Report titled AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 4) Modification Report, prepared by Urbis, dated September 2023 and shown in Figure 5 in Appendix 2 of this consent
E&H	Environment and Heritage Group, DPE
EIS	The Environmental Impact Statement titled Aspect Industrial Estate Environmental Impact Statement, prepared by Urbis, dated November 2020, 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

EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EP&A Regulation	Environmental Planning and Assessment Regulation 2000 (NSW)
ER	Environmental Representative
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in s 372W of the <i>Telecommunication Act 1997</i> (Cth)
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> (NSW), 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> (NSW), the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: 'material harm' is defined in this consent</i>
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: (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	New South Wales Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Modification Assessments	The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&A Act: a) Section 4.55(1) Application to Amend SSD-10448, Aspect Industrial Estate, prepared by Urbis, dated 19 July 2022. b) Section 4.55(1A) Application to Amend SSD-10448, Aspect Industrial Estate, prepared by Urbis, dated June 2022. c) AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 3) and Stage 2 Development Application (SSD-46516461) Environmental Impact Statement, prepared by Urbis, dated 21 September 2022. d) AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 5) Modification Report, prepared by Urbis, dated September 2023. e) AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 4) Modification Report, prepared by Urbis, dated September 2023. f) AIE Concept Plan, Stage 1 and Stage 2 Modification SSD-10448 MOD 7 SSD-46516461 MOD 2, prepared by Urbis, dated May 2024.
Modification 5	The temporary use of the left-in/left-out construction access on Mamre Road by Warehouse 1 operational vehicles until the signalised Mamre Road/Access Road 1 intersection is constructed and commissioned as described in AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 5) Modification Report, prepared by Urbis, dated September 2023
Modification 7	The temporary use of the left-in/left-out construction access on Mamre Road by Warehouses 1 and 9 operational vehicles until the signalised Mamre Road/Access Road 1 intersection is

	constructed and commissioned as described in AIE Concept Plan, Stage 1 and Stage 2 Modification SSD-10448 MOD 7 SSD-46516461 MOD 2, prepared by Urbis, dated May 2024.
Modification 6	Modify the layout of Warehouse 8 within the Concept Proposal and Stage 1 development, as described in <i>Submissions Report SSD-10448 MOD 6 & SSDA-SSD-60513208 WH8 Aspect Industrial Estate</i> prepared by Urbis and dated 29 May 2024
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
MRP	Mamre Road Precinct
MRP DCP	Mamre Road Precinct Development Control Plan (NSW Government, 2021)
Night	The period from 10 pm to 7 am on Monday to Saturday, an 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
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
NML	Noise Monitoring Locations
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NRAR	Natural Resources Access Regulator, DPE
OEMP	Operational Environmental Management Plan
Operation	The use of warehouse and industrial buildings for storage, distribution or manufacture of goods upon completion of construction as described in the EIS and ADR
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
Precinct-Wide Stormwater Infrastructure	Refers to future regional stormwater infrastructure for the MRP to be operated by a stormwater management authority
Principal Certifier	The certifier appointed as the principal certifier for the building work under s 6.6(1) of the EP&A Act or for the subdivision work under s 6.12(1) of the EP&A Act
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled ' <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ' (DECCW)
Registered Surveyor	Means registered surveyor within the meaning of the term in the <i>Surveying and Spatial Information Act 2002</i> (NSW)
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 Aspect Industrial Estate Response to Submissions SSD-10448, prepared by Urbis, dated 5 March 2021
Roads authority	As defined in dictionary of the <i>Roads Act 2003</i> (NSW)
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
Stage 1 development	Sitewide bulk earthworks, retaining walls, estate basin, riparian corridor realignment, construction of access roads and the Mamre Road / Access Road 1 intersection construction and operation of buildings 1 and 3, café, landscaping services and utilities installation and subdivision, as described in the EIS, Response to Submissions and ADR
Stage 1 Phase 1 Road Works	Involves construction and operation of a signalised intersection at Mamre Road, Access Road 1 between Mamre Road and Access Road 2, and Access Road 2 as identified in Figure 1 at Appendix 1

Stage 1 Phase 2 Road Works	Involves construction and operation of a roundabout at Access Roads 1 and 3 intersection, the remaining portion of Access Road 1 between Access Road 2 and the roundabout, and Access Road 3 to the south of the roundabout (excludes Access Road 3 - North)
TfNSW	Transport for New South Wales
Traffic control facilities	Has the same meaning as the definition of the term in Dictionary of the <i>Roads Act 1993</i> (NSW).
VENM	Virgin Excavated Natural Material
WAD	Works Authorisation Deed
WSUD	Water Sensitive Urban Design

FOR INFORMATION

SCHEDULE 2

PART A CONDITIONS FOR CONCEPT PROPOSAL

TERMS OF CONSENT

- A1. 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, Response to Submissions (RtS), and Amended Development Report (ADR);
 - (d) **in accordance with the Modification Assessments;**
 - (e) in accordance with the Development Layout in Appendix 2; and
 - (f) in accordance with the management and mitigation measures in Appendix 5.
- A2. 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 A2(a).
- A3. 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 A1(c) or A1(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A1(c) or A1(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

FUTURE DEVELOPMENT APPLICATIONS

- A4. In accordance with section 4.22 of the EP&A Act, each subsequent stage of the Concept Proposal (excluding Stage 1 development) is to be subject to future development applications (DAs). Future DAs are to be consistent with the terms of this consent.

MODIFICATIONS TO THE CONCEPT PROPOSAL

- A4A. This consent does not approve the concept stormwater management strategy described in:
- Section 3.3 of the AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 4) Modification Report, prepared by Urbis Ltd, dated September 2023;
 - Section 3.2 of the SSD-10448 MOD 4 Response to Submissions, prepared by Urbis Ltd, dated 6 December 2023; and
 - Section 5.1 of the Aspect Industrial Estate Water and Stormwater Management Plan, prepared by AT&L, dated 6 December 2023.
- A4B. Any development applications for future stages of the AIE must be accompanied with a revised site-wide stormwater management strategy demonstrating compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022).

LIMITS OF CONSENT

- A5. This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.
- A6. The Applicant must ensure any future development of the site is consistent with the *Mamre Road Precinct Development Control Plan 2021* (NSW Government, 2021) (MRP DCP).
- A7. The maximum GFA for future development on the site for the land uses described in **Table 1** must not exceed the limits described in that table.

Table 1 Maximum GFA of the Concept Proposal

Land Use	Maximum GFA (m ²)
Warehouse and distribution centres and general industrial	233,975
Ancillary offices	9,916
Total	244,016

- A8. A future road widening corridor along the western boundary must not be developed and must be maintained and preserved for the future Mamre Road widening works as shown in **Figure 1** in **Appendix 1**.
- A9. The largest vehicle permitted to access the site is a 30 m Performance Based Standards (PBS) Level 2 Type B.
- A9A. The maximum height for future development on the site described in Table 1A must not be exceeded.

Table 1A Maximum Building Height of the Concept Proposal

Land Use	Height (m)
Warehouse 1	<ul style="list-style-type: none"> • 16.0 m (excluding rooftop plant) • 18.4 m (including rooftop plant)
Warehouse 9	<ul style="list-style-type: none"> • 14.6 m
All other warehouses	13.7 m

Elizabeth Enterprise Precinct

- A9B. Under this consent, the EEP site must only be used for stormwater management purposes as required by Condition A9E until the Precinct-Wide Stormwater Infrastructure becomes available for the AIE to connect into.
- Note: Any future use of the EEP site other than for stormwater management purposes may be considered by the Department as part of a separate future modification and/or application should alternative stormwater management strategies become available.*
- A9C. This consent does not permit the use of the EEP site for any other development or use and must be preserved as undeveloped land for the purposes described in Condition A9E.
- A9D. The conditions in Part B, Schedule 2 of this consent do not apply to the EEP site as described in Schedule 1 of this consent.

STORMWATER MANAGEMENT

- A9E. The site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022).

STAGING PLAN

- A10. Prior to the commencement of construction of any stage of the Concept Proposal, the Applicant shall prepare a Staging Plan for the Development, to the satisfaction of the Planning Secretary. The plan shall:
- (a) be prepared in consultation with Council, utility and service providers and other relevant stakeholders;
 - (b) describe how the implementation of the Concept Proposal, would be staged to ensure it is carried out in an orderly and economic way and minimises construction impacts;
 - (c) show the likely sequence of DAs that will be lodged to develop the Site, with the estimated timing for each Stage and identification of any overlapping construction and operational activities;
 - (d) include concept design for the staged delivery of landscaping, focusing on early implementation of screen planting to minimise the visual impact of subsequent development stages; and
 - (e) include conceptual design for the provision of services, utilities and infrastructure to the Site, including stormwater management infrastructure and any future road upgrades.
- A11. The Applicant must:
- (a) not commence construction of any stage of the Development until the Staging Plan required by Condition A12 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Staging Plan approved by the Planning Secretary.
- A12. The Planning Secretary may require the Applicant to address certain matters identified in the Staging Plan. The Applicant must comply with any such requirements of the Planning Secretary given as part of the Staging Plan approval.

Notes:

- *The Applicant may amend the Staging Plan as desired, with the approval of the Planning Secretary.*
- *The Staging Plan is intended to broadly describe the development sequence for the Site and the delivery of infrastructure for all stages. It is not required to provide detailed design for latter Stages.*

TRAFFIC

- A13. The Applicant must monitor operational traffic for all developments in the concept proposal for a period of 12 months following commencement of operation of each development under the relevant stage. This must include, but not be limited to:
- (a) details of the number and frequency of truck numbers generated by the relevant stage of the Concept Proposal along with any approved developments under the concept proposal;
 - (b) verification of the predicted traffic numbers and level of service against the relevant stage of the Concept Proposal, and analyse the potential cause of any significant discrepancies; and
 - (c) consideration of the current capacity and efficiency of the existing road network including Mamre Road.

FUTURE INFRASTRUCTURE REQUIREMENTS

- A14. The Applicant must prepare an Infrastructure Review to support each future stage of the Concept Proposal. The Infrastructure Review must demonstrate the surrounding road infrastructure can accommodate the relevant stage and other approved developments in the MRP. The Infrastructure Review must:
- (a) detail traffic volumes from all operating stages of the Concept Proposal;
 - (b) include background traffic volumes from key roads within the MRP, including Mamre Road;
 - (c) assess the operating performance of key intersections in the MRP, including Mamre Road and Access Road 1;
 - (d) detail the current level of approved development within the MRP, including total approved GFA;
 - (e) consider consistency with the latest approved Concept Proposal traffic volumes;
 - (f) demonstrate the road network has sufficient capacity to accommodate the proposed stage of the Concept Proposal, and if the proposed stage would trigger the need for any road upgrades, including those identified in the traffic modelling for the MRP;
 - (g) if road upgrades are required to support the proposed stage, identify the timing and mechanisms to contribute to the delivery of the required road upgrades.
- A15. The outcomes of the Infrastructure Review must be used to inform the Staging Plan required by Condition A10.

NOISE LIMITS

- A16. The Applicant must:
- (a) ensure the cumulative noise emission of fixed external mechanical plant for each warehouse building do not exceed 90 dB(A) and do not exhibit tonal characteristic or strong low frequency content; and
 - (b) ensure the noise generated by the operation of the Development does not exceed the noise limits in Table 2.

Table 2 Operational Noise Limits for Concept Proposal dB(A)

Location	Day	Evening	Night
	LAeq (15 minute)	LAeq (15 min)	LAeq (15 min)
Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mont Vernon) and Kerrs Road (Mont Vernon)	39	34	29
BAPS Temple – Outdoor Use Area (Except Car Parking Area)	36 (when in use)		

Note:

- Noise generated by the development is to be measured in accordance with the relevant 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 the plan in Appendix 3 for the location of residential sensitive receivers.

- A16A. Prior to the commencement of operation of any part of the Development, the Applicant must prepare and submit an Operational Noise Management Plan to the satisfaction of the Planning Secretary. The Operational Noise Management Plan must:
- (a) describe the noise performance monitoring method established in accordance with the following guidelines and standards (as may be updated or replaced from time to time) to analyse compliance with the limits specified in condition A16:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);

- (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
- (iii) Section 7 of the Noise Policy for Industry (EPA, 2017);
- (b) identify the allowable noise contribution level of each warehouse at compliance locations identified in Table 2;
- (c) identify the nominated intermediate monitoring locations, reference noise levels at each intermediate location, and noise level relationship between each intermediate location and compliance locations identified in Table 2;
- (d) include:
 - (i) an outline of at-source and transmission path mitigation measures required to ensure compliance with the limits specified in condition A16;
 - (ii) a description of operational procedures to minimise noise, including load dock management practices and driver code of conduct;
 - (iii) a description of contingency measures (including the cessation of non-compliant noise generating activities during the night-time period) in the event mitigation measures and operational procedures are ineffective at reducing operational noise to comply with limits specified in condition A16;
- (e) be updated within three months of the approval of any modification of the Development Layout or determination of future DAs.

MAMRE ROAD PRECINCT WORKING GROUP

A17. For the duration of construction works for each development under the Concept Proposal, and until all components of the development under the Concept Proposal are operational, the Applicant must participate in the Mamre Road Precinct Working Group with relevant consent holders in the MRP to the satisfaction of the Planning Secretary (see Condition C34 in Schedule 2).

EVIDENCE OF CONSULTATION

- A18. 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

- A19. 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).
- A20. 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.
- A21. 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.

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 consent.

PART B CONDITIONS FOR FUTURE DEVELOPMENT APPLICATIONS**TRAFFIC AND ACCESS****Traffic Impact Assessment**

- B1. Future DAs shall be accompanied by a traffic impact assessment (TIA). The TIA must:
- assess the impacts on the safety and capacity of the surrounding road network and access points during construction and operation of the relevant stage in accordance with relevant TfNSW guidelines;
 - include traffic monitoring data collected under Condition D3 and incorporate the relevant findings into this assessment;
 - demonstrate internal roads and car parking complies with relevant Australian Standards and the car parking rates in Condition B2;
 - demonstrate the Mamre Road/Access Road 1 intersection can accommodate operational traffic associated with the relevant stage;
 - detail the scope and timing of any required road or intersection upgrades to service the relevant stage if the assessment under sub-clause (d) identifies that additional upgrades are required; and
 - detail measures to promote non-car travel modes, including a Sustainable Travel Plan identifying pedestrian and cyclist facilities to service the relevant stage of the development.

Car Parking

- B2. Car parking must be provided in accordance with the RMS Guide to Traffic Generating Developments and at the following rates:
- warehouse and distribution centre: 1 space per 300 m²
 - office: 1 space per 40 m²
 - café: 1 space per 10 m².

Access

- B3. Future developments on the site must meet the following requirements:
- 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 Australian Standards *AS 1428.1 Design for Access and Mobility - General Requirements for Access - New Building Work*, AS 2890.1, AS 2890.2 and AS 2890.6;
 - 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;
 - vehicles must not queue on the public road network;
 - heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
 - all vehicles are wholly contained on site before being required to stop;
 - all loading and unloading of materials is carried out on-site;
 - all vehicles enter and exit the site in a forward direction;
 - all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
 - the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Bicycle Parking and End-of-Trip Facilities

- B4. Bicycle parking and end-of-trip facilities is to be provided with suitable pedestrian connections linking these facilities with the offices/ warehouses in accordance with relevant guidelines and standards.

FUTURE FREIGHT NETWORK

- B5. Future DAs must make appropriate provision for the freight network identified in the MRP DCP, including the alignment and width of the corridor and access to the network within the site, to the satisfaction of TfNSW.

STORMWATER MANAGEMENT

- B6. Future development on the site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the *Draft Technical Guidance for achieving Wianamatta South Creek*

Stormwater Management Targets (NSW Government, 2022). The Applicant must ensure sufficient land is reserved for stormwater management purposes, unless the Applicant provides evidence that an agreement is in place to demonstrate that the development is integrated into the regional stormwater system.

- B7. Development application for each future stage must include a Stormwater Management Strategy (SMS) incorporating the relevant stage and all preceding stages of the AIE. The Strategy must:
- (a) be prepared by a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems in consultation with the relevant stormwater management authority;
 - (b) consider the approved or as modified stormwater management system for preceding stages of the development, including compliance of this system with the IWCM controls of the MRP DCP (refer to Condition D30);
 - (c) outline any stormwater infrastructure required to be upgraded, installed, or removed consistent with the site-wide stormwater management strategy for the AIE as required by Condition A4B;
 - (d) demonstrate the relevant stage can comply with the IWCM controls of the MRP DCP;
 - (e) include an assessment of any impacts on salinity and sodic soils from the future development including any proposed WSUD infrastructure; and
 - (f) detail what infrastructure may be required to connect to a precinct-wide stormwater management system for the relevant stage.

DEVELOPMENT CONTRIBUTIONS

- B8. Prior to the issue of a Construction Certificate (or at a time otherwise permitted by the contributions plan or agreed by Council) for any future stage of the Development, the Applicant must pay contributions to Council as required in accordance with the Penrith City Mamre Road Precinct Development Contributions Plan 2022, or any other contributions plan as in force when the later consent takes effect.

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.

- B9. *The Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022* requires special infrastructure contributions to be made for development on rezoned land within the Western Sydney Aerotropolis Special Infrastructure Contributions Area (within the meaning of that Determination). Accordingly, any special infrastructure contribution imposed by a condition of consent to a subsequent development application in relation to the site to which this consent applies is to be determined in accordance with that Determination, or any subsequent determination of the Minister under section 7.23 of the *Environmental Planning and Assessment Act 1979* (NSW), as in force when the later consent takes effect.

NOISE AND VIBRATION

- B10. Future DAs must be accompanied by a Noise and Vibration Impact Assessment. The assessment must:
- (a) identify the noise and vibration impacts during construction and operation;
 - (b) demonstrate compliance with the noise limits in Condition A16;
 - (c) provide an analysis of all external plant and equipment, including but not limited to, forklifts, air conditioners and refrigeration systems and on-site vehicle movements;
 - (d) incorporate noise mitigation measures, such as increased building setbacks, building insulation, noise barriers, layout of truck loading areas or source controls, to demonstrate the noise limits in Condition A16 can be achieved;
 - (e) recommend mitigation and management measures (excluding measures at receivers) to be implemented to minimise noise during construction and operation.

VISUAL AMENITY

Landscaping

- B11. Landscaping design for future developments must comply with the relevant requirements under the MRP DCP.
- B12. Future development must be accompanied by a Landscape Plan consistent with the key principles and plant species described in the Landscape Plans titled *Aspect Industrial Estate, Mamre Road, Kemps Creek Landscape Masterplan*, Dated October 2020.

Outdoor Lighting

- B13. Future development must ensure compliance with Australian Standards *AS/NZS 1158.3.1:2005 Pedestrian Area (Category P) Lighting* and *AS/NZS 4282:2019 Control of Obtrusive Effects of Outdoor Lighting*.

Signage

B14. Future development must include details of any external advertising signage and demonstrate compliance with the requirements of Condition D40 and Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 (or any substituted SEPP).

Glazing

B15. The visible light reflectivity from building materials used in façades along Mamre Road and the internal road frontages must meet the minimum requirements of the MRP DCP.

BUSHFIRE PROTECTION

B16. The Applicant shall ensure future DAs comply 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 Bushfire Assessment for the Proposed Aspect Industrial Estate, prepared by Australian Bushfire Protection Planners Pty Limited, dated 6 October 2020; and
- (c) Australian Standard *AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning*.

ENDEAVOUR ENERGY

B17. The Applicant must obtain relevant approvals from Endeavour Energy, or relevant service provider, prior to the construction of any electricity utility works to service each stage of the development.

SYDNEY WATER

B18. Before the commencement of operation of any future developments, 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* (NSW).

EXTERNAL WALLS AND CLADDING

B19. The external walls of all future buildings must comply with the relevant requirements of the BCA.

B20. Future development involving the construction of external walls must ensure 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.

Note: Documentary evidence that these comply with the BCA will need to be provided to the Certifier prior to the issue of any construction certificate for these works and prior to the Occupation Certificate. A copy of the documentation given to the Certifier will also be required to be provided to the Planning Secretary within seven days after the Certifier accepts it.

PART C STAGE 1 DEVELOPMENT GENERAL CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- C1. 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 Stage 1 Development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- C2. The Stage 1 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 ADR;
 - (d) in accordance with the Modification Assessments;
 - (e) in accordance with the Development Layout in Appendix 3; and
 - (f) in accordance with the management and mitigation measures in Appendix 5.
- C3. 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 C2(a).
- C4. 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 C2(c) or C2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition C2(c) or C2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- C5. This consent lapses five years after the date from which it operates unless the Stage 1 Development has physically commenced on the land to which the consent applies before that date.

Maximum GFA

- C6. The maximum GFA for the Stage 1 Development must not exceed the limits described in **Table 3**.

Table 3 Maximum GFA for the Stage 1 Development

Land Use	Maximum GFA (m ²)
Warehouse 1	
Warehouse and distribution centres and general industrial	32,686
Ancillary offices	1,200
Subtotal	33,886
Warehouse 3	
Warehouse and distribution centres and general industrial	20,735
Ancillary offices	800
Subtotal	21,535
Total	55,421

Stage 1 Development Operational Vehicles

- C6A. The Applicant must ensure no vehicles associated with the operation of Stage 1 accesses Bakers Lane, Aldington Road, and Abbots Road.

Note: Any future use of Bakers Lane, Aldington Road, and Abbots Road may be considered by the Department as part of a separate future application should future road infrastructure upgrades become available

NOTIFICATION OF COMMENCEMENT

- C7. The date of commencement of each of the following phases of the Stage 1 Development must be notified to the Department in writing, at least one month before that date:
- (a) construction; and
 - (b) operation.

EVIDENCE OF CONSULTATION

- C8. 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

- C9. 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).
- C10. 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.
- C11. 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

- C12. Before the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the Stage 1 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.
- C13. 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.

DEMOLITION

- C14. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- C15. 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 Building Code of Australia (BCA).

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.

- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

SUBDIVISION

- C16. Prior to the issuing of a Subdivision Certificate 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.
- C17. Prior to the issuing of a Subdivision Certificate 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.
- C18. Prior to the issuing of a Subdivision Certificates for any stage of the development, 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.

COMPLIANCE

- C19. 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

- C20. Prior to the issue of a Construction Certificate (or at a time otherwise permitted by the contributions plan or otherwise agreed by Council) for any building in the Stage 1 Development, the Applicant must pay contributions to Council 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.

- C21. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (2022 Determination) as in force when this development consent takes effect, for the first stage of development to which this consent applies.

A person may not apply for a subdivision certificate or construction certificate (as the case may require, having regard to the 2022 Determination) in relation to the first stage of development unless the person provides, with the application, written evidence from the Department of Planning and Environment that the special infrastructure contribution for the first stage of 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.

A special infrastructure contribution may also be required to be made for further development that consists of, or involves, development on rezoned land within the meaning of the 2022 Determination on the site to which this consent applies.

Any special infrastructure contribution imposed by a condition of consent to a subsequent development application is to be determined in accordance with the 2022 Determination, or any subsequent determination of the Minister under section 7.23 of the Environmental Planning and Assessment Act 1979, as in force when that later consent takes effect.

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

- C22. All plant and equipment used on site, or to monitor the performance of the Stage 1 Development, must be:
- (a) maintained in a proper and efficient condition;
 - (b) noise amelioration featured; and
 - (c) operated in a proper and efficient manner.

EXTERNAL WALLS AND CLADDING

- C23. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- C24. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and

- (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.
- C25. 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

- C26. Before the construction of any utility works associated with the Stage 1 Development, the Applicant must obtain relevant approvals from service providers.
- C27. 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* (NSW).
- C28. Before the issue of a Subdivision 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 a real estate development project 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 a real estate development project demonstrated through an agreement with a carrier.
- C29. Before the issue of the final Occupation Certificate the Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.

WORKS AS EXECUTED PLANS

- C30. Before the issue of the final Occupation Certificate, works-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

- C31. The Applicant must engage an Environmental Representative (ER) to oversee construction of the Stage 1 Development. Unless otherwise agreed to by the Planning Secretary, construction of the Stage 1 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, ADR, and any additional information for the Stage 1 Development and is independent from the design and construction personnel for the Stage 1 Development;
 - (b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the Stage 1 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 E2 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 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 construction works on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, earthworks and sediment control and noise;

- (j) attend the Mamre Road Precinct Working Group (see Condition C34) in a consultative role in relation to the environmental performance of the Stage 1 development; and
 - (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Quarterly Report** providing the information set out in the Environmental Representative Protocol under the heading 'Environmental Representative Quarterly Reports'. The **Environmental Representative Quarterly Report** must be submitted within seven calendar days following the end of each quarter for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.
- C32. 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 C31 (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).
- C33. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition E16. The Applicant must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
 - (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

MAMRE ROAD PRECINCT WORKING GROUP

- C34. Within three months of the commencement of construction of the Stage 1 Development and until all components of the Stage 1 development are constructed and operational, the Applicant must establish and participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:
- (a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;
 - (b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;
 - (c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;
 - (d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;
 - (e) review community concerns or complaints with respect to environmental management;
 - (f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and
 - (g) provide the Planning Secretary with an update and strategies, if a review under subclause (d) and (e) identifies additional measures and processes are required to be implemented by the working group.
- C35. Three (3) months prior to completion of construction of all components of the Stage 1 development, the Applicant is eligible to exit the working group required under condition C34. The Applicant must:
- (a) consult with the Planning Secretary;
 - (b) provide confirmation that all components of the Stage 1 development are operational; and
 - (c) advise on the date of the proposed exit.

APPLICABILITY OF GUIDELINES

- C36. 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.
- C37. 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

CONSOLIDATED CONSENT

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.

FOR INFORMATION

PART D STAGE 1 DEVELOPMENT SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- D1. Prior to the commencement of construction of the Stage 1 Development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition E2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) detail the traffic management and contingency measures that are to be implemented for the site, particularly during the construction works for the Mamre Road/Access Road 1 intersection, to ensure access to the site and road safety and network efficiency is maintained, including interim traffic safety controls and management measures;
 - (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.
- D2. The Applicant must:
- (a) not commence construction until the CTMP required by condition D1 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Operational Traffic Monitoring Program

- D3. Prior to commencement of operation of Building 1 or 3 and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program. The program must verify light and heavy vehicle traffic numbers, including the heavy vehicle volumes limited by Condition D3A, against the prediction in the Aspect Industrial Estate, Mamre Road Precinct – Modification 2 to State Significant Development Application (SSD-10448) Traffic Impact Assessment prepared by Ason Group, dated 25 July 2022. The Program must also monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:
- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
 - (b) queue monitoring at the Mamre Road/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 Stage 1 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 Stage 1 Development.
- D3A. The Applicant must ensure the total number of hourly heavy vehicles entering Warehouse 1 from Access Road 1 does not exceed 22 or is in line with Part 6 of Austroads Standards Guide to Traffic Management, whichever is lesser.

Internal Access Roads

- D4. Prior to the commencement of any construction works for Building 1 or 3 (excluding site-wide bulk earthworks) as described in the ADR, the Applicant must:
- (a) prepare a concept design of the Stage 1 Phase 2 road works in accordance with the design requirements in the MRP DCP and in consultation with the relevant roads authority, to the satisfaction of the Planning Secretary; and

- (b) consult with the relevant roads authority concerning the processes for dedication of the lands for the internal Access Roads 1 and 3 (North and South) including the roundabout shown in Figure 1: in Appendix 1.
- D5. Within one month of registration of lot(s) for internal Access Roads 1 and 3 including the roundabout at the Land Registry Services, the Applicant must notify the Planning Secretary that the lands for the internal Access Roads 1 and 3 (North and South) has been dedicated.
- D6. Prior to issue of an Occupation Certificate for Building 3, the Applicant must construct and operate the Stage 1 Phase 1 road works shown in Figure 4 in Appendix 3 to the satisfaction of relevant road authority.
- D6A. Within six months of the issuing of an Occupation Certificate for Warehouse 9 and prior to the issuing of an Occupation Certificate for Warehouse 3, the Applicant must construct and operate the Stage 1 Phases 1 and 2 road works, including completing construction of Mamre Road/Access Road 1 intersection and the installation of the traffic signals to the satisfaction of TfNSW.
- D7. Within six months of the approval 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 Access Road 3 – North, in consultation with Council and landowner of 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135), and to the satisfaction of the Planning Secretary:
- (a) a Staging Plan for the riparian corridor realignment works and Access Road 3 – North construction, including:
- details of the scope of works to be undertaken on the site and the adjoining site at 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135) (see Figure 4);
 - details of how the further riparian corridor realignment and road construction works at the junction between the site and 784-786 Mamre Road, Kemps Creek (Lot 59 DP259135) will be coordinated and delivered;
 - an arrangement on timing of the works; and
- (b) a detailed design plan of Access Road 3 – North prepared in accordance with the design requirements under the MRP DCP.
- Note: The detailed design of Access Road 3 - North and any changes to the approved riparian corridor alignment may require modification(s) to SSD-10448 or separate DA(s).*
- D8. Prior to issue of an Occupation Certificate for any other buildings or warehouses in the Development, the Applicant must ensure the Stage 1 Phase 2 road works are constructed and operational.
- D9. The Applicant must ensure that the portion of Access Road 3 – North to be located on the site is constructed and operational in accordance with the design plans required under Condition D7.

Access Arrangements

- D10. Prior to the commencement of construction of any works (excluding bulk earthworks) for Buildings 1 or 3, the Applicant must submit design plans to the satisfaction of the relevant roads authority, which demonstrates the proposed accesses to the development are designed to accommodate the turning path of a 30 m PBS Level 2 vehicle.
- D11. Prior to the commencement of any construction works (excluding bulk earthworks) for Warehouse 1 as described in the EIS, the Applicant must prepare and submit design plans in consultation with TfNSW, FRNSW, and Council, and to the satisfaction of the Planning Secretary, demonstrating access to the development from Access Road 1 complies with relevant FRNSW and TfNSW access requirements.
- D11A. The Applicant must ensure:
- Warehouse 1 driveway on Access Road 1 is used by inbound heavy vehicles only;
 - Warehouse 3 driveway on Access Road 1 adjacent Warehouse 2 is used by inbound heavy vehicles only;
 - Warehouse 3 driveway on Access Road 1 opposite Warehouse 8 car park driveway is used by fire engines only; and
 - Warehouse 3 driveway on Access Road 2 is used by outbound heavy vehicles, inbound and outbound light vehicles.
- D11B. Prior to the commencement of operation of Warehouse 3, the Applicant must:
- install stop signs at Warehouse 3 where the loading area adjoins the private driveway to the north of the Warehouse 3 building; and
 - finish line-marking of the private driveway to the north of the Warehouse 3 building.
- D11C. Prior to the Mamre Road/Access Road 1 intersection being completed and commissioned, the Applicant must ensure only vehicles associated with Warehouses 1 and 9 operations are permitted to use the temporary left-in/left-out construction access on Mamre Road shown in Figure 6: and Figure 7: as described in Modification 5 in addition to vehicles relating to construction activities.

- D11D. Prior to the commencement of operation of Warehouse 1, the Applicant must submit details of all traffic control facilities including but not limited to line-marking and safety control for Stages 1 and 2 temporary access roads shown in purple in **Figure 6** and **Figure 7** in Appendix 3. These traffic control facilities are to be prepared in consultation with Council and to the satisfaction of the Planning Secretary.
- D11E. Prior to the commencement of operation of Warehouse 1, the Applicant must submit a pre-opening Road Safety Audit (RSA) prepared by an accredited Road Safety Auditor for the Stages 1 and 2 temporary access roads shown in purple in **Figure 6** and **Figure 7** in Appendix 3. The RSA is to be prepared in consultation with Council and to the satisfaction of the Planning Secretary and must outline any recommendations for road safety improvements and demonstrate the improvements have been implemented.
- D11F. Prior to the commencement of operation of Warehouse 1, the Applicant must install all traffic control facilities shown in **Figure 8** to **Figure 12** in Appendix 3, including any amendments to the facilities made following consultation with Council.
- D11G. The Applicant must remove the Stage 1 temporary access road shown in **Figure 6** in Appendix 3 and all temporary traffic control facilities for that road at the completion and commissioning of Access Road 4.
- D11H. Prior to the commissioning of Access Road 4, the Applicant must install all traffic control facilities shown in **Figure 13** to **Figure 17** in Appendix 3, including any amendments to the facilities made following consultation with Council.
- D11I. The Applicant must remove the Stage 2 temporary construction access roads shown in **Figure 7**, **Figure 12**, **Figure 13**, **Figure 15**, and **Figure 17** in Appendix 3 and all temporary traffic control facilities at the completion and commissioning of Mamre Road/Access Road 1 intersection.
- D11J. The Applicant must ensure all vehicles including those associated with the operation of Stage 1 development utilise the washdown area shown in **Figure 6** and **Figure 7** to ensure all vehicles do not track dirt onto the public road network before leaving the site as required by Condition D21(g).
- D11K. The Applicant must monitor construction and operational traffic volumes using the temporary left-in/left-out access off Mamre Road for the period that the temporary construction access is being used. Traffic volumes must be reported to TfNSW and the Planning Secretary on a monthly basis.
- D11L. Within three months of approval of Modification 7, the Applicant must install a 60 kilometre per hour (km/hr) road works speed limit on Mamre Road between Bakers Lane and Abbots Road to the satisfaction of TfNSW. The road works speed limit must remain in operation 24 hours a day, seven days a week, unless otherwise instructed by TfNSW.

Mamre Road/Access Road 1 intersection works

- D12. Prior to the Applicant entering into a Works Authorisation Deed (WAD) required by condition D13, or otherwise agreed by the Planning Secretary, the Applicant must:
- obtain landowners consent and enter into an agreement with the owner(s) of 833B Mamre Road, Kemps Creek (Lot 28, DP258414) to relocate or remove an existing gated driveway on that property outside of the footprint of the Mamre Road/Access Road 1 intersection signals to the satisfaction of Council and the Planning Secretary;
 - provide a copy of the landowner's consent and signed agreement described under condition D12(a) to TfNSW and the Planning Secretary; and
 - remove and relocate the driveway in accordance with the agreement.
- D13. The Applicant must enter into a Works Authorisation Deed for the **Mamre Road/Access Road 1** intersection works with TfNSW. The WAD must be executed prior to the submission of the detailed design required by condition D12 to TfNSW for approval.
- D13A. The Applicant must enter into a WAD with TfNSW for establishing a temporary left in/left out construction access and left-turn lane on Mamre Road to be used by vehicles during Stage 1 construction. The WAD must:
- include details of the removal of the temporary left in/left out construction access and left-turn lane on Mamre Road; and
 - be executed prior to commencement of construction of the temporary left in/left out construction access and left-turn lane on Mare Road.
- D13B. The Applicant must:
- ensure the temporary left in/left out construction access and left-turn lane are maintained at no cost to TfNSW;
 - remove the temporary left in/left out construction access and left-turn lane at the completion and commissioning of the Mamre Road/Access Road 1 intersection, at no cost to TfNSW; and
 - reinstate shoulder along Mamre Road within three months of satisfying Condition D6, at cost to TfNSW.

- D14. Prior to the issue of a construction certificate for the Mamre Road/Access Road 1 intersection (the intersection) construction, the Applicant must finalise and submit the detailed design of the intersection works, including an endorsed Traffic Signal Plan (TSP) to TfNSW for approval. The TSP must:
- (a) demonstrate the proposed traffic control light at the intersection is designed in accordance with Austroads Guide to Road Design, RMS Signal Design Manual, and Australian Codes of Practice; and
 - (b) be approved and endorsed by a suitably qualified practitioner.
- D15. The Applicant must obtain a Road Occupancy Licence (ROL) from TfNSW Transport Management Centre for any works that may impact on traffic flows on Mamre Road during construction.

Redundant Driveways on Mamre Road

- D16. The Applicant must remove redundant driveways on Mamre Road within the site's boundaries and replace with kerb and gutter to match existing in accordance with TfNSW requirements. Detailed design plans of the proposed kerb and gutter are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works within Mamre Road.

Structural integrity of road infrastructure

- D17. Prior to commencement of any works on Mamre Road, the Applicant must prepare and submit detailed design plans and hydraulic calculations of any changes to the stormwater drainage system to TfNSW for approval.
- D18. At least six weeks prior to commencement of bulk earthworks within Mamre Road, the Applicant must submit design drawings and documents relating to the excavation of the site and support structures in accordance with TfNSW Technical Direction GTD2012/001.
- D19. Should the Applicant propose to excavate below the level of the base of the footings of the adjoining roads and driveways, at least seven days prior to commencement of excavation, the Applicant must provide notice of the intention to excavate below the base of the footings to owner(s) of that roads and driveways. The notice must include complete details of the proposed excavation including but not limited to the extent and duration of works.

Parking

- D20. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

- D21. 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) and *AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2002);
 - (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.

Workplace Travel Plan

- D22. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Workplace Travel Plan and submit a copy to the Planning Secretary. The Workplace Travel Plan must form part of the OEMP required by condition E5 and must:
- (a) be prepared in consultation with TfNSW and Council;
 - (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.

D23. The Applicant must implement the most recent version of the Workplace Travel Plan for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

D24. The Applicant must:

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

Erosion and Sediment Control

D25. Prior to the commencement of any construction or other surface disturbance, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase IWCM controls in the MRP DCP are achieved. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must:

- (a) be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist;
- (b) be prepared in accordance with *Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book* (Landcom, 2004) and with the WSUD design principles set out in the *Draft Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022);
- (c) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met; and
- (d) be included in the CEMP required by condition E2.

D26. The Applicant must ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC. Monthly audits are to be completed by CPESC and kept on record for the duration of the construction and an additional 12 months following completion of construction works. Discharge Limits

Discharge Limits

D27. 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

D28. Prior to the commencement of operation of the development, the Applicant must implement the Stormwater Management System described in the ADR amended by Modification Assessments and as shown in [Figure 2 Figures 5 and 5A](#) in Appendix 2. The design and subsequent construction and establishment of the WSUD systems must be supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems.

D29. All stormwater infrastructure, including bio-retention basins, shall remain under the ownership, control, and care of the registered proprietor of the lots. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements.

Stormwater Management Plan

D30. Within three (3) months prior to the commencement of operation of either Building 1 or 3 of the Stage 1 Development, the Applicant must prepare a Stormwater Management Plan (SMP) to the satisfaction of the Planning Secretary. The SMP 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 Environment and Heritage, Sydney Water, DPE, and Council;
- (c) [address the requirements under the heading 'Water and Stormwater Management Plan' outlined in the Environment and Heritage's letter dated 18 December 2023;](#)
- (d) describe the baseline soil, surface water and groundwater conditions at the site;
- (e) detail a monitoring program to monitor:
 - (i) surface water flows and quality;
 - (ii) surface water storage and use;
 - (iii) sediment basin operation;
 - (iv) the performance of the Stage 1 stormwater management system to demonstrate compliance with the IWCM controls in the MRP DCP;

- (f) detail a stormwater management strategy and designs of each WSUD system, including:
 - (i) description of how the requirements and objectives of the IWCM controls of the DCP will be achieved, including provisions for how stormwater will be managed and monitored;
 - (ii) details of how the Stage 1 Development will be designed and developed so it can potentially connect to precinct-wide stormwater infrastructure, if required
 - (iii) engineering drawings completed and certified by a chartered professional engineer with experience in modelling, design, and supervision of WSUD systems that detail the WSUD measures;
 - (iv) landscape drawings that include planting and hardscape details of the WSUD systems;
- (g) include a protocol for investigation of any non-compliances of the IWCM controls in the MRP DCP controls described in condition D30(f) and contingency measures that would be implemented should issues arise;
- (h) 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); and
- (i) include a Maintenance Plan for WSUD measures.

D31. The Applicant must:

- (a) not commence the operation of the development until the SMP required by condition D30 is approved by the Planning Secretary;
- (b) implement the most recent version of the SMP approved by the Planning Secretary for the duration of the development; and
- (c) ensure all WSUD systems are constructed under the supervision of a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems.

Easements and Maintenance

D32. Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the:

- (a) stormwater management system (including on-site detention and water sensitive urban design)
- (b) trunk drainage

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 Specification for Building Developments - Appendix F, available on Council's Website.

D33. The 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 Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

Dam Decommissioning Strategy

D34. Prior to commencement of construction of the Stage 1 Development, the Applicant must implement the Dam Decommissioning Strategy included in the EIS. The Applicant must implement the most recent version of the Dam Decommissioning Strategy for the duration of construction.

Groundwater Management Plan

D35. Prior to commencement construction of the Stage 1 Development, the Applicant must implement the Groundwater Management Plan included in the EIS. The Applicant must implement the most recent revision of the Groundwater Management Plan for the duration of the development.

Salinity Management

D36. The Applicant must prepare a Salinity Management Plan, which must form part of the CEMP in accordance with Condition E2, that addresses all aspects of the Stage 1 development. The Applicant must implement the most recent revision of the Salinity Management Plan for the duration of construction.

VISUAL AMENITY

Landscaping

D37. Prior to the commencement of operation, 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 an OEMP in accordance with condition E5. The plan must:

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

- (b) demonstrate the species are suitable in relation to wildlife management in proximity to the future Western Sydney Airport;
- (c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and
- (d) be consistent with the Applicant’s Management and Mitigation Measures detailed at Appendix 6.

D38. The Applicant must:

- (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.
- (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D37 for the life of the development.

D38A. The Applicant must ensure street trees on all Access Roads are planted at a spacing of 10 m or less.

Lighting

D39. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); 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

D40. All signage and fencing must be erected in accordance with the development plans included in the ADR.

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

NOISE

Hours of Work

D41. The Applicant must comply with the hours detailed in **Table 4**, unless otherwise agreed in writing by the Planning Secretary.

Table 4 *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

D42. Works outside of the hours identified in condition D41 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

D43. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 5.

Construction Noise Management Plan

D44. The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition E2 and must:

- (a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;

- (b) be approved by the Planning Secretary prior to the commencement of construction of each phase of the development;
- (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (d) describe the measures to be implemented to manage high noise generating works, in close proximity to sensitive receivers, particularly for noise mitigation eligible receivers shown in **Figure 19**: in Appendix 5, including but not limited to the following:
 - (i) details of a real-time noise monitoring system to identify occurrence of highly noise affected levels as defined in the *Interim Construction Noise Guideline*; and
 - (ii) describe procedures for implementing respite periods and temporary relocation following identification of highly noise affected levels.
- (e) include a complaints management system that would be implemented for the duration of the development.

D45. The Applicant must:

- (a) not commence construction of any relevant stage until the CNMP required by condition D44 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.

Noise Agreement

- D46. Prior to the commencement of operation of the Stage 1 development an, the Applicant must enter into an agreement with the noise mitigation eligible receivers shown in **Figure 19**: in Appendix 5.
- D47. Prior to the commencement of operation of the Stage 1 development, the Applicant must submit copies of the noise agreements required under Condition D46 to the Planning Secretary.
- D48. The noise agreement required under Condition D46 must be in force until the existing residential use ceases on the land subject to the agreement or a development application for general industrial or other employment uses applies to the land, whichever is the sooner.

Vibration Criteria

- D49. Vibration caused by construction at any residence or structure outside the site must be limited to:
 - (a) for structural damage, the criteria set in the latest version of *DIN 4150-3:2016-12 Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- D50. The Applicant must offer and, if the offer is accepted, implement monitoring of vibration levels during construction at 884-902 Mamre Road (Lot 53 DP259135), to the satisfaction of the Planning Secretary. Any vibration monitoring must be undertaken during the entirety of the construction period. If the criteria in Condition D49 are exceeded, management and mitigation measures must be developed and implemented to address any exceedances.

Dilapidation Reporting

- D51. Prior to commencement of construction, the Applicant must offer and prepare (if the offer is accepted) a pre-construction dilapidation report at 884-902 Mamre Road (Lot 53 DP259135). The report must be submitted to the Planning Secretary and the relevant property owner(s) prior to construction works commencing on the site.

Operational Noise Limits

D52. The Applicant must:

- (a) establish intermediate noise monitoring locations in accordance with the Operational Noise Management Plan (refer to condition A16A) prior to commencement of operation of the Stage 1 Development;
- (b) ensure the cumulative noise emission of fixed external mechanical plant for each warehouse building do not exceed 90 dB(A) and do not exhibit tonal characteristics or strong low frequency content; and
- (c) ensure the noise generated by operation of the Stage 1 Development does not exceed the noise limits in condition A16.

Noise Verification Report

- D53. Within three months of the commencement of operation of the Stage 1 Development, the Applicant must submit a noise verification report to the satisfaction of the Planning Secretary. The report must be prepared by a suitably qualified and experienced acoustic consultant and include:
 - (a) an analysis of compliance with noise limits specified in condition D52;

- (b) an outline of mitigation and management measures to reduce any exceedances of the limits specified in condition D52 (excluding measures to be implemented at the receivers); and
- (c) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

AIR QUALITY

Dust Minimisation

- D54. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D55. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Construction Air Quality Management Plan

- D56. Prior to the commencement of construction, 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 E2 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 performance indicators;
 - (d) identify the control measures that that will be implemented for each emission source; and
 - (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency, and duration of monitoring;
 - (iv) record keeping;
 - (v) complaints register;
 - (vi) response procedures; and
 - (vii) compliance monitoring.
- D57. The Applicant must:
- (a) not commence construction until the CAQMP required by condition D56 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 the development.

Odour Management

- D58. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

ABORIGINAL HERITAGE

Statutory Requirements

- D59. Prior to the commencement of construction of Stage 1 development, the Applicant must register identified Aboriginal items or objects on the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) Aboriginal Sites Register.

Archaeological Salvage

- D60. Prior to the commencement of construction of Stage 1, the Applicant must engage a suitably qualified and experienced expert to undertake an archaeological salvage excavation of the MAM AS 1901. The Applicant must undertake the salvage excavation in accordance with the requirements of Heritage NSW, and must:
- (a) implement the methodology for the reburial of all salvaged Aboriginal objects within the site detailed in the Reburial Methodology, prepared by artefact, dated 26 February 2021; and
 - (b) provide the Registered Aboriginal Parties (RAPs) an opportunity to collect Aboriginal objects across the site.
- D61. The Applicant must prepare an archaeological report of the salvage excavation undertaken in accordance with Condition D60. An interim report of the salvage excavation must be provided to the satisfaction of the Planning Secretary within one month of completion of the salvage work and a final report provided within 12 months of completion of the salvage work.

Unexpected Finds Protocol

- D62. 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.
- D63. 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* (NSW).

HISTORIC HERITAGE

Unexpected Finds Protocol

- D64. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW and details included in the salvage excavation report required under Condition D60(b).

BIODIVERSITY

- D65. Prior to any clearing or construction works the Applicant must purchase and retire 1 ecosystem credit to offset the removal of *Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion* and 3 species credits to offset the removal of *Myotis macropus* at the site. The ecosystem and species credits must be retired in accordance with the requirements of the E&H Group's Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016* (NSW).
- D66. The requirement to retire ecosystem and species credits (see Condition D65) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem and species credits, as calculated by the E&H Group's Biodiversity Offsets Payment Calculator.
- D67. The Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of ecosystem credits has been completed (see Condition D65); or
 - (b) a payment has been made to the Biodiversity Conservation Fund (see Condition D66),
- prior to undertaking any clearing of native vegetation and *Myotis macropus* habitat.
- D68. Prior to commencement of dam dewatering and construction of the Stage 1 Development, the Applicant must implement the Flora and Fauna Management Plan included in the RtS. The Applicant must implement the most recent revision of the Flora and Fauna Management Plan for the duration of construction works.

Vegetation Management Plan – Riparian Corridor

- D69. Within six (6) months of the commencement of operation, the Applicant must complete the revegetation of the realigned riparian corridor in accordance with the Vegetation Management Plan (VMP) included in the RTS and ensure that the realigned riparian corridor provides for a full hierarchy of appropriate ground cover, shrubs and trees. The Applicant must implement the most recent version of the VMP for a maintenance period of up to five years following the completion of the establishment phase of the VMP.

HAZARDS AND RISK

Dangerous Goods

- D70. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of *Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

Bunding

D71. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

WASTE MANAGEMENT

Pests, Vermin and Noxious Weed Management

D72. The Applicant must:

- (a) implement suitable measures to manage pests, vermin and declared noxious 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 noxious 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, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015 (NSW).

Waste Storage and Processing

D73. Prior to the commencement of construction of Building 1 and 2, the Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse.

D74. 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.

Waste Management Plan

D75. The Applicant must implement the Waste Management Plan (WMP) prepared by MRA Consulting Group, dated 30 September 2020 in the EIS for the duration and construction and operation of Stage 1 of the development.

Statutory Requirements

D76. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

Unexpected Finds

D77. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition E2 and must ensure any material identified as contaminated and is required to be removed from the site must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal.

PART E STAGE 1 DEVELOPMENT ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- E1. 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

- E2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition E1 and to the satisfaction of the Planning Secretary.
- E3. As part of the CEMP required under condition E2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition D1);
 - (b) Erosion and Sediment Control Plan (see condition D25);
 - (c) Salinity Management Plan (see condition D33);
 - (d) Construction Noise Management Plan (see condition D44);
 - (e) Construction Air Quality Management Plan (see condition D56);
 - (f) Vegetation Management Plan (see Condition D69);
 - (g) Contamination Unexpected finds procedure (see Condition D77);
 - (h) Waste Management Plan (see condition D75); and
 - (i) Community Consultation and Complaints Handling.
- E4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- E5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition E1 and to the satisfaction of the Planning Secretary.
- E6. As part of the OEMP required under condition E5 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 Noise Management Plan \(see condition A16A\)](#);
 - (ii) [Operational Traffic Monitoring Program \(see condition D3\)](#);
 - (iii) [Workplace Travel Plan \(see condition D22\)](#);
 - (iv) [Landscape Management Plan \(see condition D37\)](#);
 - (v) [Stormwater Management Plan \(see condition D30\)](#);
 - (vi) [Vegetation Management Plan \(see Condition D69\)](#); and
 - (vii) [Waste Management Plan \(see condition D75\)](#).
- E7. 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

- E8. Within three months of:
- (a) the submission of a Compliance Report under condition E14;
 - (b) the submission of an incident report under condition E10;
 - (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 C2(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 that a review is being carried out.
- E9. 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.

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

- E10. 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 7.

Non-Compliance Notification

- E11. The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- E12. 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.
- E13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- E14. Within three months after the commencement of construction of the Stage 1 Development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary) for the duration of construction works, the Applicant must submit a Compliance Report to the Department 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 over the life of the development;
 - (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- E15. 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 7 days before this is done.

Monitoring and Environmental Audits

- E16. 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

- E17. At least 48 hours before the commencement of construction until the completion of all works under this consent, 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 C2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated monthly;
 - (x) the Compliance Report of the development;
 - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xii) 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 CONCEPT PROPOSAL

Table 5 *Schedule of Approved Plans – Concept Proposal*

Drawing No	Title	Issue	Date
Architectural Plan prepared by SBA Architects			
MP6-02	Aspect Industrial Estate Lots 1-5 (DP 1285305) Mamre Road, Kemps Creek – SSDA-MOD 6 Estate Masterplan	C	02/04/2024
Landscape Plan prepared by Site Image Landscape Architects			
003	Aspect Industrial Estate Kemps Creek Landscape Masterplan MOD 6	I	04/04/2024
Tree Canopy Plan prepared by Site Image Landscape Architects			
MOD6_SK001	Kemps Creek Lots 1,2 & 5 DP 1285305 & Lots 6 & 7 DP 1291562 Mamre Road Kemps Creek Tree Canopy Plan	D	04/04/2024

OVERALL DEVELOPMENT DATA	
Total Site Area	555,523 m ²
Mamre Rd Reserve Area	14,004 m ²
New Boundary Site Area	344,018 m ²
Access Roads Area	39,876 m ²
Future Reserve Area	3,510 m ²
Creek Riparian Area	29,718 m ²
Riparian Reserve Area	4,162 m ²
Bank Lot Area	18,150 m ²
Total Developable Area	448,004 m ²
Total Office Area (see also 1)	9,918 m ²
Total Warehouse Area	331,671 m ²
Carls	125 m ²
Total Site Area	344,018 m ²
Bank Lot 16,159 Area	4,613 m ²

WAREHOUSE 1	
Site Area	81,217 m ²
Office	300 m ²
Warehouse	32,656 m ²
Dock Office	200 m ²
Total GFA	33,156 m ²
Carpark Provided	141

WAREHOUSE 2	
Site Area	45,172 m ²
Office	1,500 m ²
Warehouse	22,569 m ²
Dock Office	200 m ²
Total GFA	24,269 m ²
Carpark Provided	150

WAREHOUSE 3	
Site Area	42,755 m ²
Office	1,500 m ²
Warehouse	20,726 m ²
Dock Office	100 m ²
Total GFA	21,326 m ²
Carpark Provided	80

WAREHOUSE 4	
Site Area	41,368 m ²
Office	1,500 m ²
Warehouse	18,000 m ²
Dock Office	100 m ²
Total GFA	18,600 m ²
Carpark Provided	80

WAREHOUSE 5	
Site Area	28,180 m ²
Office	600 m ²
Warehouse	11,872 m ²
Dock Office	100 m ²
Total GFA	12,622 m ²
Carpark Provided	60

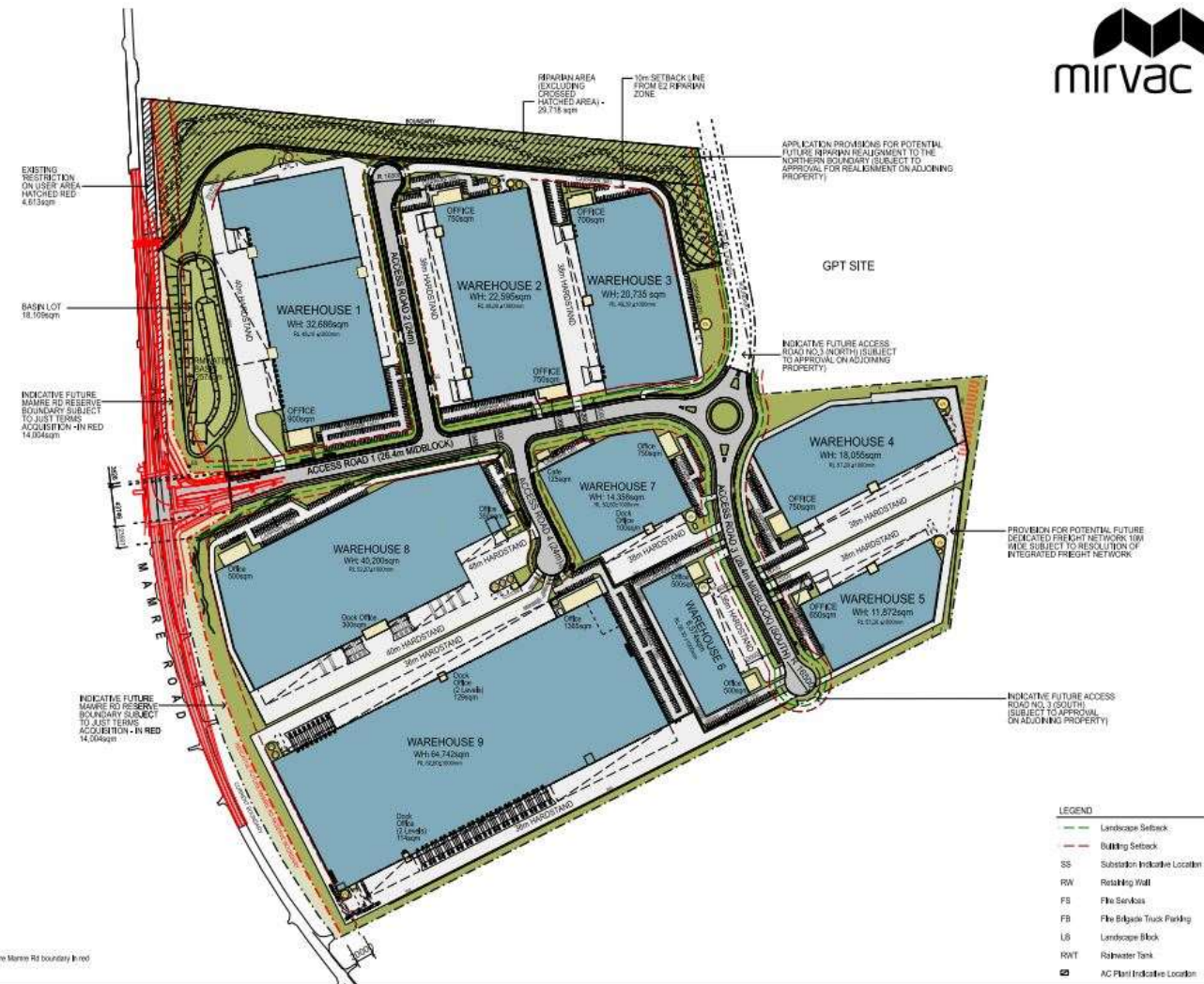
WAREHOUSE 6	
Site Area	19,438 m ²
Office	1,000 m ²
Warehouse	8,514 m ²
Total GFA	9,514 m ²
Carpark Provided	71

WAREHOUSE 7	
Site Area	27,120 m ²
Office	150 m ²
Warehouse	14,268 m ²
Dock Office	100 m ²
Carls	125 m ²
Total GFA	15,333 m ²
Carpark Provided	64

WAREHOUSE 8	
Site Area	76,710 m ²
Office 1	500 m ²
Warehouse	40,200 m ²
Dock Office	200 m ²
Dock Office 2	200 m ²
Total GFA	41,100 m ²
Carpark 1 Provided	152
Carpark 2 Provided	28

WAREHOUSE 9	
Site Area	11,060 m ²
Office	1250 m ²
Warehouse	84,500 m ²
Dock Office	200 m ²
Total GFA	86,110 m ²
Carpark Provided	288

*Areas are measured to Lurre Mamre Rd boundary in red
 **Areas subject to survey



LEGEND	
	Landscape Setback
	Building Setback
	Substation Indicative Location
	Retaining Wall
	File Services
	File Barge Truck Parking
	Landscape Block
	Rainwater Tank
	AG Plant Indicative Location

ASPECT INDUSTRIAL ESTATE

LOTS 1, 2 & 5 DP1285305 + LOTS 6 & 7 DP1281562
 804-882 MAMRE ROAD, KEMPS CREEK, NSW 2178

SSDA MOD 6
 ESTATE MASTERPLAN

AE_EST_DA_1050
 02.04.2024 1:4000 @ A3 22247 MPP012 C

Figure 1: Concept Proposal

APPENDIX 2 STAGE 1 DA PLANS

Table 6 Schedule of Approved Plans – Stage 1 DA Plans

Drawing No	Title	Issue	Date
Architectural Plan prepared by SBA Architects			
DA100	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Overall Site Plan	W	30/11/2022
DA101	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Signage Plan	G	05/08/2022
DA110	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Lot 1 Site & Warehouse Floor Plan	DD	19/10/2022
DA310	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Lot 3 Site & Warehouse Floor Plan	M	19/10/2022



OVERALL DEVELOPMENT DATA

Total Site Area	558,323 m ²
Mamre Rd Reserve Area	14,004 m ²
Rev. Boundary Site Area	544,319 m ²
Access Roads Area	43,855 m ²
Future Roads Area	3,570 m ²
Creek Riparian Area	29,718 m ²
Retained Riparian Area	4,042 m ²
Basin Lot Area	18,157 m ²
Total Developable Area	445,027 m ²
Restriction on User Area	4,613 m ²

WAREHOUSE 1

Site Area	61,170 m ²
Offices	900 m ²
Warehouse	32,686 m ²
Dock Office	300 m ²
Total GFA	33,886 m ²
Carpark Provided	141

WAREHOUSE 3

Site Area	42,755 m ²
Offices	700 m ²
Warehouse	20,735 m ²
Dock Office	100 m ²
Total GFA	21,535 m ²
Carpark Provided	89



LEGEND

- - - Landscape Setback
- - - Building Setback
- SS Substation Indicative Location
- RW Retaining Wall
- FS Fire Services
- FB Fire Brigade Truck Parking
- RW Rainwater Tank
- AC Plant Indicative Location
- - - Phase 1 Roadworks
- - - Phase 2 Roadworks

LEGEND

- Stage 1 Infrastructure Works
- Stage 1 Bulk earthworks / temporary sediment erosion basins / landscaping / batter stabilisation
- Stage 1 on Lot Works
- Temporary right of carriageway
- Stage 1 Retaining Walls

110 Pitt Street, Sydney NSW 2000
Tel: 61 2 9390 9999
www.sba.com.au

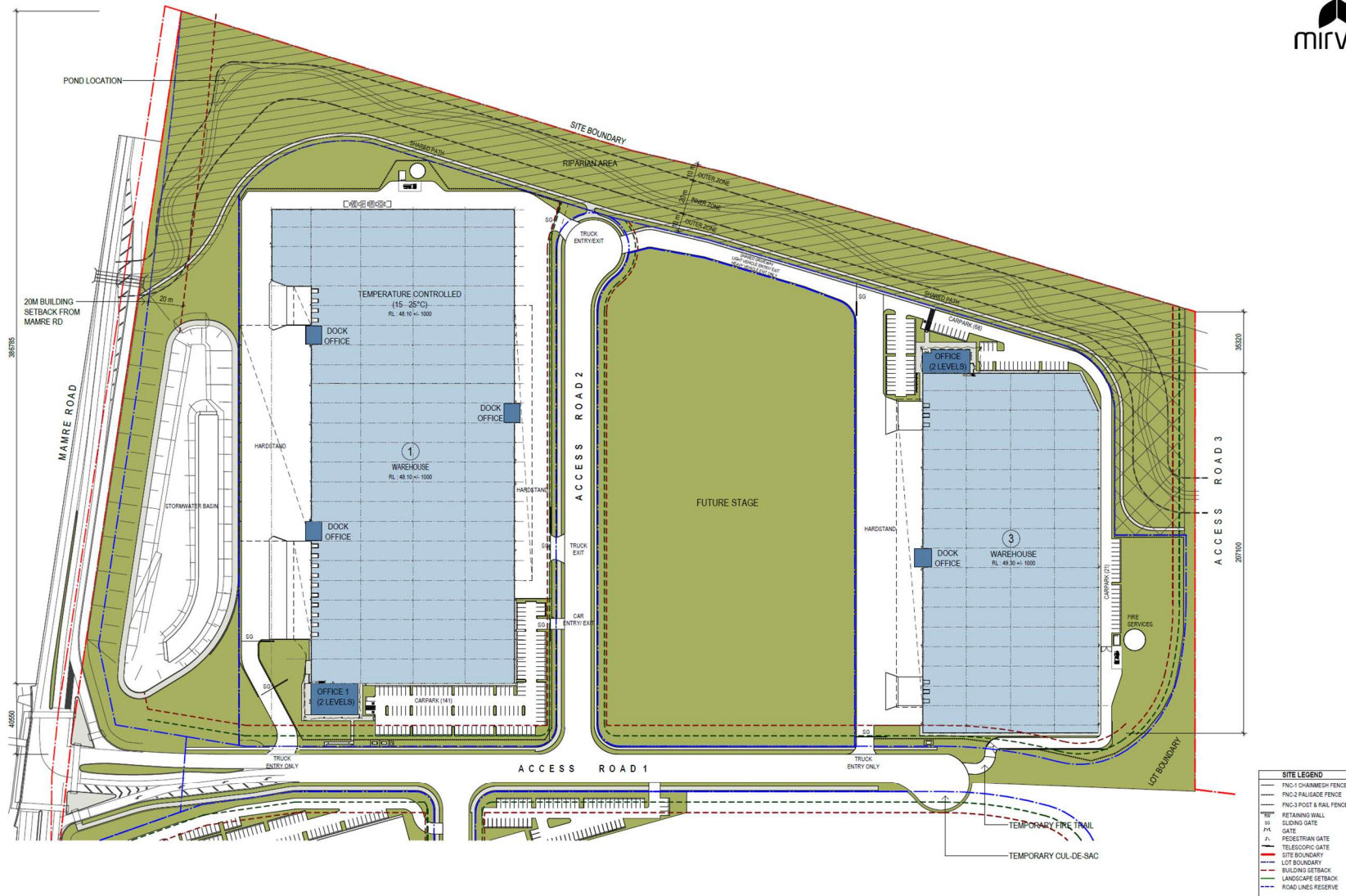
ASPECT INDUSTRIAL ESTATE

LOTS 54-58 (DP259135) MAMRE ROAD, KEMPS CREEK

**SSDA MOD 2
ESTATE WORKS STAGING
PLAN**

DATE: 28.11.2022 SCALE: 1:4000 @ A3 JOB NO: 19210 DRAWING NO: MP2-03

Figure 2: Stage 1 Plan



	01 SITE PLAN 02 ARCHITECTURE 03 MECHANICAL/ELECTRICAL/PLUMBING 04 CIVIL/STRUCTURAL 05 LANDSCAPE ARCHITECTURE 06 TRAFFIC ENGINEERING 07 ENVIRONMENTAL ENGINEERING 08 WATER ENGINEERING 09 GEOTECHNICAL ENGINEERING 10 SOIL REMEDIATION 11 ASBESTOS 12 AIR QUALITY 13 NOISE 14 VIBRATION 15 ENERGY 16 LIGHTING 17 SECURITY 18 COST ESTIMATION 19 BIDDING 20 CONSTRUCTION MANAGEMENT 21 OPERATIONAL MANAGEMENT 22 ASSET MANAGEMENT 23 MAINTENANCE 24 RISK MANAGEMENT 25 LEGAL 26 FINANCIAL 27 COMMUNITY RELATIONS 28 PUBLIC RELATIONS 29 MARKETING 30 SALES 31 CUSTOMER SERVICE 32 TRAINING 33 HUMAN RESOURCES 34 INFORMATION TECHNOLOGY 35 RESEARCH AND DEVELOPMENT 36 INNOVATION 37 ACQUISITION 38 MERGERS AND ACQUISITIONS 39 STRATEGIC ALLIANCE 40 PARTNERSHIPS 41 JOINT VENTURES 42 INVESTMENT 43 FINANCIAL SERVICES 44 RISK SERVICES 45 CONSULTING 46 BUSINESS ADVISORS 47 LEGAL SERVICES 48 ACCOUNTING 49 TAX SERVICES 50 INSURANCE 51 FINANCIAL PLANNING 52 ESTATE PLANNING 53 RETIREMENT PLANNING 54 INVESTMENT MANAGEMENT 55 WEALTH MANAGEMENT 56 PRIVATE EQUITY 57 PRIVATE BOND 58 PRIVATE CREDIT 59 PRIVATE INFRASTRUCTURE 60 PRIVATE PUBLIC PARTNERSHIPS 61 PRIVATE EQUITY 62 PRIVATE BOND 63 PRIVATE CREDIT 64 PRIVATE INFRASTRUCTURE 65 PRIVATE PUBLIC PARTNERSHIPS	Mirvac Design Level 23, 200 George St Sydney NSW 2000 Tel: 02 9000 8000 Fax: 02 9000 1811 Mirvac Design Pty Ltd ABN 74 003 269 153	ASPECT INDUSTRIAL ESTATE LOTS 54-58 MAMRE ROAD, KEMPS CREEK		OVERALL SITE PLAN DATE: 30/11/2022 SCALE: 1:1000@A1 JOB NO: 19210 DRAWING NO: DA100 W
	01 SITE PLAN 02 ARCHITECTURE 03 MECHANICAL/ELECTRICAL/PLUMBING 04 CIVIL/STRUCTURAL 05 LANDSCAPE ARCHITECTURE 06 TRAFFIC ENGINEERING 07 ENVIRONMENTAL ENGINEERING 08 WATER ENGINEERING 09 GEOTECHNICAL ENGINEERING 10 SOIL REMEDIATION 11 ASBESTOS 12 AIR QUALITY 13 NOISE 14 VIBRATION 15 ENERGY 16 LIGHTING 17 SECURITY 18 COST ESTIMATION 19 BIDDING 20 CONSTRUCTION MANAGEMENT 21 OPERATIONAL MANAGEMENT 22 ASSET MANAGEMENT 23 MAINTENANCE 24 RISK MANAGEMENT 25 LEGAL 26 FINANCIAL 27 COMMUNITY RELATIONS 28 PUBLIC RELATIONS 29 MARKETING 30 SALES 31 CUSTOMER SERVICE 32 TRAINING 33 HUMAN RESOURCES 34 INFORMATION TECHNOLOGY 35 RESEARCH AND DEVELOPMENT 36 INNOVATION 37 ACQUISITION 38 MERGERS AND ACQUISITIONS 39 STRATEGIC ALLIANCE 40 PARTNERSHIPS 41 JOINT VENTURES 42 INVESTMENT 43 FINANCIAL SERVICES 44 RISK SERVICES 45 CONSULTING 46 BUSINESS ADVISORS 47 LEGAL SERVICES 48 ACCOUNTING 49 TAX SERVICES 50 INSURANCE 51 FINANCIAL PLANNING 52 ESTATE PLANNING 53 RETIREMENT PLANNING 54 INVESTMENT MANAGEMENT 55 WEALTH MANAGEMENT 56 PRIVATE EQUITY 57 PRIVATE BOND 58 PRIVATE CREDIT 59 PRIVATE INFRASTRUCTURE 60 PRIVATE PUBLIC PARTNERSHIPS				

Figure 2A: Stage 1 Phase 1 Plan

Landscape Concept Masterplan Stage 1



-  Estate Entry Feature
-  Streetscape
-  Riparian Zone
-  Stormwater Basin
-  Boundary Planting
-  On Lot Landscape



Aspect Industrial Estate Kemps Creek | Landscape Masterplan MOD2

Drawing Number	004
Issue	E
Date	25.07.2022

Figure 3: Stage 1 Landscape Plan



OVERALL DEVELOPMENT DATA

Total Site Area	558,323 m ²
Mamre Rd Reserve Area	14,004 m ²
Rev. Boundary Site Area	546,319 m ²
Access Roads Area	39,870 m ²
Future Roads Area	3,570 m ²
Creek Riparian Area	29,718 m ²
Retained Riparian Area	4,042 m ²
Basin Lot Area	18,157 m ²
Total Developable Area	448,956 m ²
Total Office Area (net floor area)	1,834 m ²
Total Warehouse Area	64,973 m ²
Total Building Area	66,812 m ²

WAREHOUSE 9

Site Area	113,082 m ²
Office	1,365 m ²
Warehouse	64,742 m ²
Dock Office	243 m ²
Total GFA	66,389 m ²
Carpark Provided	257



*Areas are measured to future Mamre Rd boundary in red
 **All areas subject to survey

	ASPECT INDUSTRIAL ESTATE			SSDA-MOD 3 STAGING PLAN
	LOTS 54-58 (DP259135) MAMRE ROAD, KEMPS CREEK			

Figure 4: Stage 1 Development Road Works Phasing Plan

Aspect Amended Stormwater Management Strategy (Stage 1 Development Phase 1)

EEP Stormwater Measures

AIE Stormwater Measures

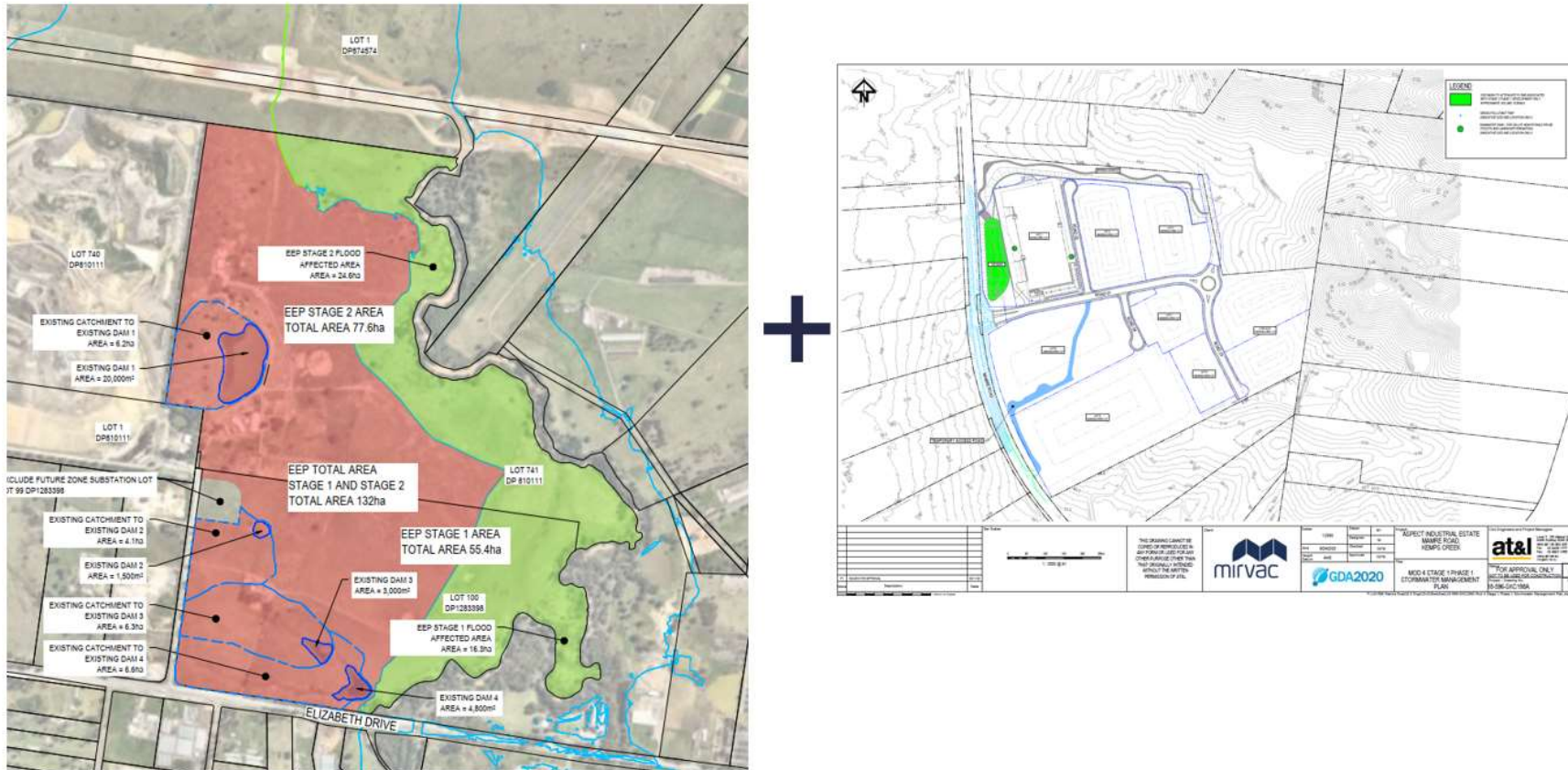
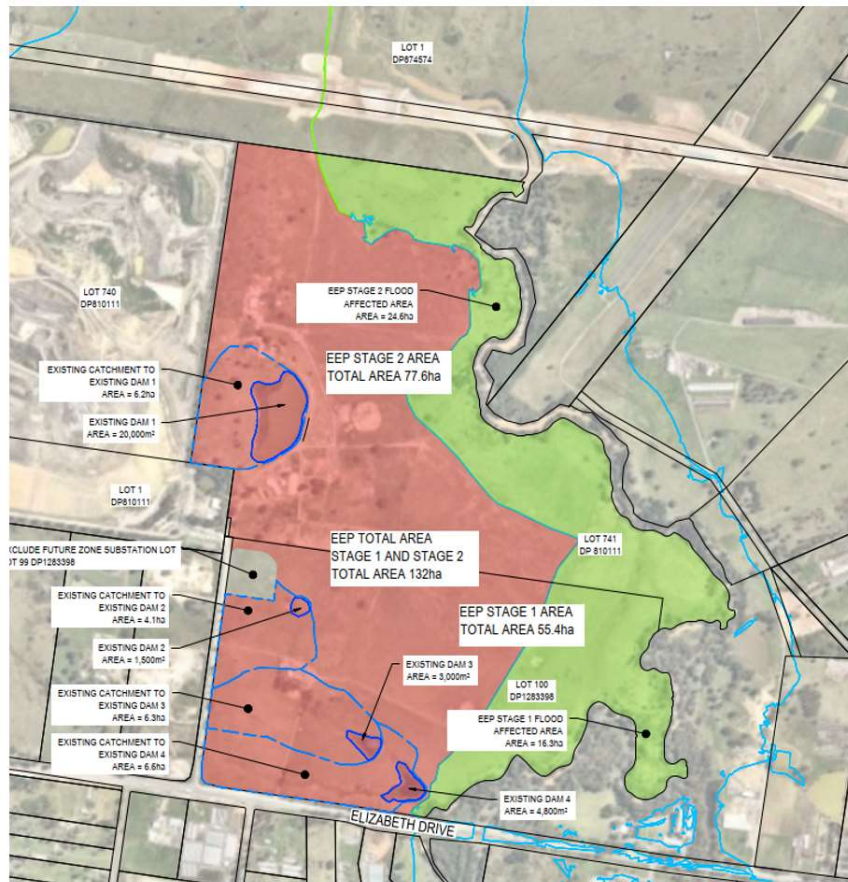


Figure 5: Stage 1 Development, Phase 1 Stormwater Management Plan

Aspect Amended Stormwater Management Strategy (Stage 1 Development)

EEP Stormwater Measures

AIE Stormwater Measures



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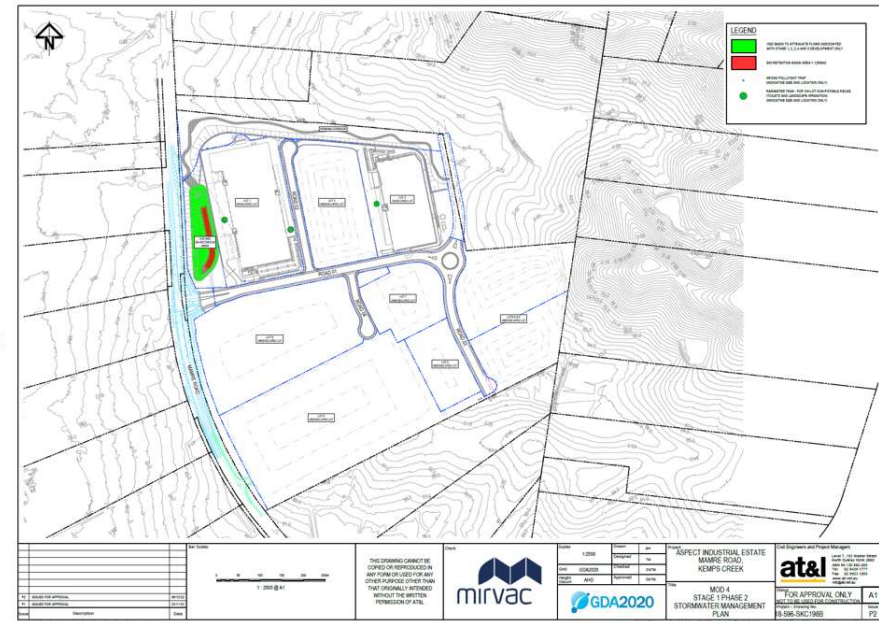
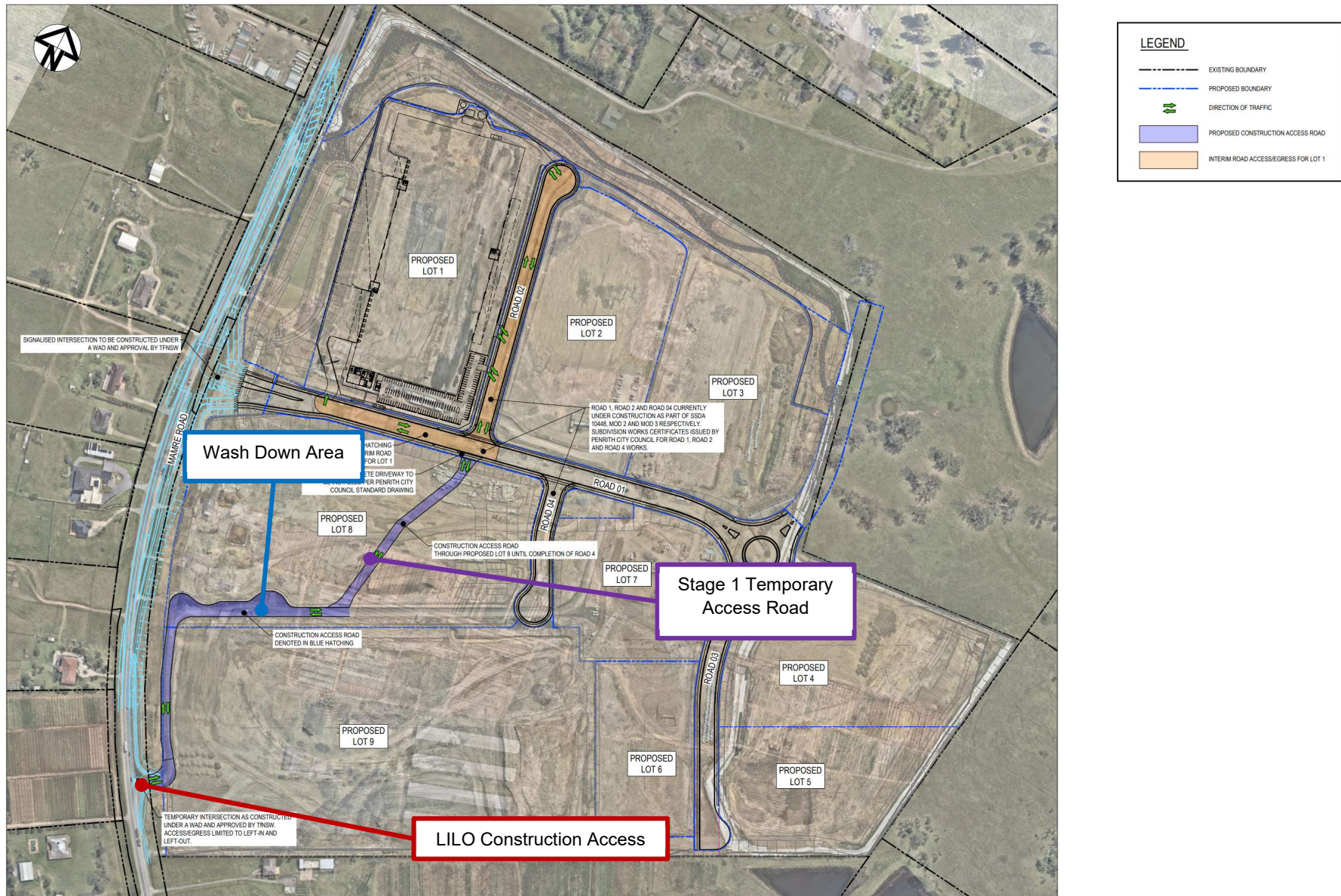


Figure 5A: Stage 1 Development, Phase 2 Stormwater Management Plan



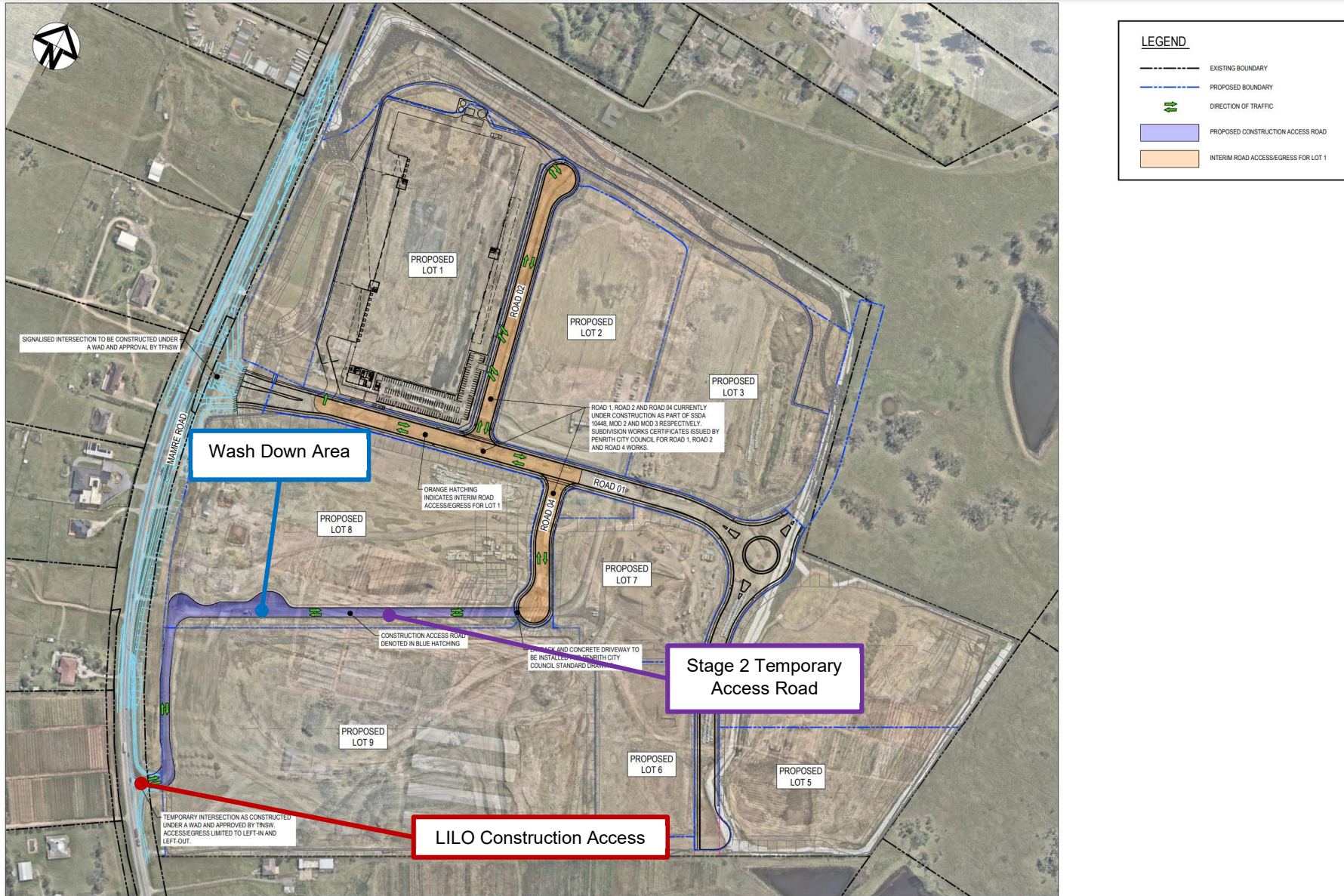


Figure 7: AIE Stage 1 Development Temporary Operational Access Arrangement Phase 2

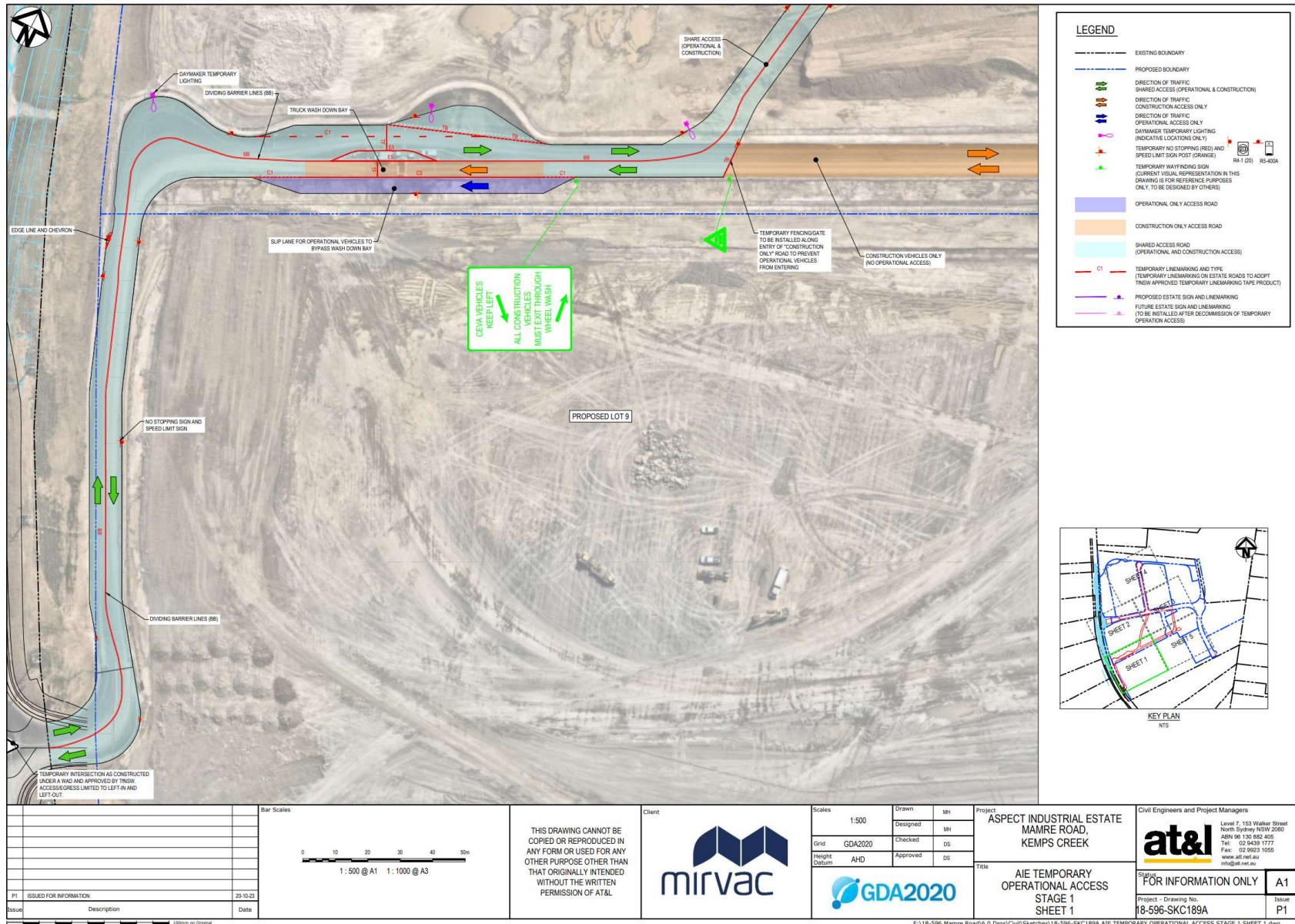


Figure 8: AIE Temporary Operational Access Stage 1 Sheet 1

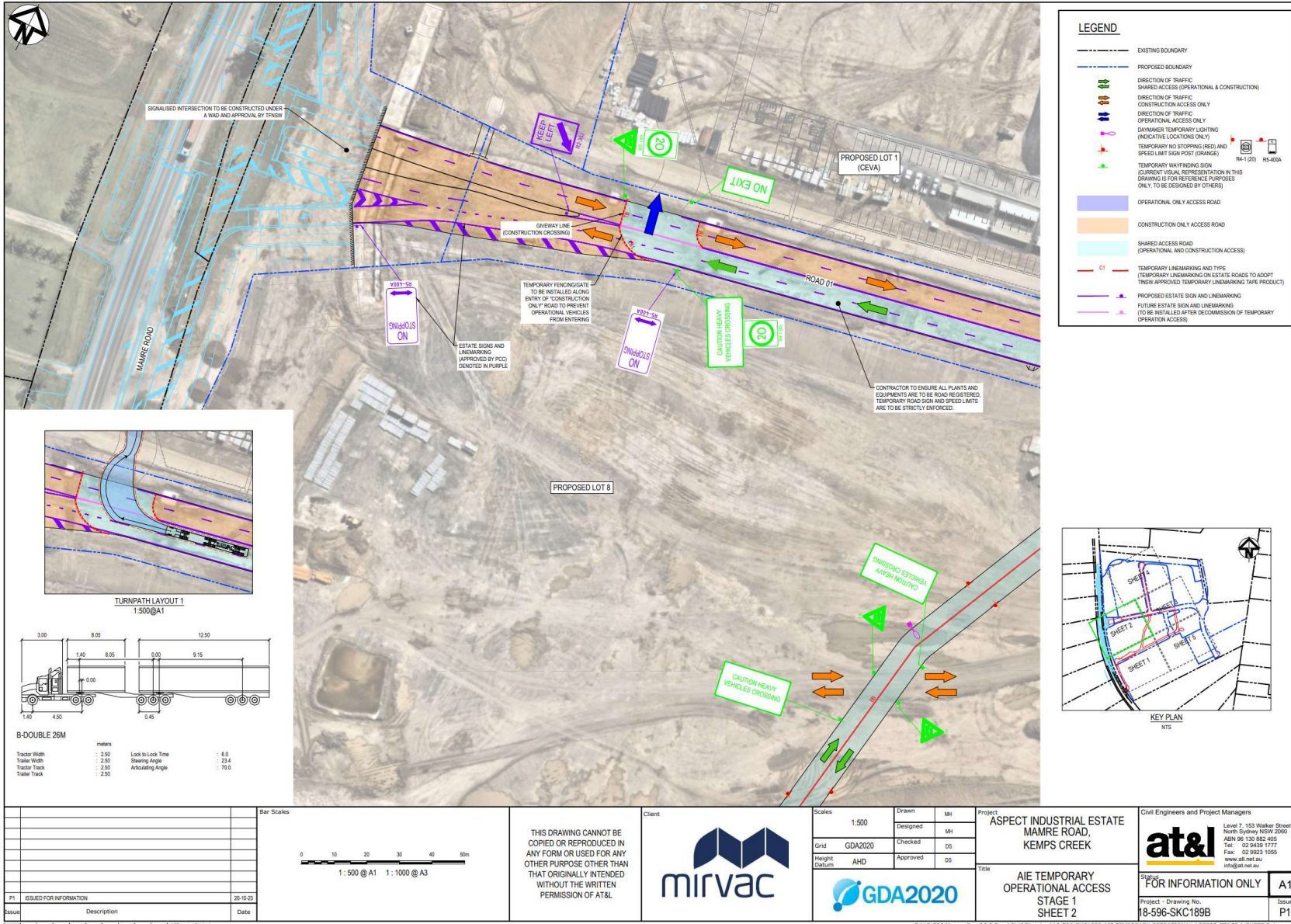


Figure 9: AIE Temporary Operational Access Stage 1 Sheet 2

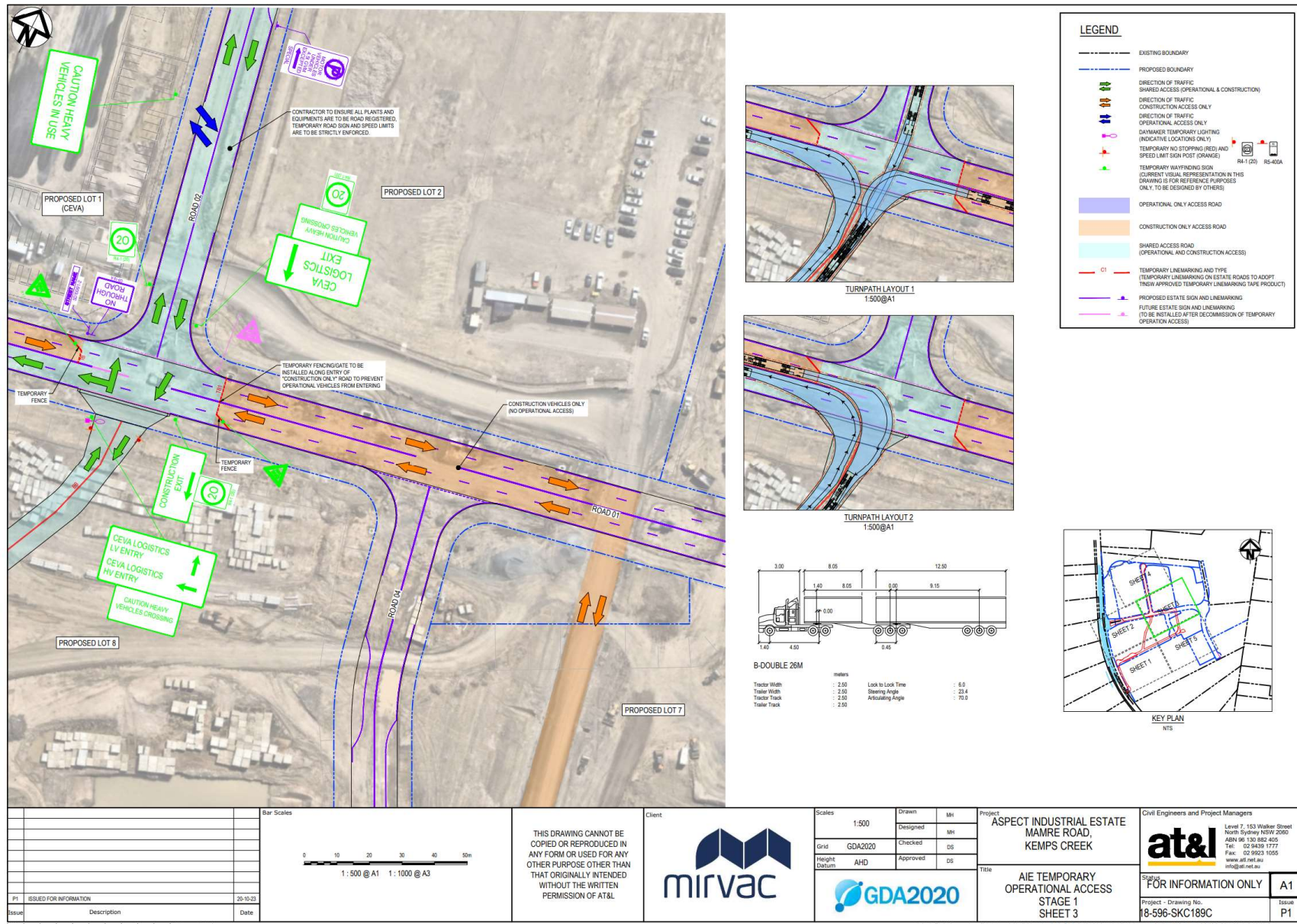


Figure 10: AIE Temporary Operational Access Stage 1 Sheet 3

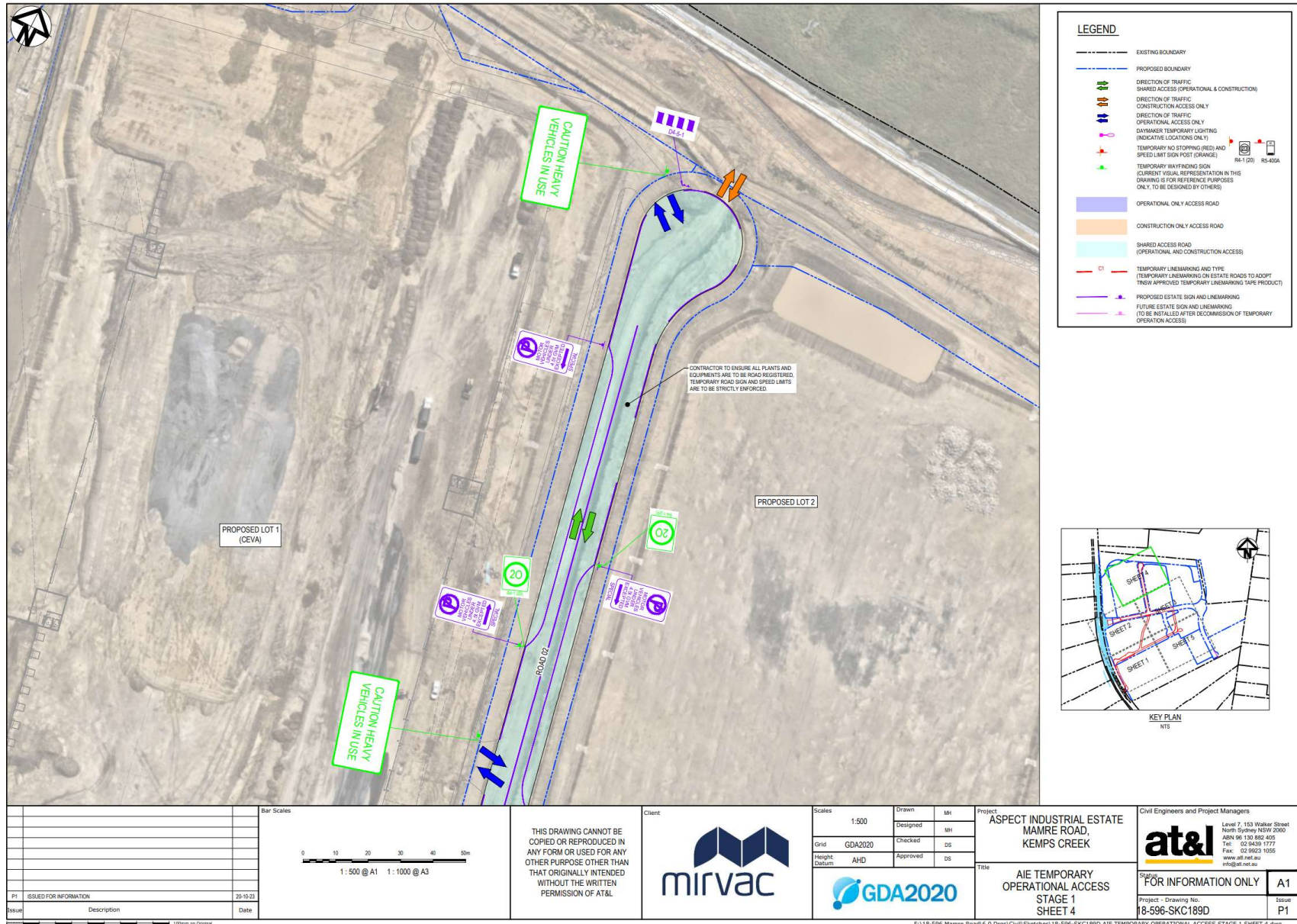


Figure 11: AIE Temporary Operational Access Stage 1 Sheet 4

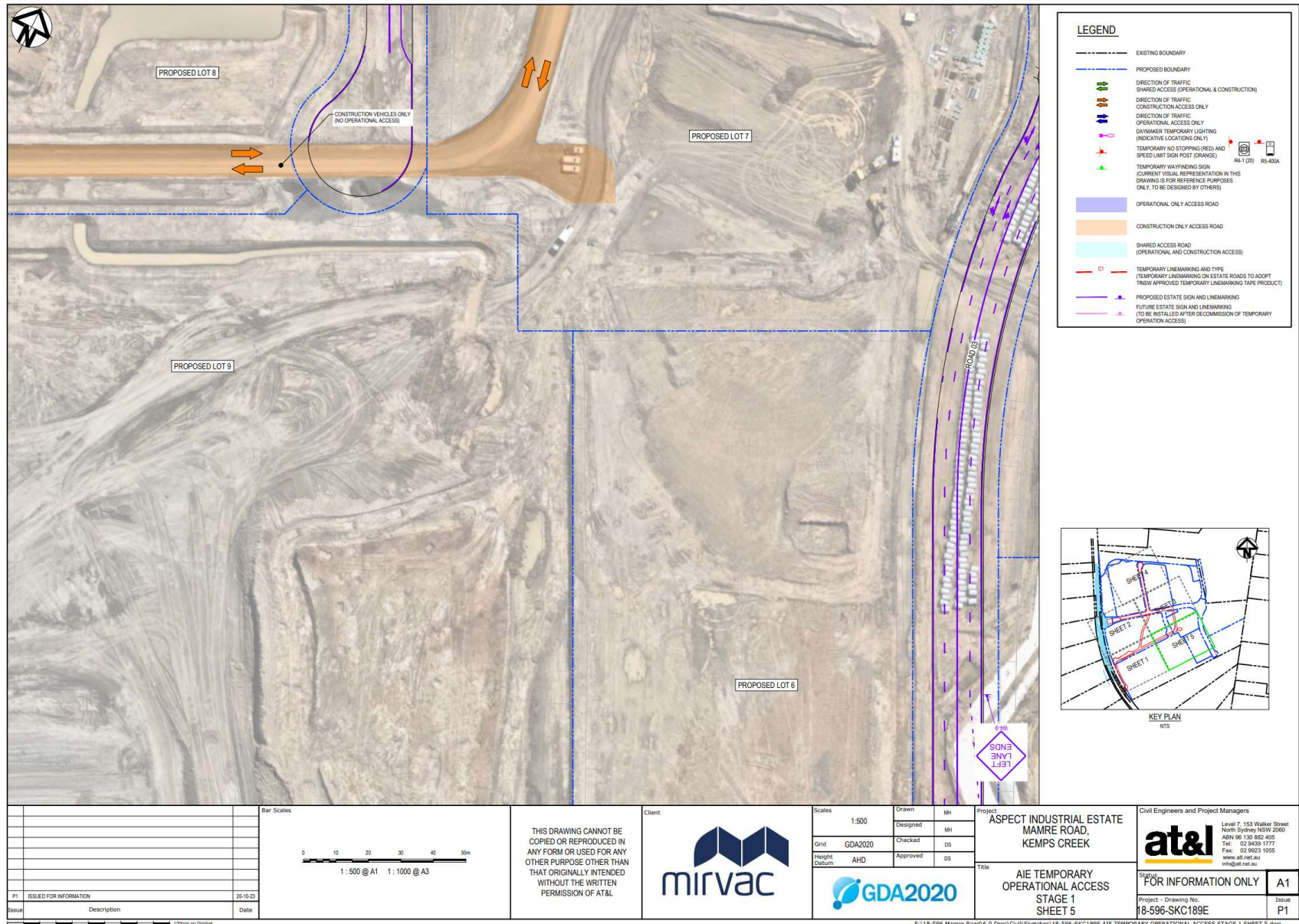


Figure 12: AIE Temporary Operational Access Stage 1 Sheet 5

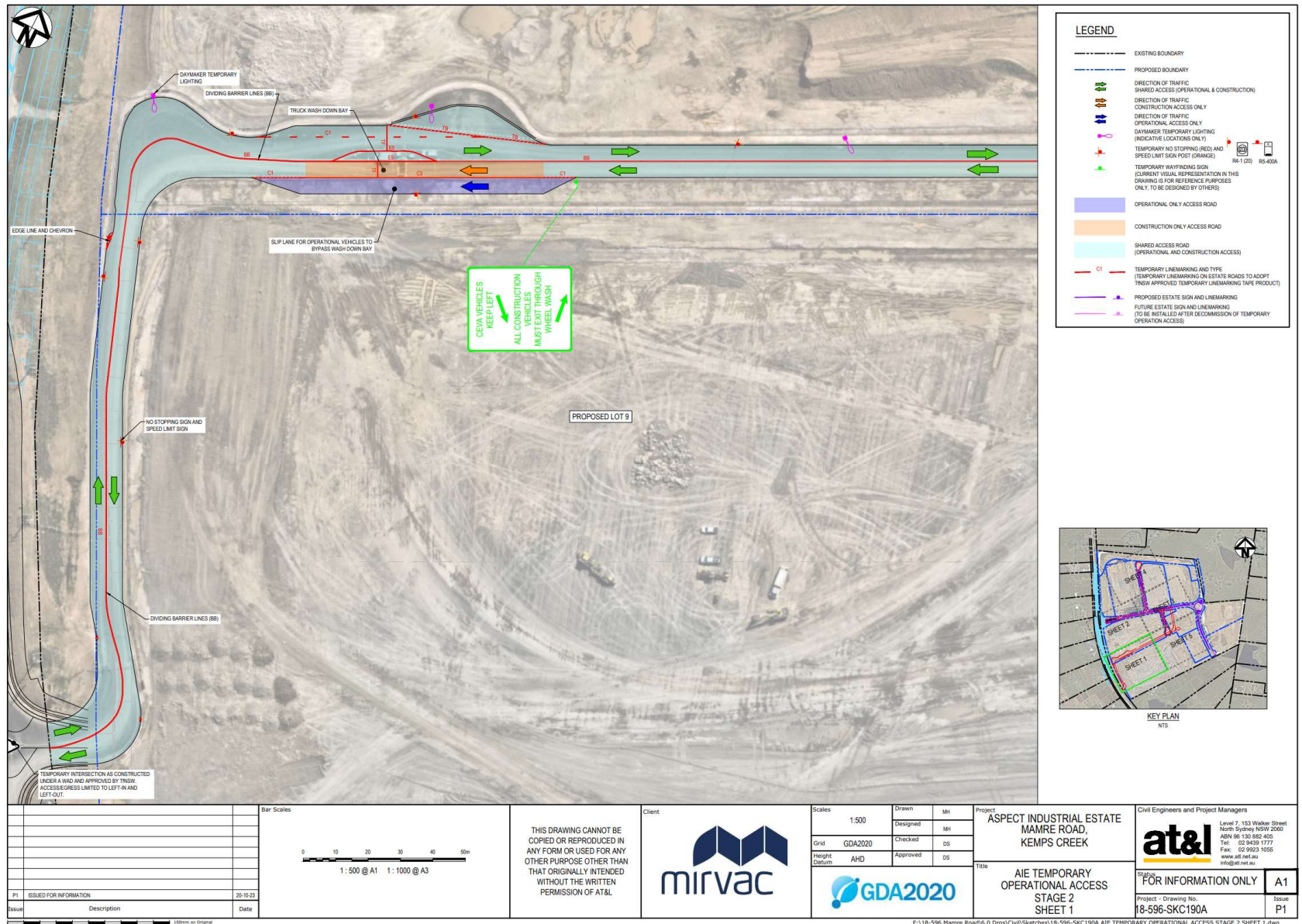


Figure 13: AIE Temporary Operational Access Stage 2 Sheet 1

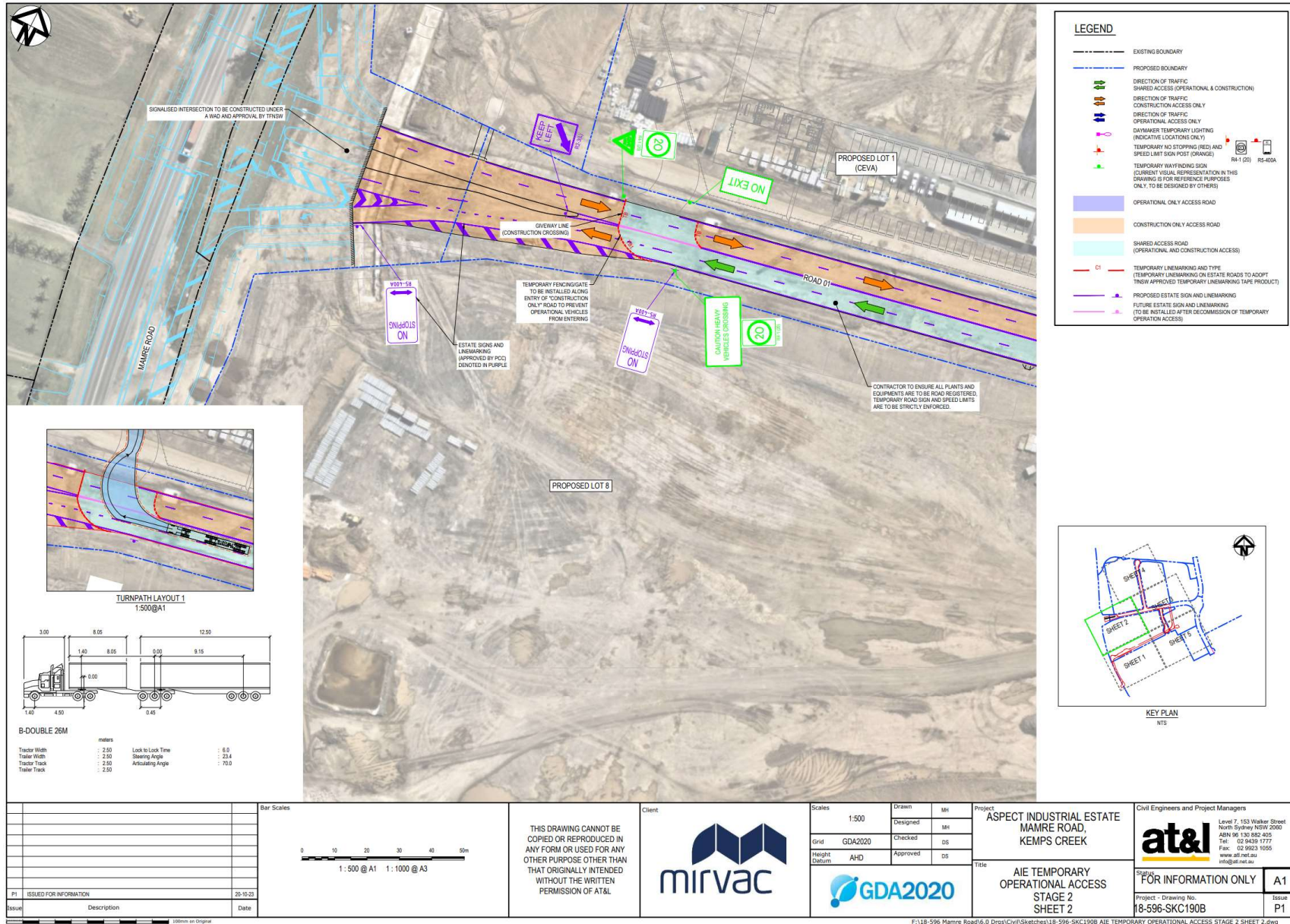


Figure 14: AIE Temporary Operational Access Stage 2 Sheet 2

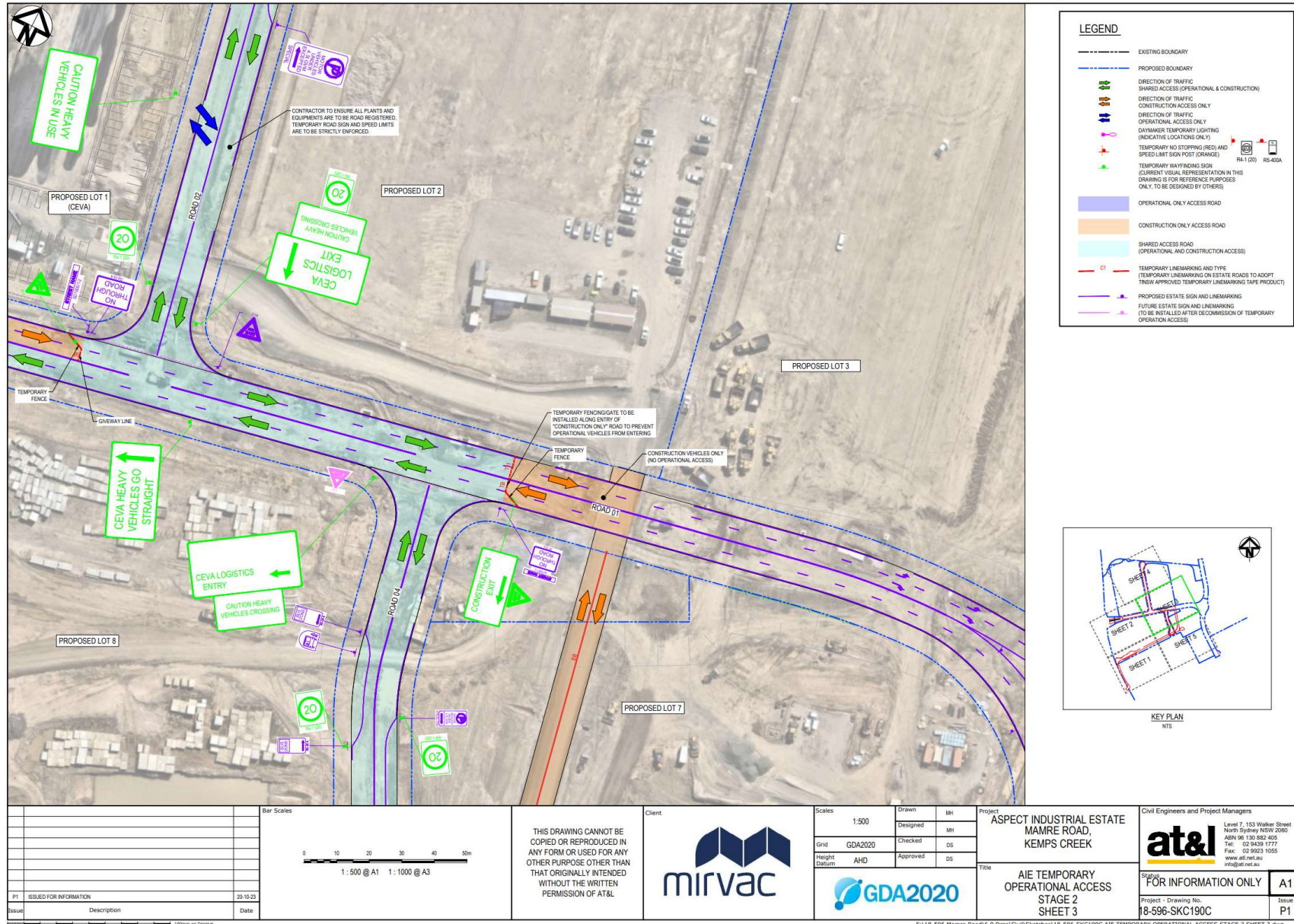


Figure 15: AIE Temporary Operational Access Stage 2 Sheet 3

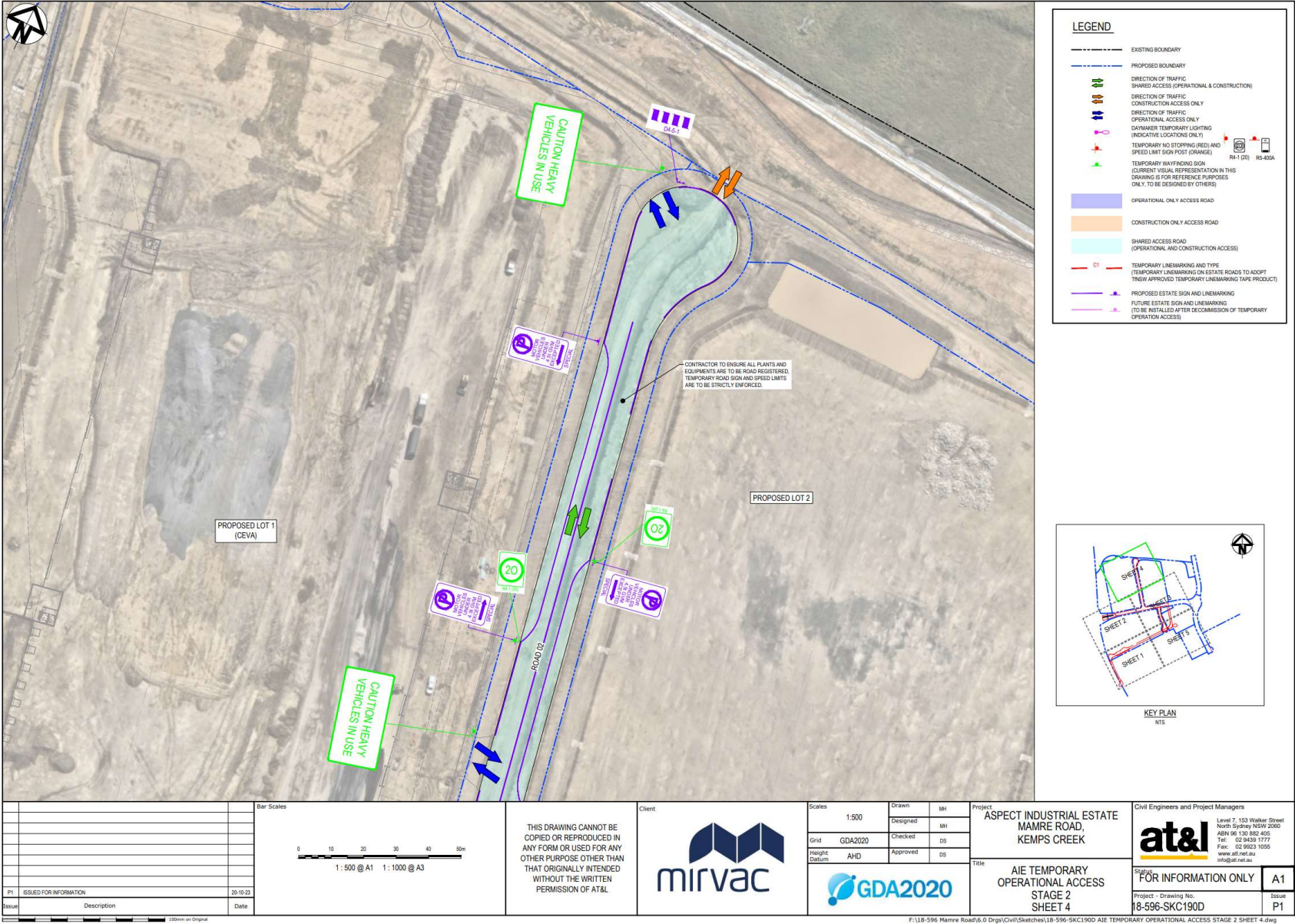


Figure 16: AIE Temporary Operational Access Stage 2 Sheet 4

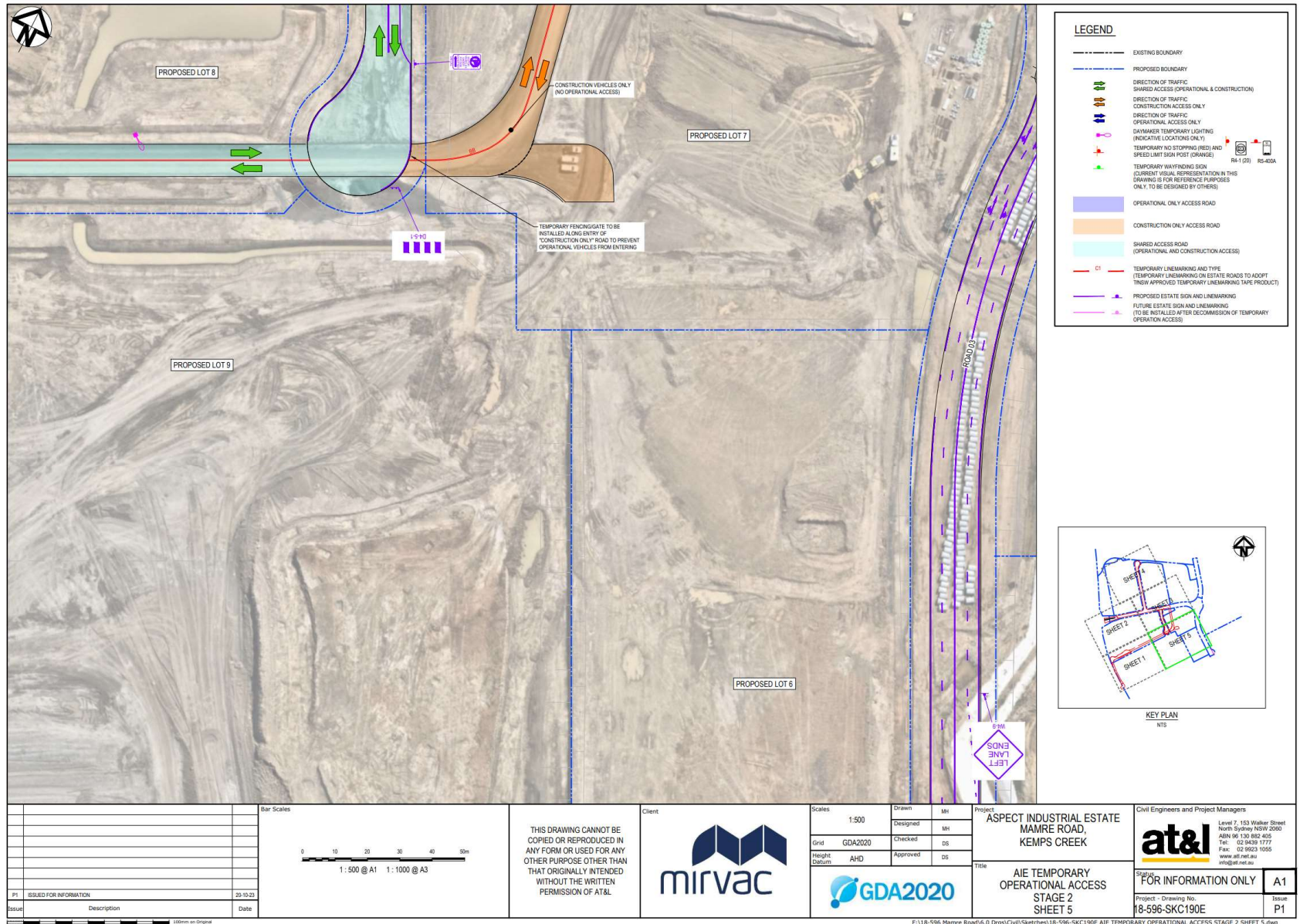


Figure 17: AIE Temporary Operational Access Stage 2 Sheet 5

APPENDIX 3 NOISE MONITORING LOCATIONS

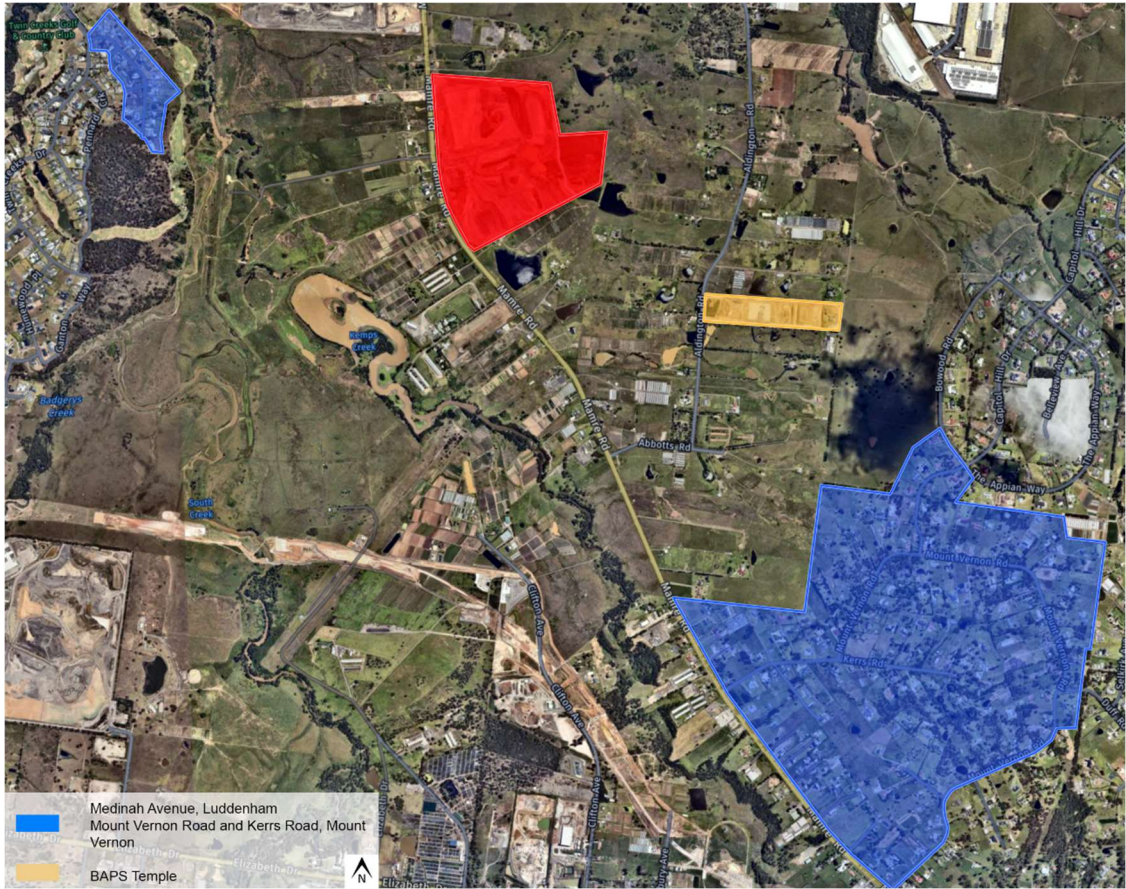


Figure 18: Noise Monitoring Locations Plan

APPENDIX 4 NOISE MITIGATION ELIGIBLE RECEIVERS LOCATIONS



Figure 19: Noise mitigation eligible receivers to the west of Mamre Road

APPENDIX 5 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Issue	SSD DA Component	Mitigation and Management
Construction Management		
General Construction Management	Stage 1 Development	<ul style="list-style-type: none"> ▪ A CEMP to be prepared for the AIE Stage 1 Development capturing standard and specific management and mitigation measures as described in the SSD DA, EIS and supporting technical documents.
Operational Management		
General Operational Management	Concept Masterplan Stage 1 Development	<ul style="list-style-type: none"> ▪ An OEMP to be prepared for the AIE capturing standard and specific operational management and mitigation measures as described in the SSD DA, EIS and supporting technical documents.
Transport		
Construction Traffic	Stage 1 Development	<ul style="list-style-type: none"> ▪ Preparation of a CTMP to form part of the CEMP addressing issues such as: <ul style="list-style-type: none"> – Track haul routes, delivery schedules and curfews; – Protocols for the management of construction traffic moving onto and off the site.
Urban Design and Visual		
Site Layout and Design	Concept Masterplan	<ul style="list-style-type: none"> ▪ Future development of the AIE to proceed in accordance with the approved Concept Proposal and DCP.
Development Controls	Concept Masterplan	<ul style="list-style-type: none"> ▪ Design and development controls to be established for

Issue	SSD DA Component	Mitigation and Management
		<p>the AIE in the form of a DCP to guide future development on the site.</p>
Visual Impact	<p>Concept Masterplan Stage 1 Development</p>	<ul style="list-style-type: none"> ▪ Design and development controls to be established for the AIE in the form of a DCP to guide future development on the site. ▪ Landscaping of key interfaces including western boundary to minimise visual impact.
Soils and Water		
Water Usage	Stage 1 Development	<ul style="list-style-type: none"> ▪ Rainwater tanks to be provided for each development site with size determined in accordance with the Penrith City Council DCP requirements. ▪ Irrigation and toilet flushing for development to be plumbed to rainwater tanks. ▪ Consideration to be given to other possible rainwater reuse opportunities such as truck washing. ▪ Measures and considerations for the minimisation of water use during construction and operation to be incorporated into CEMP and OEMP as relevant.
Soils	Stage 1 Development	<ul style="list-style-type: none"> ▪ Mitigation measures inherent to the civil design of the proposal. ▪ Sediment and erosion control measures are proposed as detailed in Appendix F and Appendix G.
Salinity	Stage 1 Development	<ul style="list-style-type: none"> ▪ A Salinity Management Plan to be prepared for the proposed development.

Issue	SSD DA Component	Mitigation and Management
Contamination	Stage 1 Development	<ul style="list-style-type: none"> ▪ Management measures described in the Salinity Management Plan to be adopted in the CEMP and OEMP as relevant.
Earthworks	Stage 1 Development	<ul style="list-style-type: none"> ▪ Identified areas of potential contamination to be subject to further investigation prior to the development of affected land. ▪ Adoption of unexpected finds procedure for hazardous and contaminated materials management and removal during demolition and excavation.
Mineral Resources	Concept Masterplan	<ul style="list-style-type: none"> ▪ Civil design achieves appropriate site levels with minimal impact on hydrology. ▪ Import of fill to be managed in accordance with CEMP. ▪ Erosion and sediment control measures included in SSD DA package (Appendix F and Appendix G).
Surface Water	Stage 1 Development	<ul style="list-style-type: none"> ▪ No mitigation required. Proposed development does not impact existing mining leases in the area.
		<ul style="list-style-type: none"> ▪ Stormwater issues addressed through design measures incorporated into proposed development. ▪ Stormwater management system designed to meet the requirements of Penrith City Council's Engineering Works and WSUD guidelines, and relevant NOW guidelines. ▪ Detailed on-lot stormwater for future stages of the AIE to be

Issue	SSD DA Component	Mitigation and Management
Groundwater	Stage 1 Development	<p>designed and assessed under future applications.</p> <ul style="list-style-type: none"> ▪ Methods and management of any required dam dewatering required, as outlined in Appendix W, during construction works to be detailed in the CEMP.
Flooding	Stage 1 Development	<ul style="list-style-type: none"> ▪ OSD designed to ensure that development does not increase stormwater peak flows in downstream areas for events up to and including 1:100 year ARI. ▪ OSD designed to mitigate post-development flows to pre-development flows for peak ARI events. ▪ Finished floor levels to have a minimum 500mm freeboard to 100 year overland flows.
Water Quality	Stage 1 Development	<ul style="list-style-type: none"> ▪ Erosion and sediment controls as detailed in Appendix F and Appendix G to be implemented through CEMP. ▪ Stormwater to be treated to compliant levels prior to discharge. ▪ Gross Pollutant Trap (GPT) to be installed within each development site on the final downstream stormwater pit prior to discharge. ▪ WSUD measures adopted to achieve target reductions for the AIE: <ul style="list-style-type: none"> – 85% Total Suspended Solids – 60% Total Phosphorus – 45% Total Nitrogen – 90% Gross Pollutants

Issue	SSD DA Component	Mitigation and Management
Infrastructure		
Capacity and Upgrades	Concept Masterplan	<ul style="list-style-type: none"> ▪ Management of issues in respect of infrastructure capacity and upgrades is in the form of design responses described in Section 2.5.6 of the EIS.
Delivery and Staging	Concept Masterplan Stage 1 Development	<ul style="list-style-type: none"> ▪ Management of issues in respect of infrastructure capacity and upgrades is in the form of design responses described in Sections 2.4.7 and 2.5.6. ▪ Staging of development of the AIE would be aligned with infrastructure and services delivery.
Other Environmental Issues		
Flora and Fauna	Concept Masterplan Stage 1 Development	<ul style="list-style-type: none"> ▪ Implementation of the Biodiversity Offset Strategy for the site. ▪ Preparation of a Biodiversity Management Plan for the site to inform the CEMP and OEMP as relevant to manage potential impacts to biodiversity during construction and operation. ▪ Restoration of retained areas of vegetation including riparian corridors and the Biodiversity Offset Area; ▪ Native grassland restoration to other areas of the site including road batters and outside batters of bio-retention basins; and ▪ Ongoing maintenance and management of these areas in accordance with the provisions of the Biodiversity Offset Strategy.

Issue	SSD DA Component	Mitigation and Management
Waterways and Riparian Lands	Concept Masterplan Stage 1 Development	<ul style="list-style-type: none"> ▪ Realignment of creek to occur in accordance with design and management measures described in Appendix P including: <ul style="list-style-type: none"> – Revegetation to use appropriate native aquatic macrophyte and River-flat Eucalypt-forest species within the riparian area. – Ongoing management of riparian lands on the site to be in accordance with the Vegetation Management Plan (Appendix P).
Construction Noise	Stage 1 Development	<ul style="list-style-type: none"> ▪ Construction hours to be limited to 7:00am – 6:00pm Monday to Friday and 8:00am – 1:00pm Saturdays. ▪ Where construction noise levels are predicted to be above the NMLs, all feasible and reasonable work practices are investigated to minimise noise emissions. ▪ If construction noise levels are still predicted to exceed the NMLs, potential noise impacts would be managed via site specific construction noise management plans. ▪ Construction works should be conducted during standard construction hours, with OOHW minimised as far as reasonable and feasible. ▪ Locations for vibration intensive equipment should be reviewed during the preparation of the site specific Construction Noise and Vibration Management Plans (CNVMP) for construction works adjacent to sensitive receivers.

Issue	SSD DA Component	Mitigation and Management
Operational Noise	Stage 1 Development	<ul style="list-style-type: none"> ▪ Further noise management measures to be incorporated into the CEMP as appropriate.
Air Quality and Odour – Construction	Stage 1 Development	<ul style="list-style-type: none"> ▪ CEMP to include standard air quality control measures, contingency plans and response procedure and suitable reporting and performance monitoring procedures. ▪ CEMP to include standard odour mitigation measures for construction including keeping excavation surfaces moist, covering excavation faces and/or stockpiles, use of soil vapour extraction systems and regular monitoring of discharges as appropriate.
Air Quality and Odour – Operational	Stage 1 Development	<ul style="list-style-type: none"> ▪ Further assessment of potential air quality impacts to be undertaken in respect of any specific operations proposed within the AIE with an atypical air emissions profile. ▪ Specific operations proposed within the AIE with the potential for generation of odour would be subject to further assessment.
Indigenous Heritage	Stage 1 Development	<ul style="list-style-type: none"> ▪ Archaeological salvage excavation and monitoring to be undertaken in the presence of relevant Aboriginal stakeholders prior to ground disturbance and

Issue	SSD DA Component	Mitigation and Management
Non-Indigenous Heritage	Stage 1 Development	<p>excavation work in identified areas.</p> <ul style="list-style-type: none"> ▪ Result of detailed archaeological excavation and any suitable salvaged materials to be managed in accordance with the NPW Act and direction from relevant Aboriginal stakeholders. ▪ Implementation of Unexpected Finds Protocol.
Greenhouse Gas and Energy Efficiency	Stage 1 Development	<ul style="list-style-type: none"> ▪ Future stages of development within the AIE would be subject to assessment in relation to energy efficiency and greenhouse gas emissions.
Waste Management – Construction	Stage 1 Development	<ul style="list-style-type: none"> ▪ Detailed construction waste minimisation and management measures to be included in the CEMP as described in Appendix Y.
Waste Management – Operations	Stage 1 Development	<ul style="list-style-type: none"> ▪ Detailed construction waste minimisation and management measures to be included in the OEMP as described in Appendix Y.

APPENDIX 6 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 E10 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.



Appendix B **SSD 60513208**
Consent

Development Consent

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

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

These conditions are required to:

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



Joanna Bakopanos

A/Director

Industry Assessments

Sydney

11 October 2024

File: SSD 60513208

SCHEDULE 1

Application Number:	SSD-60513208
Applicant:	Mirvac Projects Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	<u>Aspect Industrial Estate</u> Lot 105 on DP 1305965 788 – 882 Mamre Road, Kemps Creek NSW 2178 <u>Elizabeth Enterprise Precinct</u> Lot 100 DP 1283398 and Lot 741 DP 810111 1669A and 1669-1723 Elizabeth Drive, Badgerys Creek NSW 2555
Development:	Stage 4 of the Aspect Industrial Estate including: <ul style="list-style-type: none">• construction and operation of a warehouse and distribution facility (Warehouse 8) with loading docks, hardstand and ancillary office space• minor on lot earthworks• installation of services and utilities• landscaping• construction of light and heavy vehicle access driveways and parking• inclusion of the Elizabeth Enterprise Precinct site for stormwater management purposes only.

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DEFINITIONS

AIE	Aspect Industrial Estate (SSD-10448 as modified) which includes a Concept Proposal for staged development, and Stage 1 development of an industrial estate including industrial, warehousing and distribution centres, approved on 24 May 2022
Applicant	Mirvac Projects Pty Ltd, or any person carrying out any development to which this consent applies
AR	Amendment Report titled <i>S37 Amendment to SSD-10448 MOD 6 & WH8 SSD-60513208</i> prepared by Urbis dated 12 April 2024
BCA	Building Code of Australia
BCS	Biodiversity and Conservation Science group of the Department of Climate Change, Energy, the Environment and Water
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	Minor on-lot earthworks, construction of buildings, hardstands, offices, roads, stormwater infrastructure and landscaping
Council	Penrith City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in Schedule 1, the EIS, RTS and AR, including minor on-lot earthworks, construction, fit-out and operation of one warehouse building (warehouse 8), ancillary office space, hardstands, parking, landscaping, utilities and stormwater infrastructure, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
DPHI	Department of Planning, Housing and Infrastructure
EEP	Elizabeth Enterprise Precinct (Lot 100 DP 1283398 and Lot 741 DP 810111), 1669A and 1669-1723 Elizabeth Drive, Badgerys Creek NSW 2555, as described in the Response to Submissions Report prepared by Urbis dated 15 March 2024 and SSD-10448 MOD 4
EIS	The Environmental Impact Statement titled <i>AIE Concept Plan and Stage 1 Modification (SSD-10448 MOD 6) and Stage 4 Development Application (SSD-60513208) Environmental Impact Statement</i> , prepared by Urbis dated November 2023
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
Evening	The period from 6 pm to 10 pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
GFA	Gross Floor Area
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement

Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance
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
Mamre Road / Access Road 1 intersection	The signalised intersection of Mamre Road and Access Road 1 approved as part of State Significant Development (SSD-10448) for the AIE (as modified)
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission, other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) <p><i>Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval.</i></p> <p><i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i></p>
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 8 for storage and distribution purposes as described in the EIS RTS and AR
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 Stormwater Scheme	Regional stormwater infrastructure as shown on the MRP Stormwater Scheme Plan, May 2024 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)

Relevant Roads Authority	The authority responsible for ownership and maintenance of the applicable road (either Council or TfNSW)
RTS	The Applicant's Response to Submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Aspect Industrial Estate Modification 6 (SSD-10448 MOD 6) & Stage 4 Development (SSD-60513208) – Response to Request for Additional Information Warehouse 8</i> , prepared by Urbis and dated 14 August 2024
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
SSD-10448	State Significant Development SSD-10448 approved by the Director, Industry Assessments as delegate of the Minister administering the EP&A Act on 24 May 2022 and all subsequent modifications
State Emergency Service	Has the same meaning as the definition of the term in section 3 of the <i>State Emergency Service Act 1989</i> (NSW)
Technical Guidance	<i>Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets</i> (NSW Government, 2022)
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
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 AR;
 - (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.

Development Area

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

Table 1 Maximum GFA for the Development

Land Use	Maximum GFA (m ²)
Warehouse and distribution centres	40,200
Offices	850
Dock Office	300
Total	41,350

Access and Traffic

- A7. The Applicant must not operate the development until the Mamre Road / Access Road 1 intersection is completed to the satisfaction of the relevant roads authority.
- A8. The largest vehicle permitted to access the site is a 30 metre Performance Based Standards (PBS) Level 2 Type B.
- A9. The Applicant must ensure all vehicles associated with construction and operation of the development do not use Bakers Lane, Aldington Road or Abbots Road.

Stormwater Management

- A10. The site must achieve compliance with the Integrated Water Cycle Management (IWCM) controls in the MRP DCP in accordance with the *Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets* (NSW Government, 2022).
- A11. Under this consent, the Elizabeth Enterprise Precinct (EEP) site must only be used for stormwater management purposes, to comply with condition A10, until the Regional Stormwater Scheme becomes available for the AIE to connect into.

Note: Any future use of the EEP site other than for stormwater management purposes may be considered by the Department as part of a separate future modification and/or application should alternative stormwater management strategies become available.

- A12. This consent does not permit the use of the EEP site for any other development or use and must be preserved as undeveloped land for the purposes described in condition A10.

Lighting

- A13. The LED strip lighting shown on the western façade of the warehouse adjacent to Mamre Road is not approved.

NOTIFICATION OF COMMENCEMENT

- A14. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction; and
 - (b) operation.
- A15. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

EVIDENCE OF CONSULTATION

- A16. 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

- A17. 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).
- A18. 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.
- A19. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A20. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.
- A21. 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.

Sydney Water

- A22. Prior to the commencement of construction of the development, the Applicant must obtain a Building Plan Approval from Sydney Water to ensure sewer, water or stormwater mains or easements would not be affected by the development.
- A23. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Fibre-Ready Facilities

- A24. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- 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
 - 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.
- A25. Prior to the issue of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

STRUCTURAL ADEQUACY

- A26. 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.*

EXTERNAL WALLS AND CLADDING

- A27. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A28. Prior to the issue of:
- 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
 - 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.
- A29. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A30. 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

- A31. Prior to the issue of a Construction Certificate for the development (or at a time otherwise permitted by the contributions plan or otherwise 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.
- A32. A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (as in force when this development consent takes effect).

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

More information

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

OPERATION OF PLANT AND EQUIPMENT

- A33. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A34. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

ENVIRONMENTAL REPRESENTATIVE

- A35. The Applicant must engage an Environmental Representative (ER) to oversee construction of the development. Unless otherwise agreed to by the Planning Secretary, 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, AR 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 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 construction works on the site with adjoining sites in the Mamre Road Precinct in relation to construction traffic management, sediment control, noise and dust;
 - (j) attend the Mamre Road Precinct Working Group (see condition A38) in a consultative role in relation to the environmental performance of the development; and
 - (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading 'Environmental Representative Monthly Reports'. The **Environmental Representative Monthly Report** must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.

Note: Subject to the Planning Secretary's approval, the Applicant may elect to nominate the ER approved to oversee the Stage 1 Development (SSD-10448) for the purposes of satisfying Condition A35 of this consent.

- A36. 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 A35 (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).

A37. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A35. The Applicant must:

- (a) facilitate and assist the Planning Secretary in any such audit; and
- (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

MAMRE ROAD PRECINCT WORKING GROUP

A38. Prior to the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:

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

Note: *Subject to the Planning Secretary's approval, the Applicant may satisfy Condition A38 through utilising the Working Group established under condition C34, Schedule 2 of SSD-10448.*

A39. Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A38. 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

A40. 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.

A41. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

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

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
 - (d) detail proposed work zones, heavy vehicle routes, access and parking arrangements;
 - (e) detail the number of construction vehicle movements and demonstrate how the movements will be managed in the context of road changes in the vicinity of the site;
 - (f) include a Driver Code of Conduct to:
 - (i) minimise the impacts of construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise;
 - (iv) inform truck drivers of the site access arrangements, turning restrictions and use of specified routes;
 - (v) include a program to monitor the effectiveness of these measures; and
 - (vi) detail the compliance actions that would be implemented for any vehicles that deviate from approved routes and turning restrictions.
 - (g) include the location of any crane(s) and a crane movement plan;
 - (h) include a consultation strategy for liaising with and managing the cumulative impacts of other developments in the MRP including the Mamre Road and Elizabeth Drive Upgrade Projects;
 - (i) include a program to monitor the effectiveness of these measures; and
 - (j) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Construction Access

- B3. The Applicant must not commence any construction associated with the development until the Mamre Road / Access Road 1 intersection is completed to the satisfaction of the relevant roads authority.
- B4. All construction traffic associated with the development must use the completed Mamre Road / Access Road 1 intersection and must not use the temporary left-in/left-out access off Mamre Road.
- B5. The Applicant must maintain a 60 kilometre per hour (km/hr) road works speed limit on Mamre Road between Bakers Lane and Abbots Road for the duration of construction, to the satisfaction of TfNSW and subject to approval of the Transport Management Centre (TMC). The road works speed limit must remain in operation 24 hours a day, seven days a week, unless otherwise instructed by TfNSW. Should the 60 km/hr road works speed limit not be approved by the TMC, the 80 km/hr speed limit in Mamre Road must be retained.

Parking

- B6. 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.
- B7. 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.
- B8. 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.

Operational Traffic Monitoring Program

- B9. At the commencement of operation of 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 AR. The Program must also monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:
- (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
 - (b) queue monitoring at the Mamre Road / Access Road 1 intersection and background traffic 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.
- Note:** *The Applicant may update an existing Operational Traffic Monitoring Program for the site to include the development to satisfy the requirements of the condition.*
- B10. The results of the Operational Traffic Monitoring Program must be reported to the Planning Secretary and TfNSW on a quarterly basis for a minimum period of 12 months of operation.

Operating Conditions

- B11. 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 versions of:
 - (i) AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004);
 - (ii) AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities (Standards Australia, 2018);
 - (iii) AS 2890.6:2009 Parking facilities Off-street parking for people with disabilities (Standards Australia, 2009); and
 - (iv) Penrith City Council's *Engineering Construction Specifications for Civil Works*;
 - (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.

Sustainable Travel Plan

- B12. Prior to the commencement of operation of the development, the Applicant must update the Sustainable Travel Plan for the development. The Sustainable Travel Plan must be included in the OEMP required by condition C5 and must:
- (a) be prepared in consultation with Council;
 - (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.
- B13. The Applicant must implement the most recent version of the Sustainable Travel Plan for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B14. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and

- (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B15. Prior to the commencement of construction of the development, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase IWCM controls of the MRP DCP are achieved. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must:
- (a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary;
 - (b) comply with the detailed technical specifications in the Technical Guidance or its latest version and the 'Blue Book - Managing Urban Stormwater: Soils and Construction' (Landcom 2004);
 - (c) comply with section 4.4.2 of the MRP DCP;
 - (d) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met;
 - (e) outline the current construction and erosion and sediment control occurring on the AIE site and the additional measures which will be adopted for the development;
 - (f) be independently reviewed and verified by the ER prior to submission to the Planning Secretary; and
 - (g) be included in the CEMP required by Condition C2.
- B16. The Applicant must:
- (a) ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC;
 - (b) undertake monthly audits, completed by the CPESC, and kept on record for the duration of the construction and an additional 12 months following completion of construction works to ensure the controls remain effective in achieving the construction phase stormwater quality targets in the Technical Guidance; and
 - (c) ensure monthly audit reports are reviewed and verified by the ER and submitted to the Planning Secretary within 7 days of completing the audit.

Discharge Limits

- B17. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.

Stormwater Management System

- B18. Prior to the commencement of operation of the development, the Applicant must:
- (a) ensure the detailed design of the stormwater management system is in accordance with Penrith City Council's *Stormwater Drainage Specification for Building Developments*;
 - (b) ensure the design and subsequent construction and establishment of the WSUD systems is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and
 - (c) install the Stormwater Management System as described in the AR and ensure the system is operational.
- B19. All stormwater infrastructure shall remain under the ownership, control and care of the registered proprietor of the lots. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements.
- B20. The Applicant must maintain the stormwater management system installed on the site under condition B18 for the duration of the development.

Water and Stormwater Management Plan

- B21. Prior to the commencement of operation, the Applicant must update the Water and Stormwater Management Plan described in the AR, for the development to the satisfaction of the Planning Secretary. The updated plan must form part of the OEMP required by condition C5 and must detail how the development will ultimately connect to the Regional Stormwater Scheme and how the interim measures will be decommissioned once the development is connected to the Regional Stormwater Scheme.

Flood Management

- B22. Prior to the commencement of construction of the development, the Applicant must prepare a Flood Emergency Response Plan (FERP). The Plan must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and the NSW State Emergency Service (SES);
 - (c) address the provisions of the *Flood Risk Management Manual* (DPE, 2023) and *Support for emergency management planning* (DPE, 2023); and

- (d) include details of:
 - (i) the flood emergency responses for both construction and operation phases of the development;
 - (ii) measures to eliminate or reduce downstream flood impact on properties to the west of Mamre Road for all flooding events;
 - (iii) predicted flood levels;
 - (iv) flood warning time and flood notification;
 - (v) assembly points and evacuation routes;
 - (vi) evacuation and refuge protocols; and
 - (vii) awareness training for employees and contractors.

B23. The Applicant must update the FERP for operation and implement the FERP for the duration of construction and operation of the development.

B24. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.

B25. Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible building components.

NOISE

Hours of Work

B26. The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the Planning Secretary.

Table 2 Hours of Work

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

B27. Works outside of the hours identified in condition B26 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B28. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise and Vibration Management Plan approved under condition B30..

Construction Noise and Vibration Management Plan

B29. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:

- (a) be prepared by a suitably qualified and experienced noise expert(s);
- (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
- (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers and detail the duration of works and respite periods;
- (d) include strategies that have been developed with the community for managing high noise generating works;
- (e) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods;
- (f) describe the community consultation undertaken to develop the strategies in condition B29(d); and
- (g) include a complaints management system that would be implemented for the duration of the development.

B30. The Applicant must:

- (a) not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B29 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B31. The Applicant must ensure that noise generated by the 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)	39	34	29
BAPS Temple – Outdoor Use Area (Except Car Parking Area)	36 (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 the plan in Appendix 3 for the location of residential sensitive receivers.

B32. The Applicant must implement the operational noise mitigation measures described in the *Noise Impact Assessment SSD-10448 MOD 6 and Warehouse 8 SSD-60513208* prepared by SLR Consulting dated April 2024.

Operational Noise Verification Report

B33. Within three months of the commencement of operation of the development, the Applicant must prepare and submit an Operational Noise Verification Report for the development to the satisfaction of the Planning Secretary. The Operational Noise Verification Report must:

- (a) be prepared by a suitably qualified and experienced noise consultant;
- (b) demonstrate that noise verification has been carried out in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022); and
 - (iii) the operational noise monitoring program established in accordance with the Aspect Industrial Estate Concept Proposal (SSD-10448);
- (c) include:
 - (i) an analysis of compliance with the noise limits specified in condition B31;
 - (ii) an outline of implemented at-source and transmission pathway mitigation measures and their effectiveness at reducing operational noise; and
 - (iii) a description of contingency measures (including the cessation of non-compliant noise generating activities during the night-time period) in the event implemented mitigation measures are not effective in reducing noise levels to comply with the limits specified in condition B31 at all times.

VIBRATION

Vibration Criteria

- B34. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- B35. Vibratory compactors must not be used closer than 30 metres from residential or commercial buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B34.
- B36. The limits in conditions B34 and B35 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

VISUAL AMENITY

Landscaping

- B37. Prior to the commencement of construction, the Applicant must prepare and submit an updated Landscape Plan for the development to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared in consultation with Council;
 - (b) ensure landscaping within the Mamre Road setback incorporates enough species that would grow to sufficient height to create a dense screen of retaining walls, operational and parking areas;
 - (c) ensure sufficient deep soil to allow large tree planting between retaining walls and the frontage to public roads;
 - (d) ensure all landscape sandstone walls are located a minimum of 2 metres from road reserves, in accordance with the MRP DCP;
 - (e) ensure the substation is located outside of the landscape setback;
 - (f) ensure parking areas are not located within the landscape setback; and
 - (g) describe the monitoring and maintenance measures for on-going management of the landscaping works.
- B38. The Applicant must:
- (a) not commence construction until the Landscape Plan is approved by the Planning Secretary.
 - (b) implement the most recent version of the Landscape Plan approved by the Planning Secretary;
 - (c) not commence operation until the Landscape Plan is implemented; and
 - (d) maintain the landscaping on the site in accordance with the approved Landscape Plan required by condition B37 for the life of the development.

Lighting

- B39. 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

- B40. Prior to the commencement of operation of the development, the Applicant must prepare a Final Signage Strategy to the satisfaction of the Planning Secretary. The strategy must be consistent with Chapter 3 of *State Environmental Planning Policy (Industry and Employment) 2021* and section 4.2.8 of the MRP DCP, including limiting illumination of signage and measures to control lighting impacts from illuminated signage.
- B41. All signage and fencing must be erected in accordance with the approved Final Signage Strategy required by Condition B40.

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

BUSHFIRE PROTECTION

- B42. The Applicant must ensure the development 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 *Bushfire Hazard Assessment for SSD 10448 MOD 6 and Warehouse 8 Aspect Industrial Estate* prepared by Blackash Bushfire Consulting and dated 8 April 2024 and *Bushfire Assessment for the Aspect Industrial Estate*, prepared by Australian Bushfire Protection Planners Pty Limited, dated 6 October 2020; and
 - (c) Australian Standard *AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning*.

AIR QUALITY

Dust Minimisation

- B43. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B44. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and

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

Construction Air Quality Management Plan

B45. Prior to the commencement of construction, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) for the development, to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by condition C2. The CAQMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail and rank all emissions, including particulate emissions, from all sources of the development;
- (c) describe a program that is capable of evaluating the performance of construction works and determining compliance with key performance indicators;
- (d) detail how the dust minimisation measures in condition B44 would be implemented throughout construction;
- (e) identify the control measures that will be implemented for each emission source; and
- (f) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency and duration of monitoring;
 - (iv) record keeping;
- (g) include a complaints register, response procedures and compliance monitoring.

B46. The Applicant must:

- (a) not commence construction until the CAQMP required by condition B45 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 the development.

Note: *The Applicant may update an existing and approved CAQMP for the site to include the development to satisfy the requirements of Condition B45. Any updated CAQMP must be to the satisfaction of the Planning Secretary.*

HAZARDS AND RISK

Dangerous Goods

B47. 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.

B48. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

- (a) all relevant Australian Standards; and
- (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.

B49. In the event of an inconsistency between the requirements of conditions B49(a) and B49(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B50. The Applicant must store all chemicals, fuels and oils used on site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

WASTE MANAGEMENT

Statutory Requirements

B51. 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)

B52. All waste material removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the waste.

Waste Storage and Management

B53. 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.

B54. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.

B55. The Applicant must implement the Waste Management Plan detailed in the RTS for the duration of operation.

Pests, Vermin and Priority Weed Management

B56. The Applicant must:

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

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

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
 - (b) Erosion and Sediment Control Plans (see condition B15);
 - (c) Construction Noise and Vibration Management Plan (see condition B29);
 - (d) Construction Air Quality Management Plan (see condition B45); and
 - (e) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

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

- (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
- (c) include the following environmental management plans:
- (i) Operational Traffic Monitoring Program (see condition B9);
 - (ii) a copy of the Sustainable Travel Plan (see condition B12);
 - (iii) Water and Stormwater Management Plan (see condition B21); and
 - (iv) a copy of the Landscape Plan (see condition B37).

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 C13;
- (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 identified as part of the review process (see condition C8) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:

- (a) date, time and location;
- (b) a brief description of what occurred and why it has been classified as an incident;
- (c) a description of what immediate steps were taken in relation to the incident; and
- (d) identifying a contact person for further communication regarding the incident.

C11. The Applicant must provide the Department with a subsequent incident report in accordance with **Appendix 4**.

Non-Compliance Notification

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

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

Compliance Reporting

C13. Within six months after the commencement of construction of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), 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 over the life of the development;
- (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.

C14. 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

C15. 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

C16. At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) 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, including the Environmental Representatives Monthly Reports;
 - (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

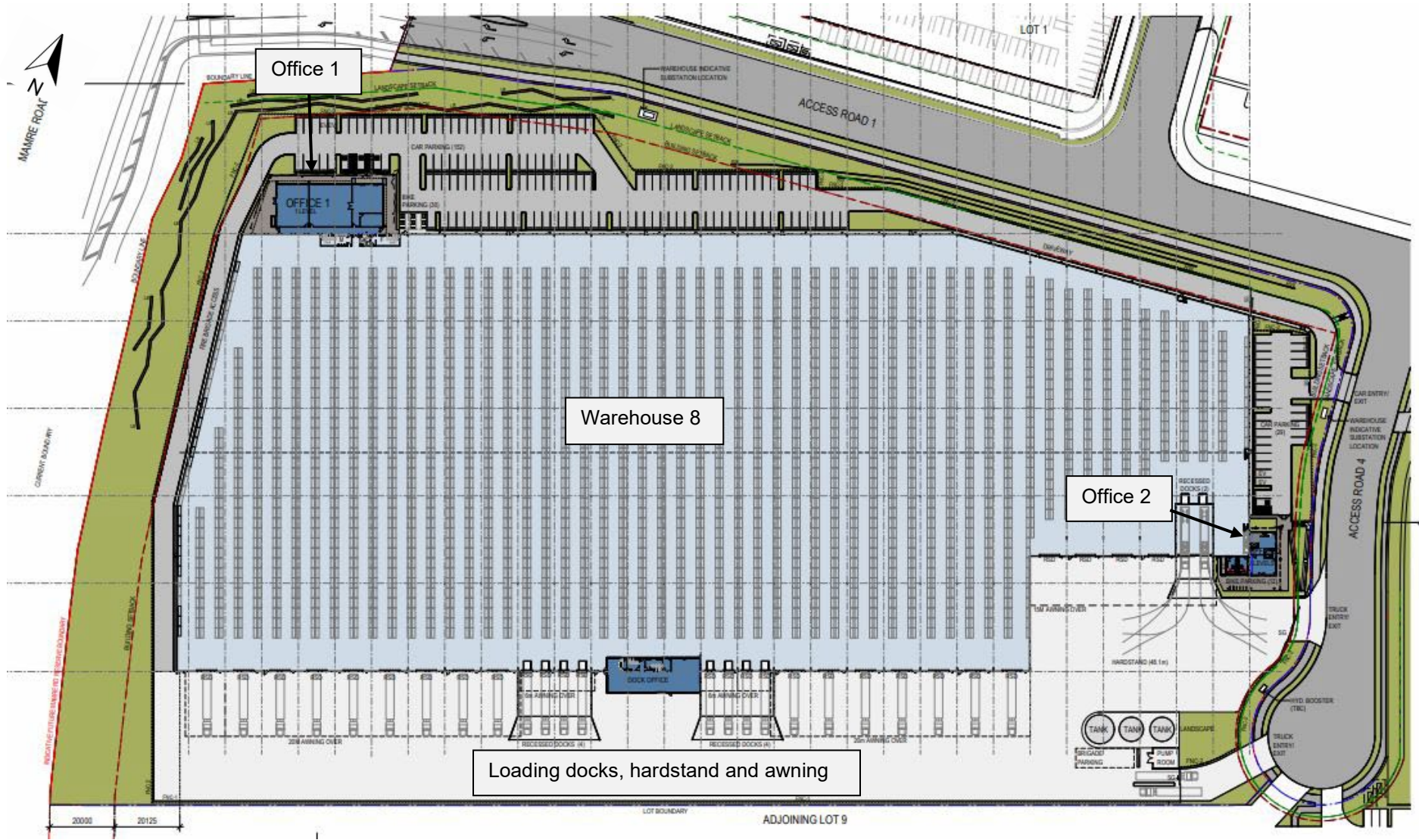


Figure 1: Site Plan

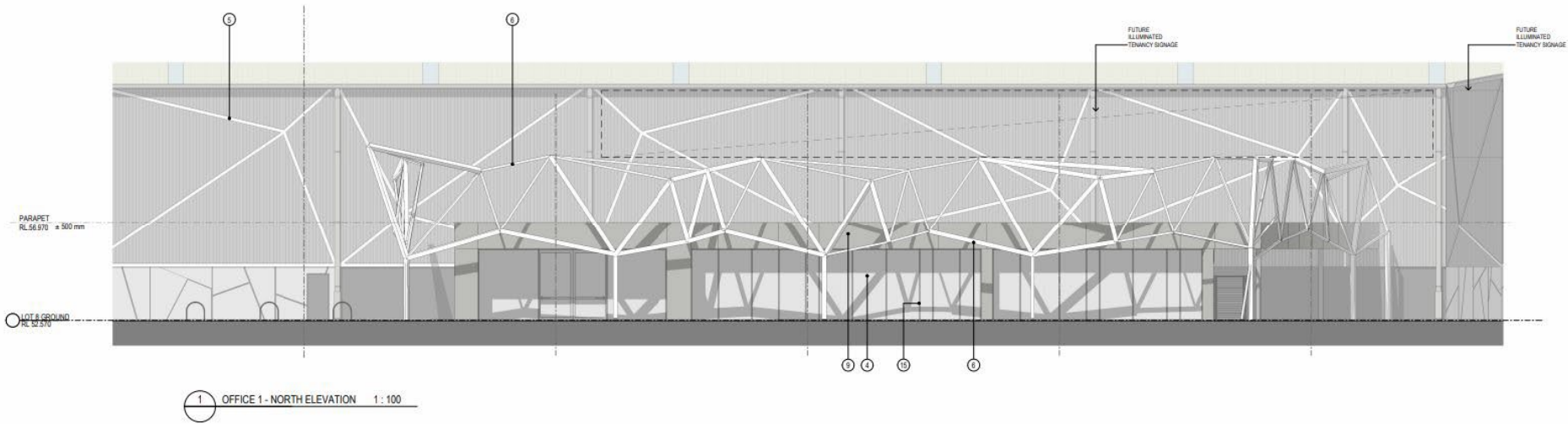
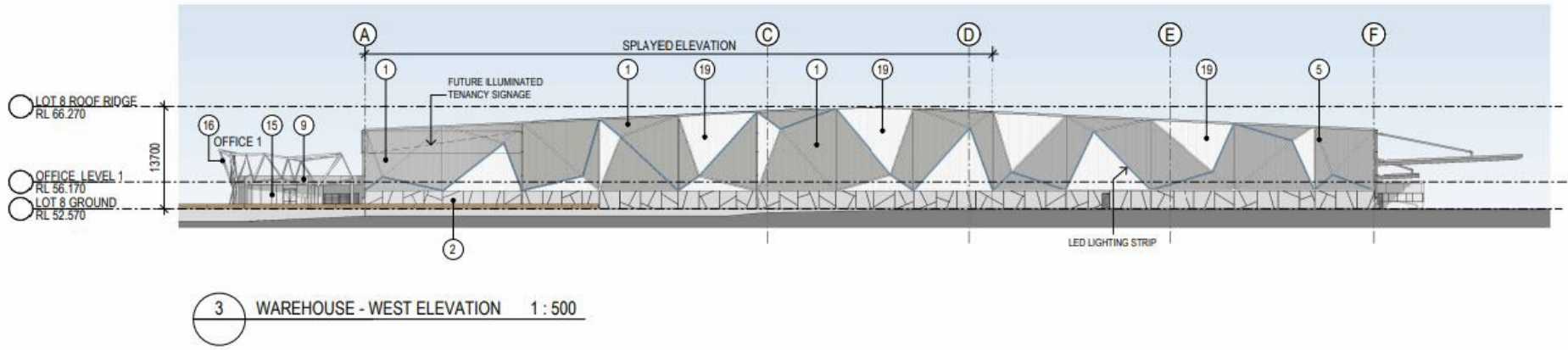


Figure 2: Elevations

Table 4 Schedule of Approved Plans

Drawing No	Title	Issue	Date
Architectural Plan prepared by SBA Architects			
DA810	Lot 8 Site Plan	J	02/04/2024
DA840	Office 1 Elevations	F	28/03/2024
DA841	Office 2 Elevations	G	31/07/2024
DA820	Lot 8 Elevations ¹	J	24/07/2024
DA830	Lot 8 Sections	H	26/03/2024

¹ The LED lighting strip shown on DA820 is not approved in accordance with condition A13.

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

The following **Appendix E** outlines the recommended mitigation measures in response to potential impacts identified in Section 7 of this EIS. The structure of mitigation measures is based on the DPHI's hierarchy of approaches for managing impacts identified in the *Draft Environmental Impact Assessment Guidance Series* released by DPHI 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.

A consolidated set of mitigation measures required for each of the environmental and social impacts identified in Section 7 of the EIS are outlined in **Table 1** below. The mitigation measures directly respond to each impact and are based upon the range of technical and specialist consultant reports appended to the EAR. The type of mitigation measure as noted within the table below are as follows:

- 'Pe' – performance based mitigation measure. or
- 'Pr' – prescriptive based mitigation measure, or
- 'Ma' – management based mitigation measure.

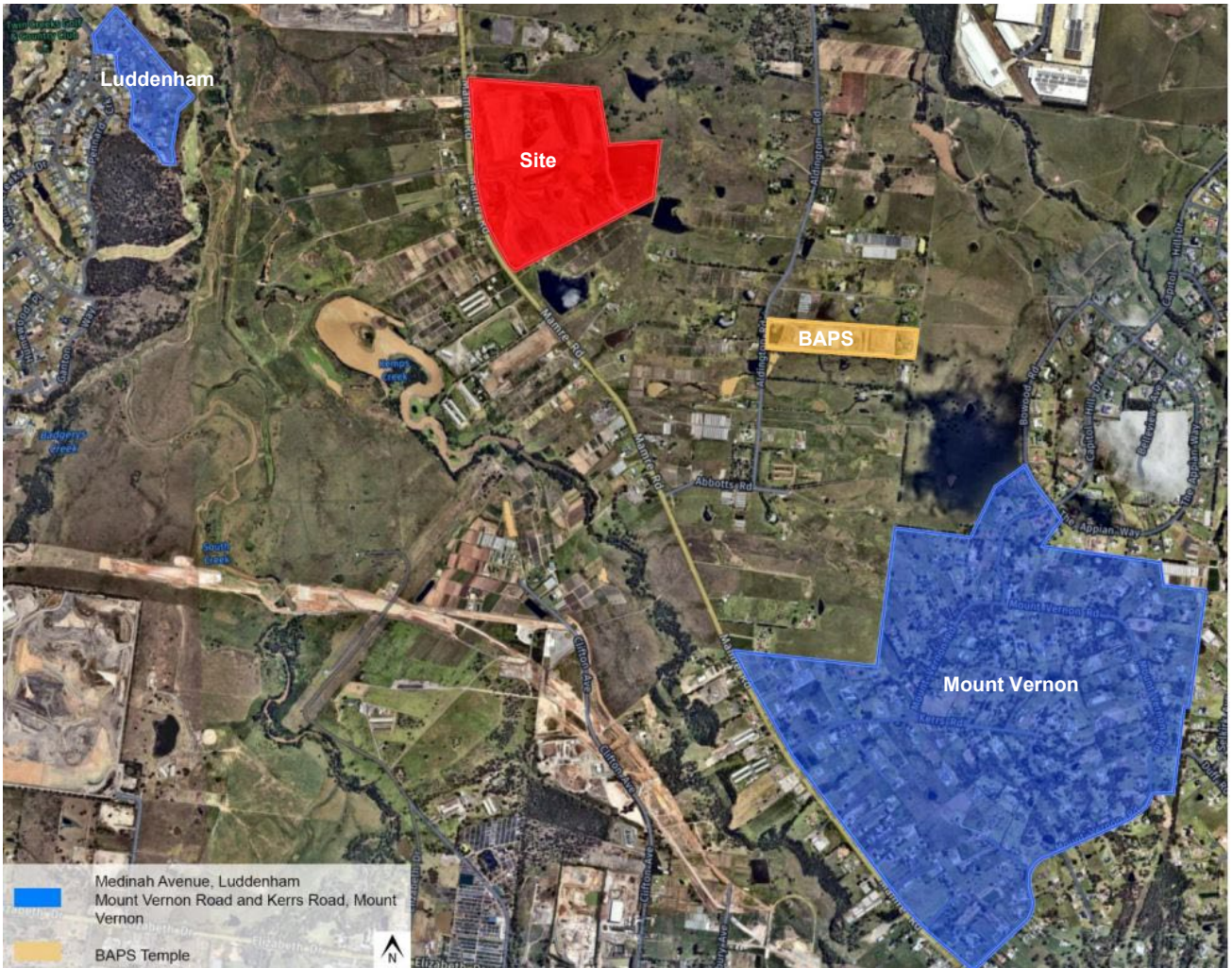
Table 1 MOD 6 Mitigation Measures

Issue	Potential Impacts	Mitigation Measures	Type of Measure (Pe/Pr/Ma)
Traffic, Transport and Parking	<p>No cumulative traffic impacts to the performance to the transport infrastructure in the area.</p> <p>However, the estimated traffic generation of the MOD 6 includes: layout generates some 1% fewer trips than forecast in the approved SSD Masterplan traffic generation calculations. As such, the proposal will not result in any additional traffic impacts beyond those anticipated in the original SSD-10448 masterplan approval.</p> <p>With regard to vehicular access the swept path assessment demonstrates that the modified lot and hardstand layout design remains consistent with the relevant Australian Standards and MRP DCP design requirements.</p>	<p>The road upgrades and management measures approved under SSD-10448 will support the access and traffic demands generated by the proposal. This includes: Provision of a signalised access at the intersection of Road 01 and Mamre Road.</p> <p>The management strategies established under the Draft Construction Traffic Management Plan will minimise construction traffic impacts on the surrounding road network and public road network users.</p> <p>Additionally, a Green Travel Plan has been prepared in support of the Warehouse 8 proposal. The Warehouse 8 proposal will also feature 42 bicycle parking spaces and EOT facilities to encourage active transport and reduce reliance on private vehicle usage.</p>	Pr
Acoustic	<p>Acoustic impacts to nearby sensitive receivers resulting from the updated Lot/Warehouse 8 layout and the anticipated noise sources for including:</p> <ul style="list-style-type: none"> On-Site Traffic Loading Dock Activities Mechanical Plants <p>These acoustic impacts across Lot/Warehouse 8 will contribute towards the cumulative impacts generated across the Aspect Industrial Estate (AIE) as well as the developments across the wider Mamre Road Precinct may result in adverse, acoustic impacts to the nearby sensitive receivers.</p>	<p>No additional mitigation measures as part of the Warehouse 8 development, beyond the measures established under SSD-10448.</p> <p>The following mitigation measures have been considered as part of the development design:</p> <ul style="list-style-type: none"> Optimising site layout to minimise noise emissions from the site. Appropriate design of site layout to minimise the need for trucks to stop or brake outside of loading docks with line of sight to residential receivers. <p>In addition to these design and layout considerations, the following mitigation measures could be applied to further reduce any acoustic impacts generated by the proposed development.</p> <ul style="list-style-type: none"> Encourage broadband and/or ambient sensing alarms on forklifts and trucks where they are required to reverse during the night-time. Verification monitoring would be completed within three months of commencement of operation. Preparation of a Construction Noise and Vibration Management Plan (CNVMP) and use of standard mitigation measures to mitigate construction noise and vibration impacts. 	Pe
Air Quality	<p>Dust, air quality and odour impacts generated by the proposed construction and operations works.</p> <p>The main air quality issue associated with construction works relate to emissions of fugitive dust.</p>	<p>The proposal's mitigation measures will be consistent with the measures established under the approved, estate wide concept approval (SSD-10448).</p> <p>No additional mitigation measures are required beyond those established under SSD-10448 approval.</p> <p>The proposal will be supported by:</p> <ul style="list-style-type: none"> standard air quality control measures standard dust minimisation measures standard odour mitigation measures for construction 	Ma
Water and Energy Usage	<p>The proposed Warehouse 8 development may result in impacts to the water and energy usage.</p>	<p>The development will establish the appropriate ecologically sustainable design elements to mitigate any adverse impacts to water and energy usage. Such</p>	Pe

Issue	Potential Impacts	Mitigation Measures	Type of Measure (Pe/Pr/Ma)
	The Warehouse 8 development is to be delivered in accordance with the ESD relevant principles. No additional adverse impacts are anticipated.	elements include on-site renewable energy production, electric car and truck charging dedicated bays, rainwater harvesting, natural ventilation, and efficient HVAC performance.	
Visual Impact Assessment	Visual impacts onto the nearby residential receivers and viewpoints. The proposed Warehouse 8 development will not result in any change in visual impact ratings from the established, estate wide concept proposal. Potential impacts to additional viewpoints have been assessed as part of the updated Landscape Character and Visual Impact Assessment (viewpoints 5b, 5c and 5d). The assessment identifies the following impacts: The proposed development will deliver a warehouse building that is 0.57m higher than the previously assessed plans (MOD 3) with an RL of 52.57 (+-1000mm). The proposed office with a parapet height of 4.4m and architectural screen structure between 7-8m is more prominent in this view. This will increase the level of built form in the view and diminish views of open sky. Additionally, retaining walls are proposed along the northern boundary of Lot 8 adjacent to Access Road 1, toward the north-east of Lot 8. In accordance with the Mamre Road Precinct DCP, where the total height to be retained exceeds 2 metres, walls will be tiered such that the total height of a single tier does not exceed 2 metres.	The Warehouse 8 development mitigation measures will be consistent with the measures established under the approved, estate wide concept approval (SSD-10448). The proposal will be supported by the appropriate landscape screening in accordance with the updated landscape plans. This includes up to 3 layers of Landscape Feature Walls are provided at the estate entrance, along Mamre Road and Access Road 1. As the planting matures this will help filter views of the warehouse and retaining walls, particularly the trees. No additional mitigation measures are required for the AIE (as contemplated by MOD 6) beyond those established under SSD-10448 approval.	Pe
Bushfire	Warehouse 8 is not required to be subject to any Asset Protection Zone requirements as it is substantially separated from any bushfire hazard. The Bushfire Attack Level (BAL) is not relevant to Warehouse 8 and subsequently, the building is not required to be constructed in accordance with the Australian Standard requirements for BAL affected sites. The proposal has been assessed and deemed to comply with the requirements of Planning for Bushfire Protection 2019.	The original approval was supported with recommendations for an asset protection zone, conditions for fire hydrants be provided and buildings within identified zoned be built in accordance with the Australian Standard. No additional mitigation measures are required to support the proposal.	Pr
Stormwater Drainage	Potential impacts to water quantity and quality due to the proposal.	The proposal is to feature the appropriate stormwater quantity and quality management measures including in accordance with Water and Stormwater Management Plan: Rainwater tanks with a total capacity of 250 kL to capture roof runoff for non-potable reuse at Lot 8 (limited to toilet flushing and landscape irrigation).	Pr

Issue	Potential Impacts	Mitigation Measures	Type of Measure (Pe/Pr/Ma)
		Gross pollutant traps (GPTs) at the points of discharge from the internal stormwater drainage network to the stormwater reuse tank.	
Soil and Salinity	Potential soil erosion, salinity and infiltration/exfiltration of stormwater impacts generated by the proposal. With regard to stormwater infiltration/exfiltration impacts, the proposed warehouse development will result in the bulk of the site being sealed. In the instance infiltration/exfiltration of stormwater is proposed, the development will have close to no impacts on the site salinity and sodicity as prior to the development.	Soil Erosion: The appropriate erosion control, surface flow management will be established during the construction phase of development. An Erosion Sediment Control Plan that has been prepared by ErSed (Appendix W). Salinity: the Construction Salinity Management Plan prepared for AIE (Ref: PSM3739-031L) will be adopted. Any infiltration and exfiltration will be managed to meet the stormwater quality requirements.	Ma
Flood Impacts	The site is affected by 100-year overland flows. Potential impacts to flood flows and runoff into the existing water management infrastructure.	The approved flood management measures under the original SSD-10448Pr approval included the following: Capturing upstream runoff just inside the southern site boundary and conveying this via the proposed diversion line to convey upstream runoff to the head of the extended riparian corridor which conveys the combined upstream runoff from the southern and eastern drainage lines to the existing Mamre Road. Directing all runoff from within the Stage 1 development to a dual-purpose basin in order to mitigate the impacts on the rate of runoff in all events up to the 100 yr ARI event and to mitigate impacts on stormwater quality. These mitigation measures will appropriately manage any potential flood impacts generated under MOD 6 as well as the Warehouse 8 development.	Pr

APPENDIX 3 LOCATION OF NOISE SENSITIVE RECEIVERS



APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

INCIDENT NOTIFICATION REQUIREMENTS

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



Appendix C Relevant Conditions of Consents



Relevant Consent Conditions

Mirvac Projects Pty Ltd

Prepared by:

SLR Consulting Australia

SLR Project No: 630.031243.00001

17 October 2024

Revision: 1

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
1	8 November 2024	Harry Peter	Sean Wilson	Sean Wilson

Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Mirvac Projects Pty Limited (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.



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1.0 Introduction

This Relevant Consent Conditions has been prepared by SLR Consulting Australia Pty Ltd (SLR) on behalf of Mirvac Projects Pty Ltd (Mircvac), the Principal Contractor, for the construction of a warehouse and distribution centre at 788-882 Mamre Road, Kemps Creek NSW, described as Lots 1, 2 and 5 DP 1285305 and Lots 6 and 7 in DP1291562.

2.0 Relevant Consent Conditions

The Relevant Consent Conditions are specific conditions within the Development Consent imposed by the NSW Department of Planning, Housing and Infrastructure that are relevant to construction aspect of the project. These conditions are set out in the tables below and are included and addressed in the Construction Environmental Management Plan (CEMP) prepared by SLR.

2.1 SSD 10448

Table 1 includes all the relevant conditions that are associated with SSD 10448.

Table 1: SSD 10448 Relevant Consent Conditions

Conditions	Where addressed in CEMP
Terms of Consent	
A1. 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, Response to Submissions (RtS), and Amended Development Report (ADR); (d) in accordance with the Modification Assessments; (e) in accordance with the Development Layout in Appendix 2; and (f) in accordance with the management and mitigation measures in Appendix 5.	This CEMP has been prepared in accordance with these documents
A2. 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 A2(a).	Section 3.3
A3. 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 A1(c) or A1(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A1(c) or A1(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Section 3.3
Staging Plan	
A10. Prior to the commencement of construction of any stage of the Concept Proposal, the Applicant shall prepare a Staging Plan for the Development, to the satisfaction of the Planning Secretary. The plan shall: (a) be prepared in consultation with Council, utility and service providers and other relevant stakeholders; (b) describe how the implementation of the Concept Proposal, would be staged to ensure it is carried out in an orderly and economic way and minimises construction impacts;	Section 1.4



Conditions	Where addressed in CEMP
<p>(c) show the likely sequence of DAs that will be lodged to develop the Site, with the estimated timing for each Stage and identification of any overlapping construction and operational activities;</p> <p>(d) include concept design for the staged delivery of landscaping, focusing on early implementation of screen planting to minimise the visual impact of subsequent development stages; and</p> <p>(e) include conceptual design for the provision of services, utilities and infrastructure to the Site, including stormwater management infrastructure and any future road upgrades.</p>	
<p>A11. The Applicant must:</p> <p>(a) not commence construction of any stage of the Development until the Staging Plan required by Condition A12 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Staging Plan approved by the Planning Secretary.</p>	Section 2.2
<p>A12. The Planning Secretary may require the Applicant to address certain matters identified in the Staging Plan. The Applicant must comply with any such requirements of the Planning Secretary given as part of the Staging Plan approval.</p> <p>Notes:</p> <ul style="list-style-type: none"> • The Applicant may amend the Staging Plan as desired, with the approval of the Planning Secretary. • The Staging Plan is intended to broadly describe the development sequence for the Site and the delivery of infrastructure for all stages. It is not required to provide detailed design for latter Stages. 	Noted
Evidence of Consultation	
<p>A18. Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <ul style="list-style-type: none"> (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. 	Section 1.3.4 and Appendix H
Staging, Combining and Updating Strategies, Plans Or Programs	
<p>A19. With the approval of the Planning Secretary, the Applicant may:</p> <p>(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);</p> <p>(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</p> <p>(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).</p>	Section 1.3.4
<p>A20. 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.</p>	Section 6
<p>A21. 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.</p>	Section 6
Advisory Notes	



Conditions	Where addressed in CEMP
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 consent.	Section 3.2.3
Structural Adequacy	
Under Part 6 of the EP&A Act, the Applicant is required to obtain construction certificates for the proposed building works.	Section 3.2.3
Endeavour Energy	
B17. The Applicant must obtain relevant approvals from Endeavour Energy, or relevant service provider, prior to the construction of any electricity utility works to service each stage of the development.	Section 3.2.3
Obligation To Minimise Harm to the Environment	
C1. 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 Stage 1 Development, and any rehabilitation required under this consent.	Section 1.3.1 and Section 4
Protection of Public Infrastructure	
C12. Prior to the commencement of construction of the development, the Applicant must: (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.	Section 1.3.4
External Walls and Cladding	
C23. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Section 3.2.3
C24. Prior to the issue of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels) 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.	Section 3.2.3
C25. 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.	Section 3.2.3
Utilities and Services	
C28. Before the issue of a Subdivision 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 a real estate development project 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 a real estate development project demonstrated through an agreement with a carrier.	Section 1.3.4



Conditions	Where addressed in CEMP
Mamre Road/Access Road 1 intersection works	
D15. The Applicant must obtain a Road Occupancy Licence (ROL) from TfNSW Transport Management Centre for any works that may impact on traffic flows on Mamre Road during construction.	Section 3.2.3
Management Plan Requirements	
<p>E1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) detailed baseline data; (b) details of: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. 	Section 1.3.1
Construction Environmental Management Plan	
E2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition E1 and to the satisfaction of the Planning Secretary.	Refer CEMP
<p>C4. The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. 	Noted
APPENDIX 6 - 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	Section 3.4



Conditions	Where addressed in CEMP
under this condition even if the Applicant fails to give the notification required under condition E10 or, having given such notification, subsequently forms the view that an incident has not occurred.	
2. Written notification of an incident must: <ul style="list-style-type: none"> 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. 	Section 3.4.2
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.	Section 3.2.3
4. The Incident Report must include: <ul style="list-style-type: none"> 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. 	Section 3.4.3



2.2 SSD 60513208

Table 2 includes all the relevant conditions that are associated with SSD 60513208.

Table 2: SSD 60513208 Relevant Consent Conditions

Conditions	Where addressed in CEMP
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.	Section 1.3.1 and Section 4
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 Additional Information; (d) in accordance with the Development Layout in Appendix 1; and (e) in accordance with the management and mitigation measures in Appendix 2.	This CEMP has been prepared in accordance with these documents
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).	Section 3.3
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.	Section 3.3
A8. The largest vehicle permitted to access the site is a 30 metre Performance Based Standards (PBS) Level 2 Type B.	Appendix D
A9. The Applicant must ensure all vehicles associated with construction and operation of the development do not use Bakers Lane, Aldington Road and Abbots Road.	Appendix D
Notification of Commencement	
A14. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction;	Section 1.3.4
Evidence of Consultation	
A16. 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.	Section 1.7



Conditions	Where addressed in CEMP
Staging, Combining and Updating Strategies, Plans or Programs	
<p>A17. With the approval of the Planning Secretary, the Applicant may:</p> <p>(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);</p> <p>(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</p> <p>(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).</p>	Section 1.3.4
<p>A18. 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.</p>	Section 6
<p>A19. 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.</p>	Section 6
Utilities, Services and Public Infrastructure	
<p>A20. Prior to the commencement of construction of the development, the Applicant must:</p> <p>(a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;</p> <p>(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and</p> <p>(c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.</p>	Section 3.2.3
Sydney Water	
<p>A22. Prior to the commencement of construction of the development, the Applicant must obtain a Building Plan Approval from Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by the development.</p>	Section 3.2.3
Fibre-Ready Facilities	
<p>A24. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:</p> <p>(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</p> <p>(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.</p>	Section 3.2.3
External Walls and Cladding	
<p>A28. Prior to the issue of:</p> <p>(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)</p> <p>the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use</p>	Section 3.2.3



Conditions	Where addressed in CEMP
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.	
A29. 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.	Section 3.2.3
Compliance	
A30. 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.	Section 3.2
Operation of Plant and Equipment	
A33. All plant and equipment used on site, or to monitor the performance of the development, must be: <ul style="list-style-type: none"> (a) maintained in a proper and efficient condition; (b) operated in a proper and efficient manner. 	Section 4.3
Environmental Representative	
A35. The Applicant must engage an Environmental Representative (ER) to oversee construction of the development. Unless otherwise agreed to by the Planning Secretary, construction of the development must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant.	Section 1.3.4
A36. 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 A35 (including preparation of the ER Monthly Report), as well as: <ul style="list-style-type: none"> (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). 	
A37. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A35. The Applicant must: <ul style="list-style-type: none"> (a) facilitate and assist the Planning Secretary in any such audit; and (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit. 	
Mamre Road Precinct Working Group	
A38. Prior to the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must participate in a working group with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts.	Section 1.3.4
A39. Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A38.	
Applicability Of Guidelines	
A40. 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.	Noted
A41. 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.	



Conditions	Where addressed in CEMP
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.	Table 8
Construction Traffic Management Plan	
B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2.	Section 4.5 and Appendix D
B2. The Applicant must: (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.	
Construction Access	
B3. The Applicant must not commence any construction associated with the development until the Mamre Road / Access Road 1 intersection is completed to the satisfaction of the relevant roads authority.	Section 4.5 and Appendix D
B4. All construction traffic associated with the development must use the completed Mamre Road / Access Road 1 intersection and must not use the temporary left-in/left-out access off Mamre Road.	
B5. The Applicant must maintain a 60 kilometre per hour (km/hr) road works speed limit on Mamre Road between Bakers Lane and Abbots Road for the duration of construction and to the satisfaction of TfNSW. The road works speed limit must remain in operation 24 hours a day, seven days a week, unless otherwise instructed by TfNSW.	
Soils, Water Quality and Hydrology	
B14. The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; (c) make these records available to the Planning Secretary upon request.	Section 3.2.3
Erosion and Sediment Control	
B15. Prior to the commencement of construction of the development, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase IWCM controls of the MRP DCP are achieved. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must: (a) be prepared by a CPESC specialist whose appointment has been approved by the Planning Secretary; (b) comply with the detailed technical specifications in the Technical Guidance or its latest version and the 'Blue Book - Managing Urban Stormwater: Soils and Construction' (Landcom 2004); (c) comply with section 4.4.2 of the MRP DCP; (d) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met; (e) outline the current construction and erosion and sediment control occurring on the AIE site and the additional measures which will be adopted for the development; (f) be independently reviewed and verified by the ER prior to submission to the Planning Secretary; and (g) be included in the CEMP required by Condition C2.	Section 4.3 and Appendix E



Conditions	Where addressed in CEMP								
B16. The Applicant must ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC. Monthly audits are to be completed by the CPESC and kept on record for the duration of the construction and an additional 12 months following 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.	Section 4.3 and Appendix E								
Discharge Limits									
B17. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.	Section 4.1								
Hours of Work									
B26. The Applicant must comply with the hours detailed below, unless otherwise agreed in writing by the Planning Secretary.	Section 2.3								
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="background-color: #d3d3d3;">Activity</th> <th style="background-color: #d3d3d3;">Day</th> <th style="background-color: #d3d3d3;">Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> </tbody> </table>	Activity	Day	Time	Construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	
Activity	Day	Time							
Construction	Monday – Friday	7 am to 6 pm							
	Saturday	8 am to 1 pm							
B27. Works outside of the hours identified in condition B26 may be undertaken in the following circumstances: (a) works that are inaudible at the nearest sensitive receivers; (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Section 2.3								
Construction Noise Limits									
B28. The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise and Vibration Management Plan approved under condition B29.	Section 2.3 and Appendix F								
Construction Noise and Vibration Management Plan									
B29. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must: (a) be prepared by a suitably qualified and experienced noise expert(s); (b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time); (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers and detail the duration of works and respite periods; (d) include strategies that have been developed with the community for managing high noise generating works; (e) describe the community consultation undertaken to develop the strategies in condition B29(d); and (f) include a complaints management system that would be implemented for the duration of the development.	Section 4.4 and Appendix F								



Conditions	Where addressed in CEMP												
<p>B30. The Applicant must:</p> <p>(a) not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B29 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.</p>	Section 4.4 and Appendix F												
Operational Noise Limits													
<p>B31. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits in Table below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9d9d9;">Location</th> <th style="background-color: #d9d9d9;">Day <small>L_{Aeq}(15 minute)</small></th> <th style="background-color: #d9d9d9;">Evening <small>L_{Aeq}(15 minute)</small></th> <th style="background-color: #d9d9d9;">Night <small>L_{Aeq}(15 minute)</small></th> </tr> </thead> <tbody> <tr> <td style="background-color: #d9d9d9;">Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)</td> <td style="background-color: #d9d9d9;">39</td> <td style="background-color: #d9d9d9;">34</td> <td style="background-color: #d9d9d9;">29</td> </tr> <tr> <td style="background-color: #d9d9d9;">BAPS Temple – Outdoor Use Area (Except Car Parking Area)</td> <td colspan="3" style="background-color: #d9d9d9;">36 (When in use)</td> </tr> </tbody> </table>	Location	Day <small>L_{Aeq}(15 minute)</small>	Evening <small>L_{Aeq}(15 minute)</small>	Night <small>L_{Aeq}(15 minute)</small>	Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)	39	34	29	BAPS Temple – Outdoor Use Area (Except Car Parking Area)	36 (When in use)			Section 4.4 and Appendix F
Location	Day <small>L_{Aeq}(15 minute)</small>	Evening <small>L_{Aeq}(15 minute)</small>	Night <small>L_{Aeq}(15 minute)</small>										
Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)	39	34	29										
BAPS Temple – Outdoor Use Area (Except Car Parking Area)	36 (When in use)												
<p>B32. The Applicant must implement the operational noise mitigation measures described in the Noise Impact Assessment SSD-10448 MOD 6 and Warehouse 8 SSD-60513208 prepared by SLR Consulting dated April 2024.</p>	Noted												
Noise Verification Report													
<p>B33. Within three months of the commencement of construction of the development, the Applicant must prepare and submit a Noise Verification Report for the development to the satisfaction of the Planning Secretary.</p>	Section 3.2.3												
Vibration Criteria													
<p>B34. Vibration caused by construction at any residence or structure outside the site must be limited to:</p> <p>(a) for structural damage, the latest version of DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures (German Institute for Standardisation, 2016); and</p> <p>(b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC 2006) (as may be updated or replaced from time to time).</p>	Section 4.4 and Appendix F												
<p>B35. Vibratory compactors must not be used closer than 30 metres from residential or commercial buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B34.</p>	Section 4.4 and Appendix F												
<p>B36. The limits in conditions B34 and B35 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.</p>	Section 4.4 and Appendix F												
Landscaping													
<p>B37. Prior to the commencement of construction, the Applicant must prepare and submit an updated Landscape Plan for the development to the satisfaction of the Planning Secretary. The plan must:</p> <p>(a) be prepared in consultation with Council;</p> <p>(b) ensure landscaping within the Mamre Road setback incorporates enough species that would grow to sufficient height to create a dense screen of retaining walls, operational and parking areas;</p> <p>(c) ensure sufficient deep soil to allow large tree planting between retaining walls and the frontage to public roads;</p> <p>(d) ensure all landscape sandstone walls are located a minimum of 2 metres from road reserves, in accordance with the MRP DCP;</p> <p>(e) ensure the substation is located outside of the landscape setback;</p> <p>(f) ensure parking areas are not located within the landscape setback; and</p>	Noted												



Conditions	Where addressed in CEMP
(g) describe the monitoring and maintenance measures for on-going management of the landscaping works.	
<p>B38. The Applicant must:</p> <p>(a) not commence construction until the Landscape Plan is approved by the Planning Secretary.</p> <p>(b) implement the most recent version of the Landscape Plan approved by the Planning Secretary; and</p> <p>(c) maintain the landscaping on the site in accordance with the approved Landscape Plan required by condition B37 for the life of the development.</p>	
Dust Minimisation	
B43. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Section 4.5 and Appendix G
<p>B44. During construction of the development, the Applicant must ensure that:</p> <p>(a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;</p> <p>(b) all trucks entering or leaving the site with loads have their loads covered;</p> <p>(c) trucks associated with the development do not track dirt onto the public road network;</p> <p>(d) public roads used by these trucks are kept clean; and</p> <p>(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.</p>	Section 4.5 and Appendix G
Construction Air Quality Management Plan	
<p>B45. Prior to the commencement of construction, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) for the development, to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by condition C2. The CAQMP must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) detail and rank all emissions from all sources of the development, including particulate emissions;</p> <p>(c) describe a program that is capable of evaluating the performance of construction works and determining compliance with key performance indicators;</p> <p>(d) identify the control measures that will be implemented for each emission source; and</p> <p>(e) nominate the following for each of the proposed controls:</p> <p>(i) key performance indicator;</p> <p>(ii) monitoring method;</p> <p>(iii) location, frequency and duration of monitoring;</p> <p>(iv) record keeping;</p> <p>(f) include a complaints register, response procedures and compliance monitoring.</p>	Section 4.5 and Appendix G
<p>B46. The Applicant must:</p> <p>(a) not commence construction until the CAQMP required by condition B45 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of the development.</p>	
Odour Management	
B47. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Section 4.5 and Appendix G
Pests, Vermin and Priority Weed Management	
B55. The Applicant must:	Table 1



Conditions	Where addressed in CEMP
(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.	
Management Plan Requirements	
C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include: (a) a condition compliance table for that plan; (b) detailed baseline data, where required; (c) details of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures and criteria; and (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (e) a program to monitor and report on the: (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (g) a program to investigate and implement ways to improve the environmental performance of the development over time; (h) a protocol for managing and reporting any: (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria); (ii) complaint; (iii) failure to comply with statutory requirements; and (i) a protocol for periodic review of the plan.	Refer to the CEMP
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.	Refer CEMP
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 Plans (see condition B15); (c) Construction Noise and Vibration Management Plan (see condition B29); (d) Construction Air Quality Management Plan (see condition B45); and (e) Community Consultation and Complaints Handling.	Table 1
C4. The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and	Table 1

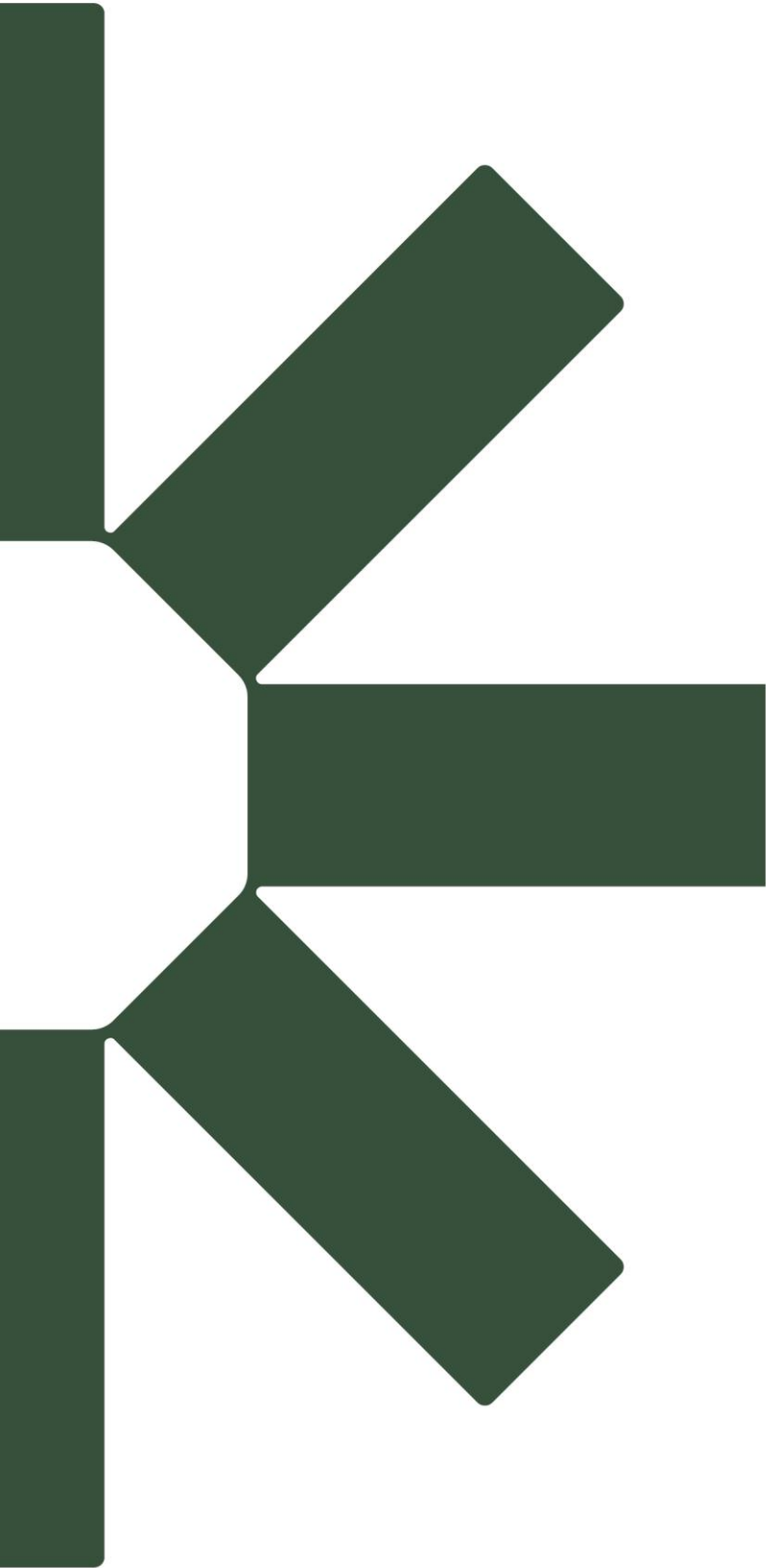


Conditions	Where addressed in CEMP
(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	
Revision of Strategies, Plans and Programs	
C8. Within three months of: (a) the submission of a Compliance Report under condition C13; (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.	Section 7
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.	Section 7
Incident Notification, Reporting and Response	
C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including: (a) date, time and location; (b) a brief description of what occurred and why it has been classified as an incident; (c) a description of what immediate steps were taken in relation to the incident; and (d) identifying a contact person for further communication regarding the incident.	Section 3.4
C11. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 4.	Section 3.2.3
Non-Compliance Notification	
C12. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.	Section 3.4.2
Compliance Reporting	
C13. Within six months after the commencement of construction of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), 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 over the life of the development; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.	Section 3.2.3



Conditions	Where addressed in CEMP
C14. 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.	Section 3.2.3
Monitoring and Environmental Audits	
C15. 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.	Section 3.2.3
Access to Information	
C16. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent (excluding the Emergency Services Information Package as described under condition B46); (iv) a summary of the current stage and progress of the development; (v) contact details to enquire about the development or to make a complaint; (vi) a complaints register, updated quarterly; (vii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Section 7
APPENDIX 4 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	
Incident Notification Requirements	
1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).	Section 3.4
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.	Section 3.2.3
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that: (a) identifies how the incident was detected; (b) identifies when the Applicant became aware of the incident; (c) identifies any actual or potential non-compliance with conditions of consent; (d) identifies further action(s) that will be taken in relation to the incident; and (e) a summary of the incident; (f) outcomes of an incident investigation, including identification of the cause of the incident; (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and (h) details of any communication with other stakeholders regarding the incident.	Section 3.2.3
4. The Applicant must submit any further reports as directed by the Planning Secretary.	Section 3.2.3





Making Sustainability Happen



**Appendix D Construction Traffic
Management Plan**



**Appendix E Erosion and Sediment
Control Plans**



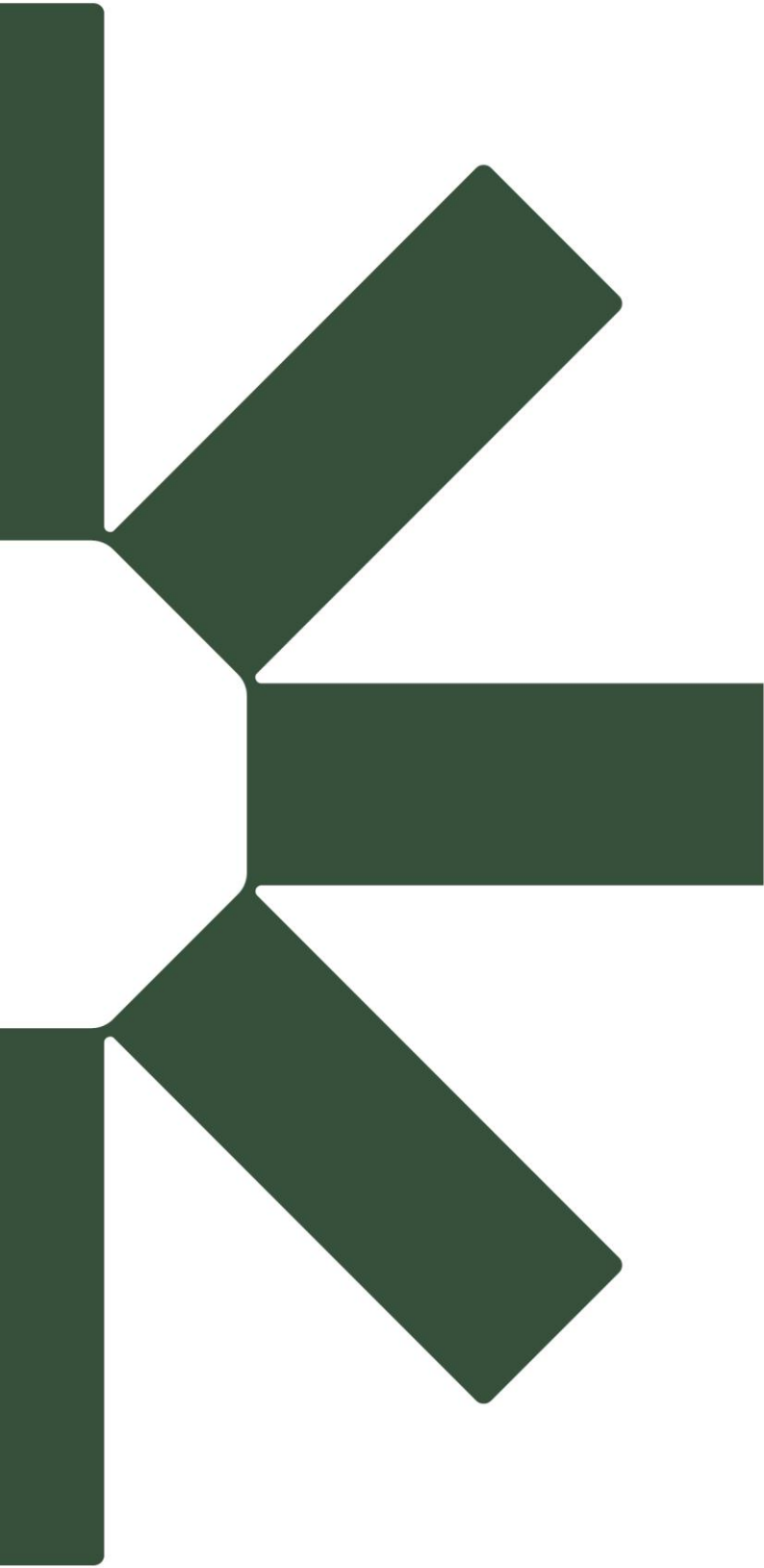
**Appendix F Construction Noise
and Vibration
Management Plan**



**Appendix G Construction Air
Quality Management
Plan**



**Appendix H Community
Consultation and
Complaints Handling**



Making Sustainability Happen