



ASPECT INDUSTRIAL ESTATE SSD 10448

Construction Compliance Report

NOV 2023

(Prepared for MIRVAC Projects Pty Ltd)



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Document control

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Acronym Glossary

AQMP (CAQMP)	(Construction) Air Quality Management Plan
CC	Construction Certificate
CCR	Construction Compliance Report
CCS	Community Communication Strategy
CEMP	Construction Environmental Management Plan
COC	Conditions of Consent
DA	Development Application
DCP	Development Control Plan
DECCW	Department of Environment Climate Change and Water
DPE	Department of Planning and Environment
DPIE	Department of Planning Industry and Environment
EIS	Environmental Impact Statement
ENM	Excavated Natural Material
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act (1979)
ER	Environmental Representative
ESCP	Erosion and Sediment Control Plan
FFMP	Flora and Fauna Management Plan
FIP	Fill Importation Protocol
GLA	Gross Lettable Area
GMP	Ground Water Management Plan
LMP	Landscape Management Plan
NCC	National Construction Code
NRAR	Natural Resource Access Regulator
NVMP (CNVMP)	(Construction) Noise and Vibration Management Plan
OC	Occupation Certificate
OEH	Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
OWE	Oakdale West (Industrial) Estate

PCC	Penrith City Council
PCCR	Pre-Construction Compliance Report
RMS	Roads and Maritime Service
RTS	Response to Submissions
SSD	State Significant Development
TfNSW	Transport for NSW
TMP (CTMP)	(Construction) Traffic Management Plan
VENM	Virgin Excavated Natural Material
WAD	Works as Designed
WAE	Works as Executed
WHS	Work Health and Safety
WIK	Works in Kind
WMP	Waste Management Plan
WNSLR	Western North South Link Road
WSFL	Western Sydney Freight Line

1 Executive Summary

This Construction Compliance Report is written in accordance with the Compliance Reporting Post Approval Requirements (Department of Planning Industry and Environment MAY 2020) & Requirements of Condition of Approval E14 for SSD 10448.

This document has been submitted in accordance with the timeframes set out in Condition E14 of SSD 10448.

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.

2 Introduction

The following information is taken from the Development Consent for SSD 10448

2.1 Project Name and Application Number

Project Name: Aspect Industrial Estate

Application Number: SSD 10448

Project Website: [Planning | Aspect by Mirvac](#)

2.2 Modifications to SSD 10448

Table 1 below provides a summary of the modifications to the SSD since it first approval was issued DATE

Table 1 Planning Approval and Subsequent Modifications

Issue	Date	Description
SSD 103448	24 MAY 2022	Project Approval
Mod 1	25 AUG 2022	Modification to include additional conditions required by TfNSW for SSD-10448
Mod 2	30 NOV 23	Modification to Concept Plan and Stage 1 Development layouts
Mod 3	02 MAR 23	Modification to Concept Plan and Stage 1 Development

This Construction Compliance Monitoring Report has been prepared against the Consolidated Consent provided below and including the Modified Conditions of Consent.

MOD 1

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-MOD-1%2120220825T063334.694%20GMT>

MOD 2

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-MOD-2%2120221130T224646.533%20GMT>

MOD 3

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-MOD-3%2120230316T220651.833%20GMT>

2.3 Developments associated with SSD 10448

Nine LOTS/ Warehouses (WH) developments are planned within the AIE. Status of these developments is summarised below.

2.3.1 Lot 1/WH1

The LOT1 development is included and covered within the approval for SSD 10448

Construction certificates issued for this development to date are listed below;

- CC1 08/03/23
- CC2 01/09/2023

2.3.2 Lot 2/WH2

Work on WH2 is yet to commence

2.3.3 Lot 3/WH3

The LOT 3 development is included and covered within the approval for SSD 10448

Construction certificates issued for this development to date are listed below;

- CC1 07/09/23

2.3.4 Lot 4/WH4

Work on WH4 is yet to commence

2.3.5 Lot 5/WH5

Work on WH5 is yet to commence

2.3.6 Lot 6/WH6

Work on WH6 is yet to commence

2.3.7 Lot 7/WH7

Work on WH5 is yet to commence

2.3.8 Lot 8/WH8

Work on WH8 is yet to commence

2.3.9 Lot 9/WH9 – SSD 46516461

The LOT 9 development is covered by a separate approval SSD 46516461. This SSD was issued 2 MAR 2023

Construction certificates issued for this development to date are listed below;

- CC1 19 MAY 2023
- CC2 26 SEPT 2023

2.4 Purpose of this Report

This report is the **Construction Compliance Report 2** as required by Condition E14 of SSD 10448

This report has been prepared and structured to address the relevant Conditions of Consent (CoCs) for the Aspect Industrial Estate SSD 10448 planning approval.

Table 2 cross-references sections in this report that address the planning approval requirements applicable to compliance reporting.

Table 2 Planning Approval Requirements

Condition	
D14	<p>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:</p> <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.
E15	<p>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.</p>

2.5 Project address

The Project is located at 788-882 Mamre Road, Kemps Creek NSW 2178.

The Site is described as; Lots 54-58 DP 259135

2.6 Description of Project

The concept proposal for SSD 7348 is described as;

- the staged development of an industrial estate comprising of 9 buildings with a total GFA of up to 247,646 square metres (m2) for industrial, warehousing and distribution centres, and café uses.

The scope of this Construction Compliance Report covers Stage 1 of this development including;

- 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 and a café, construction and operation of services and utilities, and
- subdivision of the site into three lots.

2.7 Compliance Reporting Schedule

Table 2 gives the proposed schedule for compliance reporting. This Program below is provided in accordance with Condition D14 of DPP 10448 and Compliance Reporting Post Approval Requirements (DPIE 2020), Table 1 – Minimum Frequency of Compliance Reporting.

This Report is **Compliance Report 2** of the construction phase of the development.

Table 3 Compliance Reporting Schedule

Compliance Report	Phase	Timing
Notes: Construction commenced 18 AUG 2022		
Construction Compliance 1	Construction	18 NOVEMBER 2022
Construction Compliance 2	Construction	30 NOVEMBER 2023
Construction Compliance 3 & following	Construction	TBA
Operation Compliance Report	Operation	TBA
Post-Decommissioning Compliance Report	Decommissioning	TBA

2.8 Project Activity Summary

Pre-commencement works commenced at the Aspect Industrial Estate site post issuance of the approved Development Consent in May 2022, with construction works commencing after 18th August 2022.

The points provided below summarise the activities at the project during the reporting period

Main Estate works/Infrastructure Works

- Bulk earthworks across the site including stripping and management of topsoils to stockpiles, cut to fill operations fill within pad 9 to lift it to new design FSL
- Hammering rock as required
- Excavation of drainage swales and sediment basins
- Removal and backfilling of existing farm dams
- Management of Unexpected finds in accordance with the CEMP Protocols
- Detailed excavation and formation of the riparian corridor on the northern boundary of Lot 2 and 3.
- Construction of riparian areas including geotextile and rock revetments
- Install 1500 stormwater line on Road 3
- Main road culverts for Roads 1 and 4
- Importation of sandstone and DGB capping materials
- Soil nail works & shot-creting to large cuts
- Retaining wall works North western and southern extents
- Sewer works along Road 4
- Road 1 and 2 pavement construction including Kerb and Guttering
- Placing batters in lot 8
- Install potable watermain for the signalised intersection.
- Shaping spillway batter for SB1
- Replace lot 2 basin location according to updated design, including swales

- Complete pipework for the clean water diversion line
- Street scape works / Initial landscaping and turf installations

On Lot building works to Lots 1 & 3

- Stormwater and fire services installation
- Pad footing construction
- Steel erection
- Retaining wall construction along Mamre Rd
- Electrical trenching across Mamre Road and frontage
- Stormwater and fire services installation
- Steel erection
- Concrete wall panelling and cladding
- Roof mesh, Gutters, and Drainage
- Roof sheeting
- High-level services
- ground floor slab
- Internal concrete pours

2.9 Project General Arrangement

Figure 1 below gives the General Arrangement for the works proposed under SSD 10448 – MOD 3

Figure 1 General Arrangement SSD 10448 – MOD 3

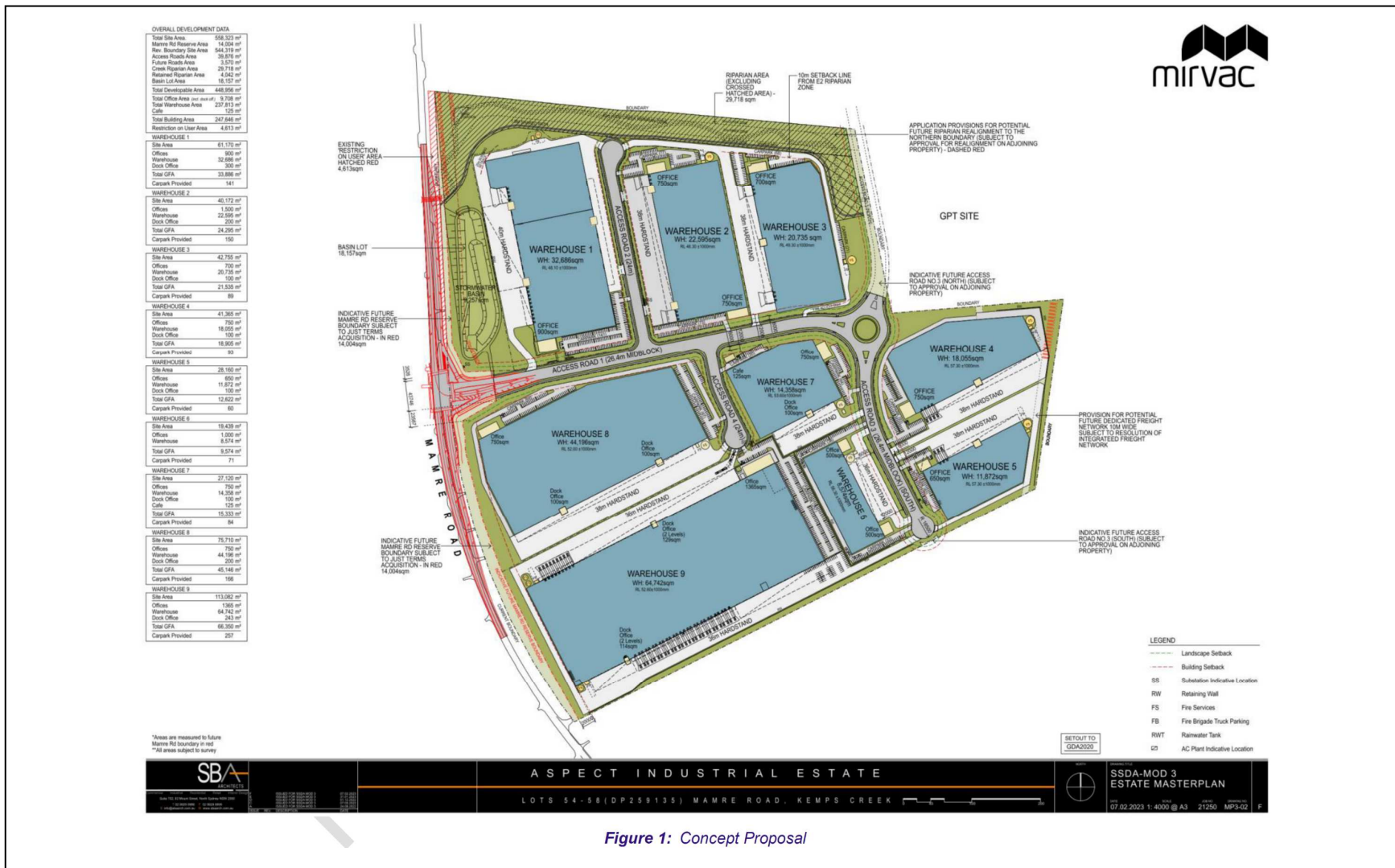


Figure 1: Concept Proposal

2.10 Key Project Personnel

Table 4 Key Project Personnel

Role	Name	Company	Contact Details
Project Principals Representative	Russell Hogan	MIRVAC	0424 441 231 Russell.hogan@mirvac.com
Project Director - Infrastructure	Kym Dracopoulos	MIRVAC	0411 511 431 kym.dracopoulos@mirvac.com
Contract Superintendent	Mostafa Nazar	Orion Consulting	0407 416 823 mostafa.nazar@orionconsulting.com.au
Project Manager	Raul Cid	Orion Consulting	0477772768 r.cid@orionconsulting.com.au
Environmental Representatives			
Environmental Representative (ER)	Maurice Pigniatelli	OPTIME	0407 493 176 maurice@optimenv.com.au
Alternate ER	Ben Bracken	BB Enviro	0410 409 897 ben.bracken@bbenviro.com.au
Principals Environmental Consultant (EC)	Carl Vincent	ERSED	0424 203 046 carl.vincent@ersed.com.au
Communications and Community			
Communications and Community Liaison Representative	Alana Ryan	SLR Consulting	02 4249 1010 aryan@slrconsulting.com
Aspect Industrial Estate Works Contract			
Contractor's Project Manager	David Gardner	WEM	0417 466 272 DGardner@wem.com.au
Environmental Coordinator	Darren Green	Element Environmental	0418969624 darren@elementenvironmental.com.au
Contractors CPESC	Andrew McLeod	SEEC	0414 993 969 amacleod@seec.com.au
Work Health and Safety (WHS) Coordinator	Mitchell Watts	WEM	0439 856 304 mwatts@wem.com.au

3 Environmental Performance

Non compliances are discussed at Section 4 following

Incidents are discussed at Section 4 following

Complaints are discussed at Section 4 following

This section addressed requirements of Condition E14 which requires the Compliance report to

- (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.

Information in this section is taken from the following reports issued by the Environmental Representative.

- Environmental Representative Quarterly Report: Dec 2022 - Feb 2023
- Environmental Representative Quarterly Report: Dec Mar 2023 - May 2023
- Environmental Representative Quarterly Report: Dec Jun 2023 - Aug 2023

For the remaining quarter information is taken from the individual monthly reports issued to the Environmental Representative.

3.1 Weather Conditions

Rainfall observations from the nearest Bureau of Meteorology weather station at Erskine Park Reservoir are given at table 5 over.

Table 5 Rain Fall during period (Nov 2022-Nov 2023)

	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
1st	5	0	0	0	0	0	1	0	0	0	0	0	0
2nd	0	0	0	0	0	7	0	0	0	0	0	0	0
3rd	0	0	0	0	0	5	0	0	0	0	0	0	0
4th	2	0	0	0	2	2	0	0	2	0	0	0	2
5th	0	0	33	0	0	0	0	0	3	0	0	12	22
6th	0	2	2	0	0	0	0	0	0	2	0	0	1
7th	0	0	8	0	0	1	1	0	0	0	0	2	0
8th	0	0	0	0	0	5	5	0	0	2	2	0	0
9th	0	0	0	0	0	0	0	0	0	0	2	0	0
10th	0	0	0	0	0	0	0	0	0	0	0	0	5
11th	0	0	0	0	0	0	0	0	0	0	0	0	0
12th	0	0	0	0	0	0	0	0	0	0	0	0	0
13th	0	5	0	0	1	0	0	0	0	0	0	0	0
14th	28	0	0	0	4	8	11	0	0	12	0	0	0
15th	0	0	0	22	29	0	10	0	0	7	0	0	0
16th	0	0	2	0	0	0	1	0	0	0	0	0	0
17th	0	0	0	0	0	0	0	0	0	0	0	0	2
18th	0	0	0	0	0	0	0	0	0	6	0	0	0
19th	0	0	16	6	0	0	0	0	0	0	0	0	0
20th	1	0	3	0	0	3	0	0	0	0	0	0	0
21st	0	0	0	0	1	1	0	0	0	0	0	0	1
22nd	0	0	0	12	0	0	0	0	0	0	0	0	0
23rd	0	1	19	2	0	0	0	6	0	0	0	0	0
24th	0	0	0	3	3	3	0	0	0	0	0	0	2
25th	0	0	20	0	0	1	0	0	0	0	0	0	1
26th	0	0	0	0	4	0	0	0	0	0	0	0	3
27th	0	0	4	0	10	0	0	0	0	0	0	3	3
28th	8	0	0	1	1	0	0	1	0	0	5	0	0
29th	0	0	0		9	2	0	4	1	7	0	0	0
30th	0	0	2		0	38	0	0	0	0	0	0	
31st		0	14		0		0		0	11		0	
Highest Daily	28	5	33	22	29	38	11	6	3	12	5	12	22
Monthly Total	44	8	123	46	64	76	29	11	6	47	9	17	NA

3.2 Noise and Vibration Monitoring

3.2.1 Thresholds and Projections from CNVMP

The Construction Noise and Vibration Management Plan has detailed the Noise Management Levels (NMLs) for the project which have been determined in accordance with the requirements of the NSW Interim Construction Noise Guideline (ICNG) and are shown in the following table.

Table 6 Project Specific Noise Management Levels (dBA).

Receiver Type	NCA	NML (LAeq(15minute) – dBA)				Sleep Disturbance Screening Level (LAmax dBA)
		Standard Construction Hours (RBL+10dB)	Out of Hours ⁴ (RBL+5dB)			
		Daytime	Daytime ³	Evening	Night-time	Night-time
Residential	NCA01	49	44	44	37	52
Residential	NCA02	45	40	38	37	52
Residential	NCA03	45 ¹	40	38	35	52
Residential	NCA04	49	44	44 ²	37	52
Educational	NCA01	55	55 (when in use)			-
Commercial	Various	70	70 (when in use)			-

Note 1: RBL increased to the minimum RBL specified in the NPfl.

Note 2: Where the evening RBL is higher than the daytime RBL, the daytime RBL has been used.

Note 3: Daytime out of hours is 7 am to 8 am and 1 pm to 6 pm on Saturday, and 8 am to 6 pm on Sunday and public holidays.

Note 4: In accordance with Condition D41, works will be undertaken during standard daytime construction hours. Where out of hours works are required and are approved under Condition D42, the out of hours NMLs apply.

For the Main estate works, real time noise monitoring network (SiteHive) have been maintained in six locations around the site and have been running continuously during the reporting period. (LO1-LO6).

- LO1 North Boundary,
- LO2 Northeast End,
- LO3 East Boundary,
- LO4 South end,
- LO5 Site Gate (Western site perimeter),
- LO6 West Neighbours.

Attended noise monitoring was conducted 9 Jan /23 & 1/09/ 2023.

An additional noise monitor has been maintained in the Southwest Corner for works within Lot 1.

An additional noise monitor has been maintained in the Southeast Corner for works within Lot 3.

No vibratory works have been completed within the minimum cosmetic damage working distances from buildings surrounding the site. As such, no vibration monitoring has been completed for works completed during the reporting period.

3.2.2 Observations and Discussions

No noise complaints were received.

Estate works - L05

Average LAeq levels at the western boundary (L05) are regularly reported as marginally exceeded the daytime NML, however this location is dominated by road traffic noise.

During the out of hours periods, LAeq(15-minute) measurements exceeding the Night NML were recorded at L05 on multiple occasions (+100). All of these measurements were reviewed and it was confirmed they were attributable to passing road traffic. None of the exceedances were associated with the out of hour works.

L05 results indicate that the daytime noise levels (when construction activities occur) are at an acceptable noise level. The evening and night time averages are consistently above the evening and night period NML at all monitoring locations, however none of the exceedances are attributable to the project.

Estate works - Other Locations

Average LAeq levels at the northern, eastern and southern boundary of the site (L01, L02, L03, L04 and L06) and within Lots 1 and 3 were considered compliant and typically below the day NML when construction works occurred;

Departures from the above are provided below with discussions.

- Three (3) elevated levels attributable to construction were records at western boundary (L04) in April prompting measures to minimise noise related impacts. None of these noise events met the criteria for reporting.
- One (1) elevated level attributable to construction were records at western boundary (L04) in April prompting measures to minimise noise related impacts. This noise event did not meet the criteria for reporting.

LOT 1 works

NMLs recorded at the southwest corner of Lot 1 were reported as regularly exceeded on most days through during the reporting period. These exceedances were confirmed as being associated with heavy plant and vehicles working adjacent to the monitor and also Traffic on Mamre Road.

Noise consultants were engaged for assessment of potential impacts to receivers opposite the site on Mamre Road. It was concluded that it was unlikely that the works within Lot 1 would cause significant disturbance to these receivers.

High noise levels (<75dBA) were reported at Lot 1 on the 26th August 23 & 8th September. This was directly associated with Helicopter use on site moving equipment to the roof. These works were notified in advance to potential receivers.

LOT 3 works

Multiple exceedances of the Highly Noise Effectuated NML (75dBA) were reported for LOT 3 during the period 26-29 Sept & 16-12 Oct 23. Investigation confirmed this was associated with heavy plant undertaking works stormwater works in proximity to the Monitor.

No other events have occurred during the reporting period.

3.2.3 Measures to Improve Environmental Performance

Review of monitoring data confirm that management of noise impacts at the estate is in accordance with the approved Management plans.

Where exceedances are identified these are typically explained by activities in close proximity to the monitor with little chance of impact to receivers or otherwise associated with noise from Mamre Road.

Ongoing application of the CNVMP and controls will be applied especially where works are proximate to Mamre Road with attended monitoring to be recommended where appropriate.

3.3 Air Quality Monitoring

3.3.1 Monitoring Program

Nuisance /Depositional Dust

The approved Construction Air Quality Management Plan identifies the relevant criterion for nuisance dust deposition as provided in the following table. The rate of dust deposition is measured by means of a collection gauge, which catches the dust settling over a fixed surface area and over a period of about 30 days.

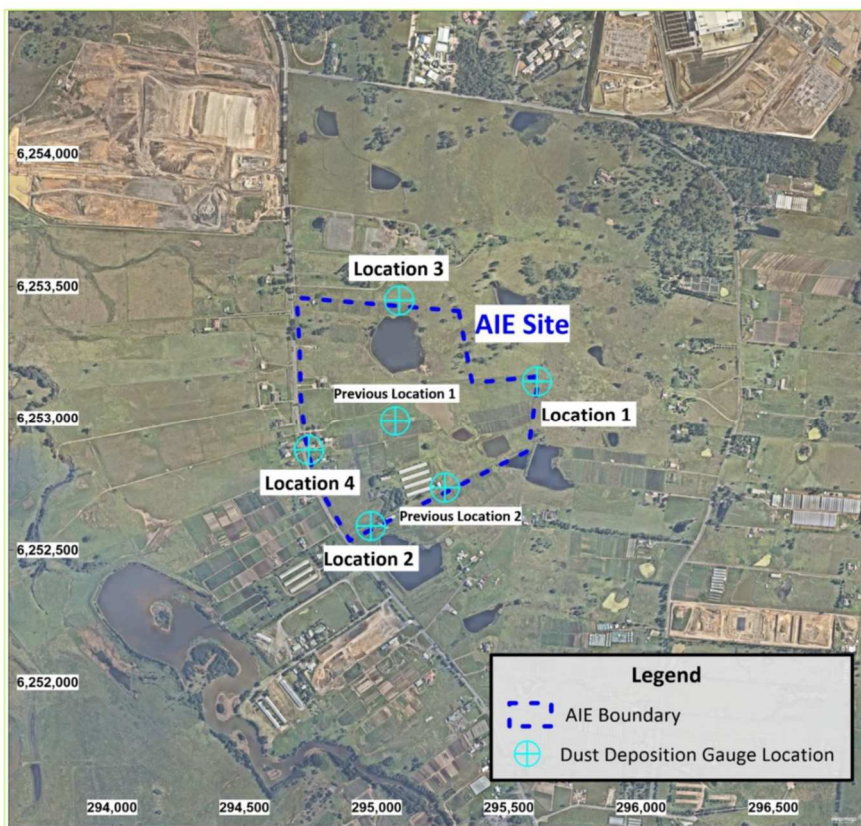
Table 7 NSW EPA Criterion of Nuisance Dust Deposition.

Pollutant	Averaging Period	Assessment Criteria
Deposited Dust	Annual	2 (maximum increase in deposited dust level) 4 (maximum total deposited dust level)

NSW EPA criterion of 4 g/m²/month criterion is strictly for assessing the annual average dust deposition rate. Therefore, an elevated monthly level should not be considered an exceedance without consideration of the monthly average.

Four (4) Dust Deposition Gauges (DDG) are maintained at the perimeter of the site. see figure 2 below

Figure 2 DDG Locations



Additionally, 2 DDG are maintained on the western boundary of LOT1.

Dust monitoring is not performed within the LOT 3 development

Particulate Dusts (PM2.5 & PM10)

For the Main estate works, real time Air Quality Particulate monitoring devices (SiteHive) have been maintained in six locations around the site and have been running continuously during the reporting period. (LO1-LO6).

- LO1 North Boundary,
- LO2 Northeast End,
- LO3 East Boundary,
- LO4 South end,
- LO5 Site Gate (Western site perimeter),
- LO6 West Neighbours.

An additional Particulate monitor is maintained in the Southwest Corner for works within Lot 1.

The SiteHive devices measure PM10 and PM2.5 ($\mu\text{g}/\text{m}^3$) in 15-minute increments 24hrs a day. The data is relayed to an online portal and provides notifications when the 1hr averaging period dust criteria ($190\mu\text{m}/\text{m}^3$) is exceeded, allowing for investigation and actions to address the causes of elevated dust generation in real time.

It is noted that the site hive stations do report false exceedances when the monitors are affected by condensation in the evening and early mornings which trigger alerts for the 15-minute and hourly averages. In instances where the alert is due to condensation (which is visible from the image taken by the system), the alert is discounted and excluded from reporting.

3.3.2 Observations and Discussions

Two complaints were received associated with dust. These complaints are detailed at Section 6.

Nuisance /Depositional Dust

For the period 1 November 2022 to 4 January 2022, dust deposition results were below the NSW EPA standard criterion of $4\text{ g}/\text{m}^2/\text{month}$ at all locations.

Elevated levels were observed at location 4 February and March 2023, these Elevated levels were attributable escalated work at the boundary.

Elevated levels were observed at location 2 for March and April 2023 these Elevated levels were attributable escalated work at the boundary.

Elevated levels were observed at location 1 for May 2023. Project reports elevated levels were attributable escalated work at the boundary, adjacent to the DDG.

Elevated levels were observed at location 4 for March and June 2023. Project reports elevated levels were partly attributable to off-site sources as prevailing winds towards the DDG were in a westerly direction.

The Rolling Annual Average was met the NSW EPA Air Quality Criterion at Location 4 during August 2023.

The Construction Contractor was directed to review operations to reduce dust emissions from the identified key sources and Implement additional mitigation measures as required in accordance with the CAQMP

The Rolling Annual Average was again met the NSW EPA Air Quality Criterion at Location 4 During September 2023 however this was associated with a monthly value bellow the criteria and a subsequent reduction in average value from previous months. This rolling average was reduced below the NSW EPA Air Quality Criterion by October 2023.

The Rolling Annual Average exceeded the NSW EPA Air Quality Criterion at Location 1. This was determined to be associated with contaminated samples.

Particulate Dusts (PM2.5 & PM10)

During November 2022, four days were recorded with exceedances of PM10 24-hr average criterion of 50 µg/m³, due to construction activities. The exceedances were between 3- 94 µg/m³ above the 24-hr criterion.

During December 2022, there were 6 events where real-time monitoring indicated an exceedance above the PM10 24-hr average criterion of 50µg/m³. The exceedances were between 2-44 µg/m³ above the 24-hr criterion.

During November and December 2022, active works included ripping of rock with dozers followed by loading of dump trucks excavators to transport the spoil to the fill areas on the northern side of the site (Lot 1, 2 and 3). The excavation of the deep rock material contributed to dust generation as this material is completely dry when broken.

Controls were implemented WEM to minimise the generation of dust at the boundaries including increasing the use of water carts scheduling work away from site boundaries where off-site dust was observed and cessation of work when other controls were not effective.

During March Six (6) PM10 exceedances at Site Gate (L05) and Northern boundary (L01). These Exceedances were attributable to vehicle movements and wind. Traffic control and water carts were allocated to control dust.

Two dust alerts were recorded on the 29 & 30 August 23 at LO6. This triggered a response to increase water cart usage to mitigate dust generation

For October 2023 Multiple alerts were triggered for PM10 across all Locations except LO3. This was recognised as high dust generating conditions locally and resources to control dust were increased to mitigate dust generation as much as possible.

Lot 1- Nuisance /Depositional Dust

No exceedances of depositional dust are reported within Lot 1 for August

Elevated levels were recorded for depositional dust for both locations September 2023., however one of these was extreme and has been attributed to on site interference.

DDG reported exceedances for both locations for the October Monitoring period. These exceedances were attributed to the proximity of earthworks both internal and external to Lot 1.

November DDG reports were not received at time of writing.

Lot 1- Particulate Dusts (PM2.5 & PM10)

PM2.5 levels during this period were typically below threshold levels with only few alerts reported. Numerous exceedances of PM10 levels were triggered during August through September. These triggered a response to increase water cart usage to mitigate dust generation.

Real time particulate monitoring (PM10) indicated an improvement through October and November with a reduction in the numbers of alerts and these mostly associated with machinery working adjacent to the devices.

One device was offline 5-7 November to following interference on site. it has been determined that it is likely that the monitoring device was moved by a fencing contractor.

3.3.3 Measures to Improve Environmental Performance

Review of monitoring data confirm that management of depositional and particulate dust at the estate is in continues to be present a significant environmental management challenge.

Ongoing application of the CAQMP and controls will be applied to mitigate dust generation where possible.

As part of the broader Erosion and sediment Control Strategy, large areas of the estate are to be stabilised with an application of polymer with surface condition monitored monthly by the Project CPESC. These include all of Lots 2 and 8 and external batters of formations.

Further, progress development progress at Lots 1, 3 and 9 has resulted in reductions of unpaved surfaces as will progressive completion of Roads 1, 2, 3 and 4.

Reduction in exposed areas will enable concentration of resources for ongoing control of dust generation.

3.4 Construction Traffic and Access

3.4.1 Limits Presented in the CTMP

An overarching CTMP has been prepared for the entire estate – Revision 8, 14 July 2023.

The table below gives an extract from the current Estate CTMP and presents the limits adopted for monitoring and reporting at the main gate.

Table 8 Estate Wide Construction Limits

Risk		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 2.3 and Section 3.1 (306 LV & 258 HV Movements per day / 150 LV & 10 HV Movements in Peak Periods)	Construction traffic volumes exceeds programmed Peak volumes but is within permissible daily volume constraints (306 LV & 258 HV Movements per day / 150 LV & 10 HV Movements in Peak Periods)	Construction traffic volumes exceeds permissible volume and time constraints (306 LV & 258 HV Movements per)

Additionally, Each individual lot development within the AIE site has developed its own Construction Traffic Management Plan (CTMP) as follows:

- Lot 1 RCC – Revision 8, 8 March 2023
- Lot 3 Texco – Revision 1.5, 14 August 2023
- Lot 9 Qanstruct – Revision 10, 14 May 2023 (this is under a separate SSD however included in counts and limits recorded at the Estate Gate.

3.4.2 Observations and Discussions

Overall daily traffic movements are recorded for the estate at the main gate.

Additionally, traffic volumes are recorded daily at the entry/exit point for each individual lot. The estate measurements account for the traffic entering and exiting each lot as well as vehicles associated with the main estate contractors' activities. The following are recorded:

- Total Heavy Vehicles per day
- Total Light Vehicles per day
- Total Heavy Vehicles (AM and PM Peak)
- Total Light Vehicles (AM and PM Peak)

Vehicle movements are reported weekly for each individual lot and assessed against the vehicle numbers in each CTMP so that appropriate actions taken, and further work planned to ensure the CTMP traffic volumes are achieved.

The overarching numbers recorded at the estate main gate provide a holistic representation of the Heavy and Light Vehicles leaving and arriving at the site and a comparison can be made with the records for each individual lot so if there is any excessive traffic generated, it is then possible to identify which lot (s) – or contractor is generating excessive traffic.

To date there have been no traffic related incidents reported to DPE.

3.4.3 Measures to Improve Environmental Performance

There are no measures identified to improve environmental performance. At this stage in the project, there are only three lots under construction. However, as individual lot developments are completed (and become operational) and new construction works commence, there is a need to take a more holistic and pragmatic approach to the assessment and reporting of traffic volumes that is aligned with the Estate CTMP and the real impacts on the local road.

3.5 Erosion and Sediment Control (Monthly CPESC Audits)

Conditions of consent D26 requires

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

CPESC inspections and reporting against the approved plans and best practice are undertaken monthly (at a minimum) for the estate works plus at each individual lot.

Monthly Audits for the Estate works plus individual lots are provided to the Environmental Representatives as part of Monthly Environmental Reporting

4 Compliance Status Summary

The compliance table provided as **Appendix B** demonstrates the compliance with conditions of consent for SSD 10448

The terminology within **Table 16** has been used to describe compliance status within the Compliance Report Provided at Appendix B. Only these terms are used to describe the compliance status.

Table 9 Compliance Status Descriptions

Compliant	The proponent has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with.
Non-Compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken; therefore an assessment of compliance is not relevant.

The following non compliances have been reported to the Planning Secretary during the reporting period.

4.1 Non Compliance

4.2

The following non-compliance was identified and reported during this period.

Table 10 Non-Compliances

Date	Detail
4/09/23	<p><u>Details</u></p> <p>Water was pumped from the LOT3 sediment basin following testing and confirmation of pH but not NTU/TSS.</p> <p>Pumping was stopped following observations by the ER before water could leave the project boundary.</p> <p>A non-compliance was raised for failing to correctly implement the approved CEMP measures.</p> <p>This event was reported and managed in accordance with requirements of the SSD.</p>

4.2.1 Recommended Actions for Non-Compliances

Following the notification of the Non-Compliance the Dewatering procedure was reviewed for all contractors and confirmed.

4.2.2 Identified Areas of Improvement

Ongoing confirmation of the dewatering procedure and inductions on application of procedures will be undertaken by the project CPESC.

As part of application of the ESC strategy for the broader estate – monthly review and reporting of dewatering documentations are being undertaken by the project CPESC.

5 Incidents

An incident is defined by the Conditions of Consent as;

“An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause non-compliance”

The following incidence was identified and reported during this period.

Table 11 Incidents

Date	Detail
17/05/23 Incident	<p data-bbox="427 719 1337 754"><u>Uncontrolled release of water and sediment from estate western boundary</u></p> <p data-bbox="427 790 1347 898">Following heavy rains sediment controls at the western boundary were breached leading to mobilisation of small quantities of sediment outside the boundary.</p> <p data-bbox="427 934 1374 1003">This event was reported and managed in accordance with requirements of the SSD.</p>

6 Complaints

Table 5 below provides details of complaints received to the project as included in the Complaints Register established, maintained and communicated in accordance with condition;

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:

(ix) a complaints register, updated monthly;

And made available to the Environmental Representatives in accordance with condition;

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);

Table 12 Complaints

Date	Detail
08/12/22	<p><u>Details</u> Adjoining Neighbour raised concerns regarding dust being received at a neighbouring property and stated they cannot open windows and hang clothes.</p> <p><u>Resolution</u> Works ceased locally in the area immediately fronting the landowner.</p> <p>The Contractor undertook immediate action to source November wind and dust data from BOM and the equipment on site , including photos from the equipment.</p> <p>Investigations undertaken in respect to the effectiveness of the on-site dust protection measures.</p> <p>Additional resources sourced (water cart) and the direction and windspeed of prevailing winds to be closely monitored.</p> <p>Additional Dust Deposition Monitors to be placed at key boundary locations of the estate</p>
21/12/22	<p><u>Details</u> Dust being received at a neighbouring property</p> <p><u>Resolution</u> The Contractor ceased work and directed watercarts in the area fronting the neighbouring property immediately after phone call. Truck movements fronting Mamre Road were stopped.</p>

7 Actions and Improvements

The following section provides a discussion of actions recommended within previous reports and a summary of actions recommended subsequent to non-compliances, incidents or complaints or otherwise identified as a means of improving environmental performance.

7.1 Previous Actions

There have been no previously recommended actions.

7.2 Recommended Actions

Ongoing implementation of the ESC strategy including monthly review and reporting by project CPESC.

Appendix A

Compliance Report Declaration Form

Project Name : Aspect Industrial Estate

Project Application Number : SSD 10448

Description of Project :

- concept layout of 22 warehouse buildings including of dock offices and ancillary offices providing 476,000 square meters of gross lettable area, built over 5 development stages
- concept layout of development lots, internal roads, drainage, landscaping, noise walls, basins, and biodiversity offsets; and
- development controls

Project Address: 788-882 Mamre Road, Kemps Creek NSW 2178.

Proponent: Mirvac Projects Pty Ltd

Title of Compliance Report: Construction Compliance Report 2

Date: 30 NOV 23

I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer Kym Dracopoulos

Title Project Director – Infrastructure

Signature

Qualification Bachelor of Engineering (Civil)

Company MIRVAC

Company Address L30 200 George Street, Sydney NSW 2000

Appendix B

Compliance Report

Key to Colours	
Not triggered	Not triggered
Compliant	Compliant
Non-Compliant	Non-Compliance identified previous reporting period and resolved
Non-Compliant	Non-Compliant –identified this reporting period Ref to Section 3.0 Summary for and discussion of noncompliance

Conditions altered or removed from previous versions of the Consent are included for information and presented as strikethrough

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

Aspect Industrial Estate SSD10448: Construction Compliance Report 2

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
Part A - TERMS OF CONSENT FOR CONCEPT PLAN					
Terms of Consent					
A1	The development may only be carried out:			See Section 4 of the Main Document	
	(a) in compliance with the conditions of this consent;	Stage 1 Construction	ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
	(b) in accordance with all written directions of the Planning Secretary;	Stage 1 Construction	ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
	(c) in accordance with the EIS, Response to Submissions (RtS) and Amended Development Report (ADR);	Stage 1 Construction	ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
	(d) in accordance with the Modification Assessments;		ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
	(d) (e) in accordance with the Development Layout in Appendix 1; and	Stage 1 Construction	ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
	(e) (f) in accordance with the management and mitigation measures in Appendix 4.	Stage 1 Construction	ER to check consistency during compliance reporting.	This Compliance Report. Regular ER inspections confirmed by ER monthly reports.	Compliant
A2	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	At all times			Not triggered
	(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	At all times			Not triggered

Aspect Industrial Estate SSD10448: Construction Compliance Report 2

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	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).	At all times			Not triggered
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(e). 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.	At all times			Not triggered
Future Development Applications					
A4	In accordance with section 4.22 of the EP&A Act, each subsequent stage of the Concept Plan (excluding Stage 1 development) is subject to future development applications (DAs). Future DAs are to be consistent with the terms of this consent.	Future development applications	Approvals will be sought from the Planning Secretary for works Outside of Stage 1.		Not triggered
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.	Stage 1 Construction	Notification provided once prior to commencement of construction of Stage 1 as required. Subsequent notices will be provided after further approvals.	Email to DPE dated 01/06/2022.	Compliant
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).	Future development applications	Approvals will be sought from the Planning Secretary for works Outside of Stage 1.		Not triggered
A7	The maximum GFA for development on the site for the land uses described in Table 1 must not exceed the limits described in that table.	Building construction	ER to review concept and confirm development is within requirements.		Not triggered

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status																																										
	<p>Table 2 Operational Noise Limits for Development dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="2">Day</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq} (15 minute)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Amax}</th> </tr> </thead> <tbody> <tr> <td>NML 1</td> <td>50</td> <td>50</td> <td>47</td> <td>63</td> </tr> <tr> <td>NML 2</td> <td>62</td> <td>62</td> <td>60</td> <td>79</td> </tr> <tr> <td>NML 3</td> <td>64</td> <td>64</td> <td>61</td> <td>79</td> </tr> <tr> <td>NML 4</td> <td>65</td> <td>65</td> <td>62</td> <td>82</td> </tr> <tr> <td>NML 5</td> <td>66</td> <td>66</td> <td>64</td> <td>82</td> </tr> </tbody> </table> <p>Table 1 Maximum GFA of the Concept Proposal</p> <table border="1"> <thead> <tr> <th>Land Use</th> <th>Maximum GFA (m²)</th> </tr> </thead> <tbody> <tr> <td>Warehouse and distribution centres and general industrial</td> <td>237,813</td> </tr> <tr> <td>Ancillary offices</td> <td>9,708</td> </tr> <tr> <td>Total</td> <td>247,646</td> </tr> </tbody> </table>	Location	Day		Night		L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Amax}	NML 1	50	50	47	63	NML 2	62	62	60	79	NML 3	64	64	61	79	NML 4	65	65	62	82	NML 5	66	66	64	82	Land Use	Maximum GFA (m ²)	Warehouse and distribution centres and general industrial	237,813	Ancillary offices	9,708	Total	247,646				
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Total	247,646																																														
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.	Future development applications	Noted. No future development applications are to encroach on the area highlighted. ER to monitor activities at the Estate		Not triggered																																										
A9	The largest vehicle permitted to access the site is a 30 m Performance Based Standards (PBS) Level 2 Type B.	Stage 1 Construction	Requirement has been incorporated into approved CTMP.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; Stage 1: 15/08/22	Compliant																																										
A9A	The maximum height for future development on the site described in Table 1A must not be exceeded.	Stage 1 Construction	To be addressed by issue of CC for individual buildings	See Section 2.3 of the main document which provides confirmation of CCs issued.	Compliant																																										

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status								
	<p>Table 1A <i>Maximum Building Height of the Concept Proposal</i></p> <table border="1"> <thead> <tr> <th>Land Use</th> <th>Height (m)</th> </tr> </thead> <tbody> <tr> <td>Warehouse 1</td> <td> <ul style="list-style-type: none"> 16.0 m (excluding rooftop plant) 18.4 m (including rooftop plant) </td> </tr> <tr> <td>Warehouse 9</td> <td> <ul style="list-style-type: none"> 14.6 m </td> </tr> <tr> <td>All other warehouses</td> <td>13.7 m</td> </tr> </tbody> </table>	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				
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Warehouse 9	<ul style="list-style-type: none"> 14.6 m 												
All other warehouses	13.7 m												
Staging, Combining and Updating Strategies, Plans or Programs													
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:	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								
	(a) be prepared in consultation with Council, utility and service providers and other relevant stakeholders;	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								
	(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;	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								
	(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;	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								
	(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	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								
	(e) include conceptual design for the provision of services, utilities and infrastructure to the Site, including stormwater management infrastructure and any future road upgrades.	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant (and closed)								

Aspect Industrial Estate SSD10448: Construction Compliance Report 2

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant
	(b) implement the most recent version of the Staging Plan approved by the Planning Secretary.	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	Letter from DPE to Mirvac dated 01/08/22 confirming acceptance of the Staging Plan.	Compliant
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.	Stage Construction	1ER to cite approved Staging Plan prior to the commencement of construction.	No required changes to Staging Plan at this time.	Not triggered
	<p><i>Notes:</i></p> <ul style="list-style-type: none"> <i>The Applicant may amend the Staging Plan as desired, with the approval of the Planning Secretary.</i> <i>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.</i> 				
Traffic and Access					
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:	Operation of estate			Not triggered
	(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;	Operation of estate			Not triggered

Aspect Industrial Estate SSD10448: Construction Compliance Report 2

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(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	Operation of estate			Not triggered
	(c) consideration of the current capacity and efficiency of the existing road network including Mamre Road.	Operation of estate			Not triggered
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:	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(a) detail traffic volumes from all operating stages of the Concept Proposal;	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(b) include background traffic volumes from key roads within the MRP, including Mamre Road;	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(c) assess the operating performance of key intersections in the MRP, including Mamre Road and Access Road 1;	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(d) detail the current level of approved development within the MRP, including total approved GFA;	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(e) consider consistency with the latest approved Concept Proposal traffic volumes;	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
	(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,	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered

Aspect Industrial Estate SSD10448: Construction Compliance Report 2

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	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.	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
A15	The outcomes of the Infrastructure Review must be used to inform the Staging Plan required by Condition A10.	Future development applications	ER to review any future Infrastructure review to support proposals.		Not triggered
Noise Limits					
A16	The Applicant must:				
	(a) ensure the Development at the site does not exceed the noise limits outlined in Table 2 when measured at the identified locations shown in Appendix 3; and 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	Operation of estate			Not triggered

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status																																																	
	<p>(b) ensure the cumulative noise emission of fixed mechanical plant for each warehouse building must be no more than 90 dBA and must not exhibit tonal characteristic or strong low frequency content. ensure the noise generated by the operation of the Development does not exceed the noise limits in Table 2.</p> <p>Table 2 Operational Noise Limits for Development dB(A)</p> <table border="1" data-bbox="235 491 929 807"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq} (15 minute)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Amax}</th> </tr> </thead> <tbody> <tr> <td>NML 1</td> <td>50</td> <td>50</td> <td>47</td> <td>63</td> </tr> <tr> <td>NML 2</td> <td>62</td> <td>62</td> <td>60</td> <td>79</td> </tr> <tr> <td>NML 3</td> <td>64</td> <td>64</td> <td>61</td> <td>79</td> </tr> <tr> <td>NML 4</td> <td>65</td> <td>65</td> <td>62</td> <td>82</td> </tr> <tr> <td>NML 5</td> <td>66</td> <td>66</td> <td>64</td> <td>82</td> </tr> </tbody> </table> <p>Table 2 Operational Noise Limits for Concept Proposal dB(A)</p> <table border="1" data-bbox="212 847 958 1026"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> <tr> <th>L_{Aeq} (15 minute)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> </tr> </thead> <tbody> <tr> <td>Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mont Vernon) and Kerrs Road (Mont Vernon)</td> <td>39</td> <td>34</td> <td>29</td> </tr> <tr> <td>BAPS Temple – Outdoor Use Area (Except Car Parking Area)</td> <td colspan="3">36 (when in use)</td> </tr> </tbody> </table>	Location	Day	Evening	Night		L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Amax}	NML 1	50	50	47	63	NML 2	62	62	60	79	NML 3	64	64	61	79	NML 4	65	65	62	82	NML 5	66	66	64	82	Location	Day	Evening	Night	L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (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)			Operation of estate			Not triggered
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	<p>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.</p>																																																					

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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:	Operation estate	of		
	(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:	Operation estate	of		
	(i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018);	Operation estate	of		
	(ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);	Operation estate	of		
	(iii) Section 7 of the Noise Policy for Industry (EPA, 2017);	Operation estate	of		
	(b) identify the allowable noise contribution level of each warehouse at compliance locations identified in Table 2;	Operation estate	of		
	(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;	Operation estate	of		
	(d) include:	Operation estate	of		
	(i) an outline of at-source and transmission path mitigation measures required to ensure compliance with the limits specified in condition A16;	Operation estate	of		
(ii) a description of operational procedures to minimise noise, including load dock management practices and driver code of	Operation estate	of			

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	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;	Operation of estate			
	(e) be updated within three months of the approval of any modification of the Development Layout or determination of future DAs.	Operation of estate			
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).	Stage construction	1 To be established when further developments are approved in the Mamre Rd Precinct.		Not triggered
Evidence of Consultation					
A18	Where conditions of this consent require consultation with an identified party, the Applicant must:	Stage construction At All Times	1 Records of consultation completed available upon request for review by ER.	Fortnightly consultations are held with - Penrith City Council - TfNSW - Sydney Water Quarterly consultations and updates are held with agency and local stakeholders. Records /Minutes of Consultation are retained	Compliant
	(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and	Stage construction At All Times	1 Records of consultation completed available upon request for review by ER.		Compliant
	(b) provide details of the consultation undertaken including:	Stage construction At All Times	1 Records of consultation completed available upon request for review by ER.		Compliant

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	(i) the outcome of that consultation, matters resolved and unresolved; and	Stage construction At All Times	1Records of consultation completed available upon request for review by ER.	by the Project Manager	Compliant
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Stage construction At All Times	1Records of consultation completed available upon request for review by ER.		Compliant
Staging, Combining and Updating Strategies, Plans or Programs					
A19	With the approval of the Planning Secretary, the Applicant may:	Future development applications			Not triggered
	(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);	Future development applications	ER to review any future staging plans.		Not triggered
	(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	Future development applications	ER to review any future staging plans.		Not triggered
	(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).	Future development applications	ER to review any future staging plans.		Not triggered
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.	Future development applications	ER to review any future staging plans.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Future development applications	ER to review any future staging plans.		Not triggered
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.	At All Times	The ER to monitor that all licences, permits, and approvals/consents are obtained/maintained as required by law and/or as detailed within the CEMP.	This compliance report. Induction records from the site.	Compliant
Part B - CONDITIONS FOR FUTURE DEVELOPMENT APPLICATIONS					
Traffic Impact Assessment					
B1	Future DAs shall be accompanied by a traffic impact assessment (TIA). The TIA must:	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
	(a) 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;	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
	(b) include traffic monitoring data collected under Condition D3 and incorporate the relevant findings into this assessment;	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
	(c) demonstrate internal roads and car parking complies with relevant Australian Standards and the car parking rates in Condition B2;	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
	(d) demonstrate the Mamre Road/Access Road 1 intersection can accommodate operational traffic associated with the relevant stage;	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(e) 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	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
	(f) 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.	Future development applications	Future DAs will be accompanied by a revised Traffic Impact Assessment in a revised CTMP.		Not triggered
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.	Building construction	The future OEMP will account for car parking as per condition requirements.		Not triggered
Access					
B3	Future developments on the site must meet the following requirements:	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(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 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;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(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;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(c) vehicles must not queue on the public road network;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(e) all vehicles are wholly contained on site before being required to stop;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(f) all loading and unloading of materials is carried out on-site;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(g) all vehicles enter and exit the site in a forward direction;	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
	(i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Future development applications	Future DAs will address the condition requirement in a revised CTMP.		Not triggered
Bike 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.	Building construction	The future OEMP will account for bicycle parking as per condition requirements.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Future development applications	Future DAs will address the condition requirement.		Not triggered
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.	Future development applications	Future DAs will address the condition requirement to achieve compliance with the Integrated Water Cycle Management (IWCM).		Not triggered
B7	Future DAs must include an update to the Stormwater Management Strategy (SMS) required under Condition D29(e). The strategy must:	Future development applications	Future DAs will address the condition requirement to update the Stormwater Management Plan.		Not triggered
	(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;		Future DAs will address the condition requirement to update the Stormwater Management Plan by a suitably qualified professional.		Not triggered
	(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 D29);		Future DAs will address the condition requirement to consider the preceding stormwater management system.		Not triggered
	(c) demonstrate the relevant stage can comply with the IWCM controls of the MRP DCP;		Future DAs will address the condition requirement to achieve		Not triggered

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			compliance with the Integrated Water Cycle Management (IWCM).		
	(d) include an assessment of any impacts on salinity and sodic soils from the future development including any proposed WSUD infrastructure; and		Future DAs will address the condition requirement to assess impacts of saline or sodic soils.		Not triggered
	(e) detail what infrastructure may be required to connect to a precinct-wide stormwater management system for the relevant stage.		Future DAs will address the condition requirement to detail infrastructure connections.		Not triggered
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.	Stage construction	1 Negotiating with local authority to defer payment of contributions.		Not triggered
	<i>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.</i>				
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	Stage construction	1 If/when required a contribution is required under the Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 it will be recorded.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	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.				
B10	Future DAs must be accompanied by a Noise and Vibration Impact Assessment. The assessment must:	Future development applications	A specialist consultant will be engaged to prepare Noise and Vibration Impact Assessment. ER to review the Assessment prior to submission to the Planning Secretary.		Not triggered
	(a) identify the noise and vibration impacts during construction and operation;		ER to review the Assessment against conditions of consent.		Not triggered
	(b) demonstrate compliance with the noise limits in Condition A16;		ER to review the Assessment against conditions of consent.		Not triggered
	(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;		ER to review the Assessment against conditions of consent.		Not triggered
	(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;		ER to review the Assessment against conditions of consent.		Not triggered
	(e) recommend mitigation and management measures (excluding measures at receivers) to be implemented to minimise noise during construction and operation.		ER to review the Assessment against conditions of consent.		Not triggered
Visual Amenity					
Landscaping					
B11	Landscaping design for future developments must comply with the	Future development	Future DAs will address the condition requirement to achieve		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	relevant requirements under the MRP DCP.	applications	landscape compliance with 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.	Future development applications	Future DAs will address the condition requirement to be consistent with landscape principles.		Not triggered
Outside 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.	Future development applications	Future DAs will address the condition requirement to achieve Australian Standards in relation to lighting.		Not triggered
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).	Future development applications	Future DAs will address the condition requirement to include details of any external advertising.		Not triggered
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.	Building construction	Building designs will meet minimum requirements of MRP DCP.		Not triggered
Bushfire Protection					
B16	The Applicant shall ensure future DAs comply with:	Future development applications			Not triggered
	(a) the relevant provisions of Planning for Bushfire Protection (NSW RFS, 2019);		Future DAs will address the condition requirement relating to Bushfire Protection.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(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		Future DAs will address the condition requirement relating to Bushfire Protection.		Not triggered
	(c) Australian Standard AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning.		Future DAs will address the condition requirement relating to Fire hydrant installations.		Not triggered
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.	Prior to construction of Electricity Utility works	to ER to view record of consultation of prior to commencement of construction which indicates relevant consultation has been undertaken.	Approved Endeavour Energy drawings are to be obtained prior to commencement of construction. Evidence: <ul style="list-style-type: none"> - Stamped plans for ARP5023 - Stamped plans for CN191458PW - Stamped plans for ARP5106 - Stamped plans for ARP5168 - Stamped plans for PLT1568 - Stamped plans for UIS0979 - Stamped plans for ARP5041 - Stamped plans for UIS0978 - Stamped plans for UIS0950 - Stamped plans for ARP5125 - Stamped plans for UIS0882 	Compliant
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).	Operation of estate	to ER to review compliance certificate to be obtained prior to operations.	S73 for WH1 is pending. Certificate is expected December 2023.	Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
External Walls and Cladding					
B19	The external walls of all future buildings must comply with the relevant requirements of the BCA.	Building construction	ER to view BCA compliance certificates of future materials.	See Section 2.3 for Details of CC issued for each development	Compliant
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.	Future development applications	ER to view BCA compliance certificates of future materials.		Not triggered
	<i>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.</i>				
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.	Stage 1 Construction At all times	ER to review controls noted in approved CEMP prior to commencement of construction.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; Stage 1: 15/08/22 & Updated CEMP (approved 9 June 2023)	Compliant
Terms of Consent					
C2	The Stage 1 development may only be carried out:	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22)	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			Regular ER inspections.	ER inspection reports: ER Quarterly Repots	
	(a) in compliance with the conditions of this consent;	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	Compliant
	(b) in accordance with all written directions of the Planning Secretary;	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	Compliant
	(c) in accordance with the EIS, RTS, and ADR;	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	Compliant
	(d) in accordance with the Modification Assessments;	Stage 1 Construction	ER to review CEMP prior to submission to the Planning	Within CEMP submitted to DPE 19/07/22	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	
	(d) (e) in accordance with the Development Layout in Appendix 2; and	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	Compliant
	(e) (f) in accordance with the management and mitigation measures in Appendix 4.	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Approved CEMP to be in place prior to commencement. Regular ER inspections.	Within CEMP submitted to DPE 19/07/22 Approved by DPIE; (Stage 1: 15/08/22) ER inspection reports: ER Quarterly Repots	Compliant
C3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:	Stage 1 Construction	ER to monitor during compliance reporting.		
	(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	At all times	ER to monitor during compliance reporting.	-	Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(b) the implementation of any actions or measures contained in any such document referred to in condition C2(a).		ER to monitor during compliance reporting.	-	Not triggered
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(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition C2(c) or C2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Stage 1 Construction At all times	ER to monitor during compliance reporting.		Not triggered
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.	Stage 1 Construction	ER to review notice of commencement.		Not triggered

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status																																										
Maximum GFA																																															
C6	<p>The maximum GFA for the Stage 1 Development must not exceed the limits described in Table 3.</p> <p>Table 3 Maximum GFA for the Stage 1 Development</p> <table border="1" data-bbox="208 443 940 815"> <thead> <tr> <th>Land Use</th> <th>Maximum GFA (m²)</th> </tr> </thead> <tbody> <tr> <td colspan="2">Warehouse 1</td> </tr> <tr> <td>Warehouse and distribution centres and general industrial</td> <td>34,970</td> </tr> <tr> <td>Ancillary offices</td> <td>1,630</td> </tr> <tr> <td>Café</td> <td>122</td> </tr> <tr> <td>Subtotal</td> <td>36,722</td> </tr> <tr> <td colspan="2">Warehouse 3</td> </tr> <tr> <td>Warehouse and distribution centres and general industrial</td> <td>20,735</td> </tr> <tr> <td>Ancillary offices</td> <td>850</td> </tr> <tr> <td>Subtotal</td> <td>21,535</td> </tr> <tr> <td>Total</td> <td>58,257</td> </tr> </tbody> </table> <table border="1" data-bbox="208 871 954 1150"> <thead> <tr> <th>Land Use</th> <th>Maximum GFA (m²)</th> </tr> </thead> <tbody> <tr> <td colspan="2">Warehouse 1</td> </tr> <tr> <td>Warehouse and distribution centres and general industrial</td> <td>32,686</td> </tr> <tr> <td>Ancillary offices</td> <td>1,200</td> </tr> <tr> <td>Subtotal</td> <td>33,886</td> </tr> <tr> <td colspan="2">Warehouse 3</td> </tr> <tr> <td>Warehouse and distribution centres and general industrial</td> <td>20,735</td> </tr> <tr> <td>Ancillary offices</td> <td>800</td> </tr> <tr> <td>Subtotal</td> <td>21,535</td> </tr> <tr> <td>Total</td> <td>55,421</td> </tr> </tbody> </table>	Land Use	Maximum GFA (m ²)	Warehouse 1		Warehouse and distribution centres and general industrial	34,970	Ancillary offices	1,630	Café	122	Subtotal	36,722	Warehouse 3		Warehouse and distribution centres and general industrial	20,735	Ancillary offices	850	Subtotal	21,535	Total	58,257	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	Building construction	ER to review design to ensure compliance with requirement.		Not triggered
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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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	Stage 1 Construction	ER to review notice of commencement.	Notice of commencement submitted to DPE email dated 01/06/22.	Compliant (and closed)
	(b) operation.	Operation of estate	ER to review notice of commencement.	Notification issued 17 NOV 23 Commencement of operations expected after 17 December 2023	Compliant (and closed)
Evidence of Consultation					
C8	Where conditions of this consent require consultation with an identified party, the Applicant must:	Stage 1 Construction			
	(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and		Records of consultation completed available upon request for review by ER.	Fortnightly consultations are held with - Penrith City Council - TfNSW - Sydney Water	Compliant
	(b) provide details of the consultation undertaken including:		Records of consultation completed available upon request for review by ER.		Compliant
	(i) the outcome of that consultation, matters resolved and unresolved; and		Records of consultation completed available upon request for review by ER.	Quarterly consultations and updates are held with agency and local stakeholders.	Compliant
	(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.		Records of consultation completed available upon request for review by ER.	Records /Minutes of Consultation are retained by the Project Manager	Compliant
Staging, Combining and Updating Strategies, Plans or Programs					
C9	With the approval of the Planning Secretary, the Applicant may:	Stage 1			

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(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);	Construction At All Times	ER to review any future staging plan, strategy or program developed in compliance with consent conditions.		Not triggered
	(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		ER to review any future staging plan, strategy or program developed in compliance with consent conditions.		Not triggered
	(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).		ER to review any future staging plan, strategy or program developed in compliance with consent conditions.		Not triggered
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.	Stage 1 Construction At All Times	ER to review any future staging plan, strategy or program developed in compliance with consent conditions.		Not triggered
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.	Stage 1 Construction At All Times	ER to review any future staging plan, strategy or program developed in compliance with consent conditions.		Not triggered
Protection of Public Infrastructure					
C12	Before the commencement of construction, the Applicant must:	Stage 1 Construction			
	(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;		Records of consultation completed available upon request for review by ER. Refer to the following records of consultation undertaken post approval: - PCC dated 23/06/22 - Sydney Water dated 23/06/22		Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
				<ul style="list-style-type: none"> - TfNSW dated 23/06/22 - ER dated 07/06/22 - PCC dated 08/06/22 - TfNSW 08/06/22 - TfNSW 01/06/22 	
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters, and footpaths); and		ER to review consultation relating to Dilapidation report prior to Commencement.	Dilapidation report submitted with a response for no further actions required received 03/06/22.	Compliant (and closed)
	(c) submit a copy of the dilapidation report to the Planning Secretary and TfNSW.		ER to review consultation relating to Dilapidation report prior to Commencement.	Dilapidation report submitted with a response for no further actions required received 03/06/22.	Compliant (and closed)
C13	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p>	Stage 1 Construction			
			ER to review endorsed designs which identify any utility relocation.	Approved utility designs obtained prior to commencement of construction. Evidence: - Stamped plans for ARP5023 - Stamped plans for CN191458PW	Compliant
			ER to review endorsed designs which identify any utility relocation.	Approved utility designs obtained prior to commencement of construction. Evidence: - Stamped plans for ARP5023 - Stamped plans for CN191458PW	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
Demolition					
C14	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Stage 1 Construction	ER to review SWMS for demolition work.	Subcontractor SWMS accepted by site contractor: <ul style="list-style-type: none"> - Safe Work Method Statement Aspect Demolition at Mamre Road Kemps Creek - Safe Work Method Statement Aspect Demolition at Mamre Road Kemps Creek 	Compliant
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).	Building construction	ER to review evidence of BCA compliance of future structures.	See Section 2.3 for Details of CC issued	Compliant
	<p><i>Note:</i></p> <ul style="list-style-type: none"> - 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.	Stage 1 Construction	The ER will monitor and cite work as executed drawings. This will be reported in the ER Reports.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Stage 1 Construction	The ER will monitor and cite evidence of documentation. This will be reported in the ER Reports.		Not triggered
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.	Stage 1 Construction	The ER will monitor and cite evidence of documentation. This will be reported in the ER Reports.		Not triggered
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.	Stage 1 Construction At all times	The ER can cite records of induction which include an overview of the consent conditions.	Contractor inductions regularly reviewed by ER and Applicants EC	Compliant
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.	Stage 1 Construction	Negotiating with local authority to defer payment of contributions.	Securities in form of bonds under a deferral dead have been provided to PCC in respect to contributions.	Not triggered
	<i>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.</i>				
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	Stage 1 Construction	If/when required a contribution is required under the Special Infrastructure Contribution (Western Sydney Aerotropolis)	Securities in form of bonds under a deferral dead have been provided to PCC in respect to contributions.	Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	<p>development consent takes effect, for the first stage of development to which this consent applies.</p> <p>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.</p> <p>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.</p> <p>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.</p>		Determination 2022 it will be recorded.		
	<p>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-</p>				

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	<i>assessment/contributions/sic-online-service). Please refer enquiries to SICContributions@planning.nsw.gov.au.</i>				
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:	Stage 1 Construction	ER can cite maintenance records of plant and equipment utilised on site for construction.	Maintenance records available subcontractor plant on site.	Compliant
	(a) maintained in a proper and efficient condition;			Maintenance records available subcontractor plant on site.	Compliant
	(b) noise amelioration featured; and			Maintenance records available subcontractor plant on site.	Compliant
	(c) operated in a proper and efficient manner.			Maintenance records available subcontractor plant on site.	Compliant
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.	Building construction	ER to cite evidence of BCA compliance.	See Section 2.3 of Main Report for Details of CCs issued.	Compliant
C24	Prior to the issue of:	Building construction		See Section 2.3 of Main Report for Details of CCs issued.	Compliant
	(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	Building construction	ER to cite evidence of BCA compliance.	See Section 2.3 of Main Report for Details of CCs issued.	Compliant
	(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.	Building construction	ER to cite evidence of BCA compliance.	See Section 2.3 of Main Report for Details of CCs issued.	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Building construction	ER to cite evidence of BCA compliance.	See Section 2.3 of Main Report for Details of CCs issued.	Compliant
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.	Stage Construction	1ER to cite endorsed designs prior to construction.	Approved utility designs obtained prior to commencement of construction. Evidence: <ul style="list-style-type: none"> - Stamped plans for ARP5023 - Stamped plans for CN191458PW - Stamped plans for ARP5106 - Stamped plans for ARP5168 - Stamped plans for PLT1568 - Stamped plans for UIS0979 - Stamped plans for ARP5041 - Stamped plans for UIS0978 - Stamped plans for UIS0950 - Stamped plans for ARP5125 - Stamped plans for UIS0882 	Compliant
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).	Operation of estate	ER to cite water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994 (NSW).		Not triggered
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:	Stage Construction	1		Not triggered
	(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	Building Construction	ER to cite endorsed designs prior to construction.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	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.	Building Construction	ER to cite endorsed designs prior to construction.		Not triggered
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.	Operation of estate	ER to cite letter endorsing fibre installation.		Not triggered
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.	Operation of estate	ER to cite works-as-executed drawings signed by a registered surveyor		Not triggered
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:	Stage Construction At All times	ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22	Compliant (and closed)
	And DPE approval for alternate ER as Ben Bracken dated 08/07/22.				
	(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;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22	Compliant (and closed)
				And	

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
				DPE approval for alternate ER as Ben Bracken dated 08/07/22.	
	(b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the Stage 1 development;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(c) consider and inform the Planning Secretary on matters specified in the terms of this consent;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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:		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And	Compliant (and closed)

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				DPE approval for alternate ER as Ben Bracken dated 08/07/22.	
	(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		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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);		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And	Compliant (and closed)

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				DPE approval for alternate ER as Ben Bracken dated 08/07/22.	
	(h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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;		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And DPE approval for alternate ER as Ben Bracken dated 08/07/22.	Compliant (and closed)
	(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		ER to site endorsement from DPE to compete the role	DPE approval letters for ER as Maurice Pignatelli dated 07/06/22 And	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	'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.			DPE approval for alternate ER as Ben Bracken dated 08/07/22.	
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:	Stage Construction	1ER to cite documentation as required.		Compliant (and closed)
	(a) the complaints register (to be provided on a daily basis); and		ER to cite complaints register daily.	Complaints register dated 02/09/22.	Compliant (and closed)
	(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).		ER to cite and review consistency statements.	Consistency Assessments relating to: <ul style="list-style-type: none"> - Temporary intersection PW relocation; no further comments from ER 15/06/22. - Driveway relocation; no further comments from ER 18/07/22. - Hotspot and ACM remediation; no further comments from ER 28/06/22. - Compound establishment; no further comments from ER 12/08/22. 	Compliant (and closed)
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:	At all times	Applicant to facilitate audit.		Not triggered
	(a) facilitate and assist the Planning Secretary in any such audit; and	At all times	Applicant to facilitate audit.		Not triggered
	(b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.	At all times	Applicant to facilitate audit.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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:	Stage Construction	1. ER to cite evidence of establishment of working group. To be established when further developments are approved.	First MRPWG held 10 NOV 23 Minutes of Meeting to be prepared and used. (prior to this only active project within precinct was SSD 10448 with consultation undertaken as part of project consultation)	Compliant (and closed)
	(a) comprise at least one representative of the Applicant, the Applicant’s ER, and relevant consent holders in the MRP;		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
	(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;		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
	(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;		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
	(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;		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(e) review community concerns or complaints with respect to environmental management;		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
	(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		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
	(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.		ER to cite evidence of establishment of working group. To be established when further developments are approved.		Compliant
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:	Stage Construction	1 ER to cite evidence of exit of working group.		Not triggered
	(a) consult with the Planning Secretary;		ER to cite evidence of consultation exit of working group.		Not triggered
	(b) provide confirmation that all components of the Stage 1 development are operational; and		ER to cite evidence of operation documentation.		Not triggered
	(c) advise on the date of the proposed exit.		ER to cite evidence of exit of working group.		Not triggered
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.	At All Times	ER to cite evidence of date of any guideline, protocol, Australian Standard, or policy are to such guidelines, protocols, standards, policies when/if referenced.	Evidence of date associated with guideline, protocol, Australian Standard, or policy are to such guidelines, protocols, standards, or policies when/if referenced.	Not triggered

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			or policies in the form when required to be referred to.		
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					
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.	At All Times	The ER to monitor that all licences, permits, and approvals/consents are obtained/maintained as required by law and/or as detailed within the CEMP.	This compliance report. Induction records from the site.	Compliant

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Part D - STAGE 1 DEVELOPMENT SPECIFIC CONDITIONS					
Traffic and Access					
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:	Stage Construction	1A specialist consultant will be engaged to prepare CTMP. ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22 Updated CTMP Rev 8 approved.	Compliant (and closed)
	(a) be prepared by a suitably qualified and experienced person(s);		A specialist consultant will be engaged to prepare CTMP. ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) be prepared in consultation with Council and TfNSW;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(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;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(d) detail heavy vehicle routes, access, and parking arrangements;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE;	Compliant (and closed)

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				15/08/22	
	(e) include a Driver Code of Conduct to:		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(i) minimise the impacts of earthworks and construction on the local and regional road network;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(ii) minimise conflicts with other road users;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(iii) minimise road traffic noise; and		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(iv) ensure truck drivers use specified routes;		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(f) include a program to monitor the effectiveness of these measures; and		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)

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	(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
D2	The Applicant must:	Stage Construction	1ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) not commence construction until the CTMP required by condition D1 is approved by the Planning Secretary; and		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.		ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
Operational Traffic Monitoring System					
D3	Prior to commencement of operation of Building 1 or 3 and for a 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. to verify light and heavy vehicle traffic numbers against the predictions in the	Operation of estate			Not triggered

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	ADR. 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;	Operation estate	of		Not triggered
	(b) queue monitoring at the Mamre Road/Access Road 1 intersection and background travel counts on Mamre Road;	Operation estate	of		Not triggered
	(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;	Operation estate	of		Not triggered
	(d) consider the current capacity and efficiency of the existing road network including Mamre Road; and	Operation estate	of		Not triggered
	(e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the Stage 1 Development.	Operation estate	of		Not triggered
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:	Prior to Building 1 or 3 Construction			
	(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			Plans Stamped by Penrith City Council And certificate 21/08/23 Approved by Planning within Issue of SSD Mod 2	Compliant

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	(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.				Not triggered
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.	Operation of estate			Not triggered
D6	Prior to issue of an Occupation Certificate for Building 1 or 3, (whichever is the first), the Applicant must construct and operate the Stage 1 Phase 1 road works shown in Figure 4: in Appendix 2 to the satisfaction of relevant road authority.	Operation of estate		Lot 1 -OC expected to be issued December 2023	Not triggered
D6A	Prior to issue of an Occupation Certificate for Building 9, the Applicant must construct and operate Access Road 4 to the satisfaction of relevant road authority.				
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:	Stage Construction	1ER to cite plans for Road 3 north construction.	Penrith City Council (Road Authority) have agreed to accept the dedication of the land that forms the road reserve in Lieu of the works being undertaken by Mirvac.	Compliant
	(a) a Staging Plan for the riparian corridor realignment works and Access Road 3 – North construction, including:	Stage Construction	1ER to cite plans for Road 3 north and riparian construction.		Compliant
	(i) 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);	Stage Construction	1ER to cite plans for Road 3 north and riparian construction.		Compliant
	(ii) details of how the further riparian corridor realignment and road construction works at the junction between the site and 784-786	Stage Construction	1ER to cite plans for Road 3 north and riparian construction.		Compliant

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	Mamre Road, Kemps Creek (Lot 59 DP259135) will be coordinated and delivered;				
	(iii) an arrangement on timing of the works; and	Stage Construction	1ER to cite plans for Road 3 north and riparian construction and timing.		Compliant
	(b) a detailed design plan of Access Road 3 – North prepared in accordance with the design requirements under the MRP DCP.	Stage Construction	1ER to cite plans for Road 3 north and riparian construction.		Compliant
	<i>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).</i>	Future development applications	ER to cite DA which addresses changes to Road 3 north and riparian designs.		Compliant
D8	Prior to issue of an Occupation Certificate for any other buildings or warehouses in the Stage 1 Development, the Applicant must ensure the Stage 1 Phase 2 road works are constructed and operational.	Operation estate	ofER to cite Occupation Certificate.		Not triggered
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.	Stage Construction	1ER to cite plans for Road 3 north and riparian construction and timing.		Not triggered
Access Arrangement					
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.	Building Construction	ER to cite Submission of documents in accordance with consent	Plans for Road 1 and Road 2 submitted to PCC and approved 21/02/23	Compliant (and closed)
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	Building Construction	ER to cite Submission of documents in accordance with consent	Plans for Road 1 and Road 2 submitted to PCC and approved 21/02/23	Compliant (and closed)

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	Road 1 complies with relevant FRNSW and TfNSW access requirements.				
D11A	The Applicant must ensure:		ER to cite Submission of documents in accordance with consent	Addressed by issue of CC for Lot 1 See Section 2.3 within main report	Compliant (and closed)
	(a) Warehouse 1 driveway on Access Road 1 is used by inbound heavy vehicles only;				Compliant (and closed)
	(b) Warehouse 3 driveway on Access Road 1 adjacent Warehouse 2 is used by inbound heavy vehicles only;				Compliant (and closed)
	(c) Warehouse 3 driveway on Access Road 1 opposite Warehouse 8 car park driveway is used by fire engines only; and				Compliant (and closed)
	(d) Warehouse 3 driveway on Access Road 2 is used by outbound heavy vehicles, inbound and outbound light vehicles.				Compliant (and closed)
D11B	Prior to the commencement of operation of Warehouse 3, the Applicant must:			Addressed by issue of CC for Lot 1 See Section 2.3 within main report	Not Triggered
	(a) install stop signs at Warehouse 3 where the loading area adjoins the private driveway to the north of the Warehouse 3 building; and		ER to confirm installation of signage.		Not Triggered
	(b) finish line-marking of the private driveway to the north of the Warehouse 3 building.		ER to confirm installation of line marking.		Not Triggered
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:	Stage Construction	1ER to cite WAD agreement.	WAD executed 16/10/2023	Compliant (and closed)
	(a) 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	Stage Construction	1ER to cite landowners agreement.	Agreement between Mirvac and 833B landowners dated 06/07/22.	Compliant

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	outside of the footprint of the Mamre Road / Access Road 1 intersection signals to the satisfaction of Council and the Planning Secretary;				
	(b) provide a copy of the landowner's consent and signed agreement described under condition D12(a) to TfNSW and the Planning Secretary; and	Stage Construction	1ER to cite landowners agreement.	Agreement between Mirvac and 833B landowners dated 06/07/22.	Compliant
	(c) remove and relocate the driveway in accordance with the agreement.	Stage Construction	1ER to cite works as executed as per landowners agreement.		Compliant (and closed)
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.	Stage Construction	1ER to cite WAD agreement.	WAD executed 16/10/2023	Compliant (and closed)
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:	Stage Construction	1	WAD executed 07/10/2022	Compliant (and closed)
	(a) include details of the removal of the temporary left in/left out construction access and left-turn lane on Mamre Road; and	Stage Construction	1		Compliant (and closed)
	(b) be executed prior to commencement of construction of the temporary left in/left out construction access and left-turn lane on Mamre Road.	Stage Construction	1		
D13B	The Applicant must: ensure the temporary left in/left out construction access and left turn lane is:	Stage Construction	1		Compliant (and closed)
	(a) ensure the temporary left in/left out construction access and left-turn lane are maintained at no cost to TfNSW;	Stage Construction	1		Compliant (and closed)
	(b) remove the temporary left in/left out construction access and left-turn lane at the completion and commissioning of the Mamre	Stage Construction	1		Not triggered

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	Road/Access Road 1 intersection, at no cost to TfNSW; and					
	(c) reinstate shoulder along Mamre Road within three months of satisfying Condition D6, at no cost to TfNSW.	Stage Construction	1		Not triggered	
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:	Stage Construction	1	ER to cite WAD agreement.	TSP submitted and approved (21/11/23)	Compliant
	(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	Stage Construction	1	ER to cite WAD agreement.		Compliant
	(b) be approved and endorsed by a suitably qualified practitioner.	Stage Construction	1	ER to cite WAD agreement.		Compliant
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.	Stage Construction	1	ER to cite ROLs.	Approved ROLs: <ul style="list-style-type: none"> - 1879432 approved from 22/07/22 to 29/07/22 - 1880490 approved from 1/08/22 to 12/08/22 - 1888788 approved from 15/08/22 to 31/08/22 - 1901806 approved from 01/09/22 to 29/09/22. - 1912920 approved from 14/09/22 to 01/10/22. 	Compliant

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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.	Stage Construction	1ER to cite approved Mamre Rd design when available.		Compliant (and closed)
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.	Stage Construction	1ER to cite approved Mamre Rd design and TfNSW endorsement.	Submitted and approved (21/11/23)	Compliant
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.	Stage Construction	1ER to cite approved Mamre Rd design and TfNSW endorsement.	Submitted and approved (21/11/23)	Compliant
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.	Stage Construction	1ER to cite approved Mamre Rd design and TfNSW endorsement.		Not triggered
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	Stage Construction At All Times	1ER to review CTMP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22	Compliant

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	residential streets or public parking facilities.			Approved by DPIE; 15/08/22	
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);	Operation of estate			Not triggered
	(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 AUSTRROADS guidelines;	Operation of estate			Not triggered
	(c) the development does not result in any vehicles queuing on the public road network;	Operation of estate			Not triggered
	(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	Operation of estate			Not triggered
	(e) all vehicles are wholly contained on site before being required to stop;	Operation of estate			Not triggered
	(f) all loading and unloading of materials is carried out on-site;	Operation of estate			Not triggered
	(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	Operation of estate			Not triggered
	(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Operation of estate			Not triggered

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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:	Operation of estate			Not triggered
	(a) be prepared in consultation with TfNSW and Council;	Operation of estate			Not triggered
	(b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and	Operation of estate			Not triggered
	(c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.	Operation of estate			Not triggered
D23	The Applicant must implement the most recent version of the Workplace Travel Plan for the duration of the development.	Operation of estate			Not triggered
Soils, Water Quality and Hydrology					
Imported Soil					
D24	The Applicant must:				
	(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;	Stage 1 Construction	ER to cite certificates associated with imported materials.	Site validation has been achieved for Lots 1,2,3 and 9 being where VENM/ENM has been placed in accordance with the FIP	Compliant
	(b) keep accurate records of the volume and type of fill to be used; and	Stage 1 Construction	ER to cite delivery dockets associated with imported materials.	Delivery dockets retained named WEM-COCKETS-KEMPS CREEK 24 aug 2022	Compliant
	(c) make these records available to the Planning Secretary upon request.	Stage 1 Construction	ER to cite delivery dockets associated with imported materials.		Not triggered

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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:	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist;	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(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);	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(c) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met; and	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(d) be included in the CEMP required by condition E2.	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary.	Monthly CPESC reports issued to ER to support Quarterly reporting.	Compliant

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	and kept on record for the duration of the construction and an additional 12 months following completion of construction works. Discharge Limits		Regular CPESC inspections to be completed.		
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.	Stage Construction	1ER to review ESCP prior to submission to the Planning Secretary. Regular CPESC inspections to be completed.	Dewatering Authorisation processes periodically reviewed by CPESCs	Compliant
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 and as shown in Figure 2 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.	Operation of estate			Not triggered
D29	Prior to the commencement of operation of the development, the Applicant must implement the Stormwater Management System described in the ADR and as shown in Figure 2 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.	Operation of estate			Not triggered
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	Operation of estate			Not triggered

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	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;	Operation estate	of		Not triggered
	(b) be prepared in consultation with the Environment and Heritage, Sydney Water, DPE, and Council;	Operation estate	of		Not triggered
	(c) describe the baseline soil, surface water and groundwater conditions at the site;	Operation estate	of		Not triggered
	(d) detail a monitoring program to monitor:	Operation estate	of		Not triggered
	(i) surface water flows and quality;	Operation estate	of		Not triggered
	(ii) surface water storage and use;	Operation estate	of		Not triggered
	(iii) sediment basin operation;	Operation estate	of		Not triggered
	(iv) the performance of the Stage 1 stormwater management system to demonstrate compliance with the IWCM controls in the MRP DCP;	Operation estate	of		Not triggered
	(e) detail a stormwater management strategy and designs of each WSUD system, including:	Operation estate	of		Not triggered
	(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;	Operation estate	of		Not triggered
	(ii) details of how the Stage 1 Development will be designed and developed so it can potentially connect to precinct-wide stormwater	Operation estate	of		Not triggered

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	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;	Operation of estate			Not triggered
	(iv) landscape drawings that include planting and hardscape details of the WSUD systems;	Operation of estate			Not triggered
	(f) include a protocol for investigation of any non-compliances of the IWCM controls in the MRP DCP controls described in condition D35(d) and contingency measures that would be implemented should issues arise	Operation of estate			Not triggered
	(g) 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	Operation of estate			Not triggered
	(h) include a Maintenance Plan for WSUD measures.	Operation of estate			Not triggered
D31	The Applicant must:	Operation of estate			Not triggered
	(a) not commence the operation of the development until the SMP required by condition D29 is approved by the Planning Secretary; and	Operation of estate			Not triggered
	(b) implement the most recent version of the SMP approved by the Planning Secretary for the duration of the development.	Operation of estate			Not triggered
	(c) ensure all WSUD systems are construction under the supervision of a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD.	Operation of estate			Not triggered
Easements and Maintenance					

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
D32	Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the:	Operation of estate			Not triggered
	(a) stormwater management system (including on-site detention and water sensitive urban design)	Operation of estate			Not triggered
	(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.	Operation of estate			Not triggered
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.	Operation of estate			Not triggered
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.	Stage Construction	1ER to cite Dam Decommissioning Strategy Revision implemented on site.	Within CEMP suite of documents submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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	Stage Construction	1ER to cite Groundwater Management Plan Revision implemented on site.	Within CEMP suite of documents submitted to DPE 21/07/22 Approved by DPIE;	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	the development.			15/08/22	
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.	Stage Construction	1ER to cite Salinity Management Plan Revision implemented on site.	Within CEMP suite of documents submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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:	Operation of estate			Not triggered
	(a) detail the species to be planted on-site;	Operation of estate			Not triggered
	(b) demonstrate the species are suitable in relation to wildlife management in proximity to the future Western Sydney Airport;	Operation of estate			Not triggered
	(c) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and	Operation of estate			Not triggered
	(d) be consistent with the Applicant's Management and Mitigation Measures detailed at Appendix 4.	Operation of estate			Not triggered
D38	The Applicant must:				
	(a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.	Operation of estate			Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and	Operation of estate			Not triggered
	(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.	Operation of estate			Not triggered
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:	Operation of estate			Not triggered
	(a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and	Operation of estate			Not triggered
	(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.	Operation of estate			Not triggered
Signage and Fencing					
D40	All signage and fencing must be erected in accordance with the development plans included in the ADR.	Operation of estate			Not triggered
	<i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>				
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.				

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status											
	<p>Table 4 Hours of Work</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and 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> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	Operation	Monday – Sunday	24 hours	Stage 1 Construction	ER to review CEMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
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:	Stage 1 Construction	ER to cite review and approval from Planning Secretary for any OOHW.		Compliant											
	(a) works that are inaudible at the nearest sensitive receivers;	Stage 1 Construction	ER to cite review and approval from Planning Secretary for any OOHW.		Compliant											
	(b) works agreed to in writing by the Planning Secretary;	Stage 1 Construction	ER to cite review and approval from Planning Secretary for any OOHW.		Compliant											
	(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or	Stage 1 Construction	ER to cite review and approval from Planning Secretary for any OOHW.		Compliant											
	(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Stage 1 Construction	ER to cite review and approval from Planning Secretary for any OOHW.		Compliant											
Construction Noise Limit																
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	Stage 1 Construction	ER to review CNVMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant											

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	accordance with the management and mitigation measures in the Appendix 4.				
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:	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) be approved by the Planning Secretary prior to the commencement of construction of each phase of the development;	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(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);	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(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 7, Appendix 5, including but not limited to the following:	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(i) details of a real-time noise monitoring system to identify occurrence of highly noise affected levels as defined in the Interim	Stage 1 Construction	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	Construction Noise Guideline; and	At All Times		Approved by DPIE; 15/08/22	
	(ii) describe procedures for implementing respite periods and temporary relocation following identification of highly noise affected levels.	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(e) include a complaints management system that would be implemented for the duration of the development.	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
Noise Arrangement					
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 6, Appendix 4.	Operation of estate			Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Operation of estate			Not triggered
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.	Operation of estate			Not triggered
Vibration Criteria					
D49	Vibration caused by construction at any residence or structure outside the site must be limited to:	Stage 1 Construction At All Times			
	(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	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(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).	Stage 1 Construction At All Times	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
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 D48 are exceeded, management and mitigation measures must be developed and implemented to address any exceedances.	Stage 1 Construction	ER to review CNVMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22 Correspondence confirming property is vacant; email dated 23/06/22.	Compliant

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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	Stage 1 Construction	ER to cite Dilapidation report correspondence.	Correspondence confirming property is vacant; email dated 23/06/22.	Compliant (and closed)
Operational Noise Limits					
D52	The Applicant must:	Operation of estate			Not triggered
	(a) establish five (5) noise monitoring locations at the site's boundaries as shown in Appendix 3 prior to commencement of operation of the Stage 1 Development; and 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;	Operation of estate			Not triggered
	(b) undertake noise monitoring at the five locations to confirm that noise generated by the operation of the Stage 1 Development does not exceed the noise limits in Table 5.	Operation of estate			Not triggered

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Amax}
NML 1	36	36	34	44
NML 2	49	49	46	58
NML 3	48	48	46	58
NML 4	46	46	44	56
NML 5	65	65	61	82

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

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(c) ensure the cumulative noise emission of fixed mechanical plant for each warehouse building must be no more than 90 dBA and must not exhibit tonal characteristic or strong low frequency content. ensure the noise generated by operation of the Stage 1 Development does not exceed the noise limits in condition A16.	Operation of estate			Not triggered
	<i>Note:</i> <i>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).</i>	Operation of estate			Not triggered
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:	Operation of estate			Not triggered
	(a) an analysis of compliance with noise limits specified in condition D52;	Operation of estate			Not triggered
	(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	Operation of estate			Not triggered
	(c) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.	Operation of estate			Not triggered
Air Quality					
Dust Minimisation					

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
D54	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	Stage 1 Construction	ER to cite Dust monitoring results as noted in the CAQMP.	ER to review CAQMP prior to submission to the Planning Secretary.	Compliant
D55	During construction, the Applicant must ensure that:			Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	
	(a) exposed surfaces and stockpiles are suppressed by regular watering;	Stage 1 Construction	ER to review ESCP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(b) all trucks entering or leaving the site with loads have their loads covered;	Stage 1 Construction	ER to review ESCP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(c) trucks associated with the development do not track dirt onto the public road network;	Stage 1 Construction	ER to review ESCP prior to submission to the Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(d) public roads used by these trucks are kept clean; and	Stage 1 Construction	Regular CPESC inspections to be completed.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Stage 1 Construction	ER to review ESCP prior to submission to the Planning Secretary. Regular CPESC inspections to be	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			completed.		
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:	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) be prepared by a suitably qualified and experienced person(s);	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary. Suitably qualified person to develop plan.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) detail and rank all emissions from all sources during construction of the development, including particulate emissions;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(c) describe a program that is capable of evaluating the performance of the construction and determining compliance with key performance indicators;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(d) identify the control measures that that will be implemented for each emission source; and	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(e) nominate the following for each of the proposed controls:	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
				Approved by DPIE; 15/08/22	
	(i) key performance indicator;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(ii) monitoring method;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(iii) location, frequency, and duration of monitoring;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(iv) record keeping;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(v) complaints register;	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(vi) response procedures; and	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(vii) compliance monitoring.	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
D57	The Applicant must:				
	(a) not commence construction until the CAQMP required by condition D53 is approved by the Planning Secretary; and	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of the development.	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
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).	Stage 1 Construction	ER to review CAQMP prior to submission to the Planning Secretary and implementation.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
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.	Stage 1 Construction	ER to cite identified Aboriginal items or objects on the Heritage NSW Aboriginal Heritage Information Management System (AHIMS)	Confirmation objects registered on AHIMS register; letter dated 01/06/22.	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			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:	Stage 1 Construction	ER to review Reburial Methodology prior to submission to the Planning Secretary. Suitably qualified person to develop methodology.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) implement the methodology for the reburial of all salvaged Aboriginal objects within the site detailed in the Reburial Methodology, prepared by Artefact, dated February 2021; and	Stage 1 Construction	ER to review Reburial Methodology prior to submission to the Planning Secretary. Suitably qualified person to oversee works.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22 Buriel scheduled for December 2023	Compliant
	(b) provide the Registered Aboriginal Parties (RAPs) an opportunity to collect Aboriginal objects across the site.	Stage 1 Construction	ER to cite Interim Summary and Clearance Report.	Archaeological salvage completion email dated 05/08/22.	Compliant (and closed)
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.	Stage 1 Construction	ER to cite Interim Summary and Clearance Report.	Interim Aboriginal Salvaging Report and confirmation of submission dated 05/08/22.	Compliant (and closed)
Unexpected Finds Protocol					
D62	If any item or object of Aboriginal heritage significance is identified on site:	Stage 1 Construction At All Times	ER to undertake monitoring and inspections. ER to cite this requirement included		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			<p>in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and confirm compliance of this condition. If required, ER will confirm work has ceased.</p>		
	(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;	<p>Stage 1 Construction At All Times</p>	<p>ER to undertake monitoring and inspections. ER to cite this requirement included in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and confirm compliance of this condition. If required, ER will confirm work has ceased.</p>		Not triggered
	(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and	<p>Stage 1 Construction At All Times</p>	<p>ER to undertake monitoring and inspections. ER to cite this requirement included in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and</p>		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			confirm compliance of this condition. If required, ER will confirm work has ceased.		
	(c) Heritage NSW must be contacted immediately.	Stage 1 Construction At All Times	ER to undertake monitoring and inspections. ER to cite this requirement included in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and confirm compliance of this condition. If required, ER will confirm work has ceased.		Not triggered
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).	Stage 1 Construction At All Times	ER to undertake monitoring and inspections. ER to cite this requirement included in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and confirm compliance of this condition. If required, ER will confirm work has ceased.		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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).	Stage 1 Construction At All Times	ER to undertake monitoring and inspections. ER to cite this requirement included in site inductions and process to confirm all staff have been appropriately inducted. ER to be notified by contractors of any unexpected finds and confirm compliance of this condition. If required, ER will confirm work has ceased.		Not triggered
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).	Stage 1 Construction	ER to cite certification of retired credits by Planning Secretary.	Ecosystem credit remittance advice dated 10/06/22 and 27/06/22.	Compliant (and closed)
D66	The requirement to retire ecosystem and species credits (see Condition D62) 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.	Stage 1 Construction	ER to cite certification of retired credits by Planning Secretary.	Ecosystem credit remittance advice dated 10/06/22 and 27/06/22.	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
D67	The Applicant must provide the Planning Secretary with evidence that:	Stage 1 Construction			
	(a) the retirement of ecosystem credits has been completed (see Condition D65); or	Stage 1 Construction	ER to cite certification of retired credits by Planning Secretary.	Ecosystem credit remittance advice dated 10/06/22 and 27/06/22.	Compliant (and closed)
	(b) a payment has been made to the Biodiversity Conservation Fund (see Condition D66),	Stage 1 Construction	ER to cite certification of retired credits by Planning Secretary.	Ecosystem credit remittance advice dated 10/06/22 and 27/06/22.	Compliant (and closed)
	prior to undertaking any clearing of native vegetation and Myotis Macropus habitat.	Stage 1 Construction	ER to cite certification of retired credits by Planning Secretary.	Ecosystem credit remittance advice dated 10/06/22 and 27/06/22.	Compliant (and closed)
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.	Stage 1 Construction	ER to cite Flora and Fauna Management Plan revision	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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.	Operation of estate			Not triggered
Hazards and Risk					

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Stage Construction At All Times	1ER to undertake regular monitoring and inspections.	ER inspection reports:	Compliant
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).	Stage Construction At All Times	1ER to undertake regular monitoring and inspections.	ER inspection reports:	Compliant
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		1ER to undertake regular monitoring and inspections.	ER inspection reports:	Compliant
	(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.		1ER to undertake regular monitoring and inspections.	ER inspection reports	Compliant
	<i>Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015 (NSW).</i>				
Waste Storage and Processing					

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	Operation of estate			Not triggered
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.	Operation of estate			Not triggered
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.	Stage Construction Operation	1ER to review Waste Management Plan prior to submission to Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
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.	Stage Construction	1ER to cite waste tracking register		Compliant
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	Stage Construction	1ER to review Unexpected Finds Procedure prior to submission to Planning Secretary.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
Part E - STAGE 1 DEVELOPMENT SPECIFIC CONDITIONS					
Environmental Management					
Management Plan Requirements					
E1	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(a) detailed baseline data;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(b) details of:	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted	Within CEMP submitted to DPE 21/07/22	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Approved by DPIE; 15/08/22	
	(ii) any relevant limits or performance measures and criteria; and	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(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;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(d) a program to monitor and report on the:	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(i) impacts and environmental performance of the development; and	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(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;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(f) a program to investigate and implement ways to improve the environmental performance of the development over time;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(g) a protocol for managing and reporting any:	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review.	Within CEMP submitted to DPE 21/07/22 Approved by DPIE;	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			ER to review all management plans prior to submission to the Planning Secretary	15/08/22	
	(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(ii) complaint;	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(iii) failure to comply with statutory requirements; and	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant
	(h) a protocol for periodic review of the plan.	Stage 1 Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	<i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>				
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.	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
E3	As part of the CEMP required under condition E2 of this consent, the Applicant must include the following:	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(a) Construction Traffic Management Plan (see condition D1);	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(b) Erosion and Sediment Control Plan (see condition D25);	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(c) Salinity Management Plan (see condition D33);	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(d) Construction Noise Management Plan (see condition D44);	Stage 1 Construction	ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			Secretary	Approved by DPIE; 15/08/22	
	(e) Construction Air Quality Management Plan (see condition D56);	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(f) Vegetation Management Plan (see Condition D69);	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(g) Contamination Unexpected finds procedure (see Condition D77);	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(h) Waste Management Plan (see condition D75); and	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(i) Community Consultation and Complaints Handling.	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
E4	The Applicant must:	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
	(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.	Stage Construction	1ER to review all management plans prior to submission to the Planning Secretary	Within CEMP submitted to DPE 21/07/22 Approved by DPIE; 15/08/22	Compliant (and closed)
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.	Operation estate	of		Not triggered
E6	As part of the OEMP required under condition E5 of this consent, the Applicant must include the following:	Operation estate	of		Not triggered
	(a) describe the role, responsibility, authority, and accountability of all key personnel involved in the environmental management of the development;	Operation estate	of		Not triggered
	(b) describe the procedures that would be implemented to:	Operation estate	of		Not triggered
	(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;	Operation estate	of		Not triggered
	(ii) receive, handle, respond to, and record complaints;	Operation estate	of		Not triggered
	(iii) resolve any disputes that may arise;	Operation estate	of		Not triggered
	(iv) respond to any non-compliance;	Operation estate	of		Not triggered

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(v) respond to emergencies; and	Operation estate	of		Not triggered
	(c) include the following environmental management plans:	Operation estate	of		Not triggered
	(i) Operational Traffic Monitoring Program (see condition D3)	Operation estate	of		Not triggered
	(ii) Workplace Travel Plan (see condition D22);	Operation estate	of		Not triggered
	(iii) Landscape Management Plan (see condition D37);	Operation estate	of		Not triggered
	(iv) Stormwater Management Plan (see condition D30);	Operation estate	of		Not triggered
	(v) Vegetation Management Plan (see Condition D69); and	Operation estate	of		Not triggered
	(vi) Waste Management Plan (see condition D75).	Operation estate	of		Not triggered
E7	The Applicant must:				
	(a) not commence operation until the OEMP is approved by the Planning Secretary; and	Operation estate	of		Not triggered
	(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).	Operation estate	of		Not triggered
Revision of Strategies, Plans and Programs					
E8	Within three months of:			Review of CEMP undertaken as part of Mod 1 to consent. Mod 1 approved 25 AUG 23	
	(a) the submission of a Compliance Report under condition E14;	Stage Construction	1ER to review Compliance Report prior to submission to Planning		Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
			Secretary.		
	(b) the submission of an incident report under condition E10;	Stage Construction	1ER to review Compliance Report prior to submission to Planning Secretary.		Compliant
	(c) the approval of any modification of the conditions of this consent; or	Stage Construction	1As ER to review Compliance Report prior to submission to Planning Secretary. by conditions	In progress	Compliant
	(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.	Stage Construction	1ER to review Compliance Report prior to submission to Planning Secretary.		Not triggered
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. <i>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.</i>	Stage Construction	1ER to review any changes to the approved CEMP documentation prior to submission to Planning Secretary.	Review of CEMP undertaken as part of Mod 1 to consent. Mod 1 approved 25 AUG 23	Compliant
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	Stage Construction At All Times	1	See Section 4 of main report for details of Non-Compliances	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(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 6.				
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.			See Section 4 of main report for details of Non Compliances	
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.	Stage Construction At All Times	1 Applicant to notify DPE of any potential non-compliance.	See Section 4 of main report for details of Non Compliances	Compliant
E13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Stage Construction At All Times	1		Not triggered
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:	Stage Construction At All Times	1 ER to cite Compliance Reports.	CCCR1 Submitted 18 November CCCR2 this report	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	(a) identify any trends in the monitoring data over the life of the development;	Stage Construction At All Times	1ER to cite Compliance Reports.	In progress	Compliant
	(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Stage Construction At All Times	1ER to cite Compliance Reports.	In progress	Compliant
	(c) describe what measures will be implemented over the next year to improve the environmental performance of the development	Stage Construction At All Times	1ER to cite Compliance Reports.	In progress	Compliant
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.	Stage Construction At All Times	1ER to cite Compliance Reports and confirmation of being publicly available.		Not triggered
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.	Stage Construction At All Times	1ER to review all monitoring or environmental audits. ER to confirm preparation of audit and monitoring program.	Ongoing ER inspections confirm compliance with Monitoring commitments within approved CEMP and Sub Plans. Monthly Monitoring data provided to ER for inclusion and comment within the Quarterly ER Management Reports.	Compliant
	<i>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</i>	Stage Construction At All Times	1ER to review all monitoring or environmental audits. ER to confirm preparation of audit and monitoring program.	Ongoing ER inspections confirm compliance with Monitoring commitments within approved CEMP and Sub Plans. Monthly Monitoring data provided to ER for	Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	<i>compliance with the consent or the environmental management or impact of the development.</i>			inclusion and comment within the Quarterly ER Management Reports.	
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:	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.	Confirmation of live date of website via email dated 02/08/22.	Compliant
	(a) make the following information and documents (as they are obtained or approved) publicly available on its website:	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.	All documents available at Planning Aspect by Mirvac	Compliant
	(i) the documents referred to in condition C2 of this consent;	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.	Reviewed and confirmed 30/11/23	Compliant
	(ii) all current statutory approvals for the development;	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(iii) all approved strategies, plans and programs required under the conditions of this consent;	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(v) regular reporting on the environmental performance of the	Stage 1 Construction	Updates to website by Mirvac.		Compliant

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Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
	development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;	At All Times	ER to cite the latest information required by the condition is on website.		
	(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;	Stage Construction At All Times	1 Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(vii) a summary of the current stage and progress of the development;	Stage Construction At All Times	1 Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(viii) contact details to enquire about the development or to make a complaint;	Stage Construction At All Times	1 Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(ix) a complaints register, updated monthly;	Stage Construction At All Times	1 Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant
	(x) the Compliance Report of the development;	Stage 1 Construction At All Times	Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Not triggered
	(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;		Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Not triggered
	(xii) any other matter required by the Planning Secretary; and		Updates to website by Mirvac. ER to cite the latest information		Not triggered

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			required by the condition is on website.		
	(b) keep such information up to date, to the satisfaction of the Planning Secretary.		Updates to website by Mirvac. ER to cite the latest information required by the condition is on website.		Compliant