

# Development Consent

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

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

These conditions are required to:

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



Lindsey Blecher  
**A/Director**  
**Industry Assessments**

Sydney

4 July 2025

File: EF24/7224

### SCHEDULE 1

<b>Application Number:</b>	SSD-71144719
<b>Applicant:</b>	ESR Developments (Australia) Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 301 DP 1244594 3 Johnston Crescent, Horsley Park
<b>Development:</b>	The construction and 24-hour operation of two warehouse buildings, associated office space, access driveways, hardstand areas and loading docks, car parking, landscaping, earthworks and signage

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## DEFINITIONS

<b>Applicant</b>	ESR (Australia) Pty Ltd, or any person carrying out any development to which this consent applies
<b>Additional Information</b>	Correspondence by the Applicant in response to the Department's requests for information, including correspondence dated 20 June 2025 titled ESR Horsley Logistics Park Stage 2 (SSD-71144719) – Request for Additional Information prepared by ESR (Australia) Pty Ltd
<b>BCA</b>	Building Code of Australia
<b>Calendar year</b>	A period of 12 months commencing on 1 January
<b>Carrier</b>	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
<b>Certifier</b>	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
<b>Council</b>	Fairfield City Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure (DPHI)
<b>Development</b>	The development described in Schedule 1, the EIS, RTS and Additional Information as modified by the conditions of this consent
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled <i>ESR Horsely Logistics Park Stage 2, 3 Johnston Crescent, Horsely Park</i> , prepared by Urbis dated 25 October 2024, submitted with the application for consent for the development
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>GFA</b>	Gross Floor Area
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance

**Note:** “Material harm” is defined in this consent

<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	<p>Is harm that:</p> <ul style="list-style-type: none"> <li>a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or</li> <li>b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul> <p><b>Note:</b> This definition excludes “harm” that is either authorised under this consent or any other statutory approval</p> <p><b>Note:</b> For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements</p>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The use of two warehouses and ancillary office space as described in the EIS, RTS and Additional Information, and as modified by the conditions of this consent
<b>Principal Certifier</b>	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
<b>Planning Secretary</b>	Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to Submissions (RTS)</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled ESR Horsley Logistics Park Stage 2 - SSD- 71144719 3 Johnston Crescent, Horsley Park Response to Submissions Report, prepared by Urbis and dated 22 January 2025
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

## **SCHEDULE 2**

### **PART A ADMINISTRATIVE CONDITIONS**

#### **OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT**

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

#### **TERMS OF CONSENT**

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the EIS and Response to Submissions and Additional Information;
  - (d) in accordance with the Development Layout in Appendix 1; and
  - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) and A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### **LIMITS OF CONSENT**

##### **Lapsing**

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

#### **NOTIFICATION OF COMMENCEMENT**

- A6. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction; and
  - (b) operation.
- A7. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

#### **EVIDENCE OF CONSULTATION**

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

#### **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

- A9. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
  - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A10. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A11. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

## **UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE**

### **General Requirements**

- A12. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A13. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
  - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
  - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

### **Sydney Water**

- A14. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

### **Fibre-Ready Facilities**

- A15. Prior to the issue of a Construction Certificate, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
  - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.
- A16. Prior to the issue of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

## **DEMOLITION**

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

## **STRUCTURAL ADEQUACY**

- A18. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

### **Note:**

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

## **EXTERNAL WALLS AND CLADDING**

- A19. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A20. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and

(b) an Occupation Certificate,

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

A21. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

## COMPLIANCE

A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## CONTRIBUTIONS TO COUNCIL

A23. Prior to the issue of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act and in accordance with the Fairfield City Local Infrastructure Contributions Plan 2023.

**Note:** Please contact Fairfield City Council on (02) 9725 0222 or [mail@fairfieldcity.nsw.gov.au](mailto:mail@fairfieldcity.nsw.gov.au).

## HOUSING AND PRODUCTIVITY CONTRIBUTION

A24. Prior to the issue of a construction certificate for any part of the development, a housing and productivity contribution (HPC) in accordance with Table 1 must be paid for the development, as adjusted in accordance with condition A25.

**Table 1** Housing and Productivity Contribution Amount

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$904,188.14
Transport project component	\$0.00
Total housing and productivity contribution	\$904,188.14

A25. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

## OPERATION OF PLANT AND EQUIPMENT

A26. All plant and equipment used on site, or to monitor the performance of the development, must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

## WORK AS EXECUTED PLANS

A27. Prior to the issue of an Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

## APPLICABILITY OF GUIDELINES

A28. 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.

A29. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## ADVISORY NOTES

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



## **PART B SPECIFIC ENVIRONMENTAL CONDITIONS**

### **TRAFFIC AND ACCESS**

#### **Construction Traffic Management Plan**

- B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with Council;
  - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
  - (d) detail heavy vehicle routes, access and parking arrangements;
  - (e) include a Driver Code of Conduct to:
    - (i) minimise the impacts of earthworks and construction on the local and regional road network;
    - (ii) minimise conflicts with other road users;
    - (iii) minimise road traffic noise; and
    - (iv) ensure truck drivers use specified routes;
  - (f) include a program to monitor the effectiveness of these measures; and
  - (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

#### **Roadworks and Access**

- B3. Prior to the commencement of operation of the development, the Applicant must complete the construction of the Johnston Crescent civil works including the access driveways and footpaths to the satisfaction of the roads authority. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.

#### **Parking**

- B4. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

#### **Operational Traffic Management Plan**

- B5. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must:
- (a) be prepared by a suitably qualified and experienced person(s), whose appointment has been endorsed by the Planning Secretary;
  - (b) be prepared in consultation with Council;
  - (c) detail the measures that are to be implemented to ensure road safety and network efficiency;
  - (d) detail heavy vehicle routes, access, and parking arrangements;
  - (e) include an Operational Driver Code of Conduct to:
    - (i) ensure compliance with the operating conditions specified in condition B7;
    - (ii) minimise the impacts on the local and regional road network;
    - (iii) minimise conflicts with other road users;
    - (iv) minimise road traffic noise;
    - (v) inform truck drivers of the site access arrangements and use of specified haul routes;
    - (vi) include a program to monitor the effectiveness of these measures; and
  - (f) include a Traffic Control Plan (TCP) detailing heavy vehicle routes, road safety and efficiency measures and the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas,
  - (g) include a Green Travel Plan detailing measures to promote public transport usage and describing pedestrian and bicycle linkages and end of trip facilities available on-site.

B6. The Applicant must:

- (a) not commence operation until the OTMP required by condition B5 is approved by the Planning Secretary;
- (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the duration of operation.

#### **Operating Conditions**

B7. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6:2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site; and
- (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

#### **SOILS, WATER QUALITY AND HYDROLOGY**

##### **Imported Soil**

B8. The Applicant must:

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

##### **Erosion and Sediment Control**

B9. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B10. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B9 for the duration of construction of the development.

##### **Discharge Limits**

B11. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

##### **Stormwater Management System**

B12. The Applicant must finalise the detailed design of the stormwater management system for the development, prior to the commencement of construction of that system. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual design in the EIS and RTS;
- (c) be in accordance with applicable Australian Standards; and
- (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

B13. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B12B12) and ensure the system is operational.

B14. The Applicant must maintain the stormwater management system installed on the site under condition B13 B13for the duration of the development.

## AIR QUALITY

### Dust Minimisation

- B15. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B16. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

## NOISE

### Hours of Work

- B17. The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the Planning Secretary.

**Table 2** Hours of Work

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

- B18. Works outside of the hours identified in condition B17B17 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
  - (b) works agreed to in writing by the Planning Secretary;
  - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
  - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### Construction Noise Limits

- B19. The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guidelines (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in Appendix 2 and the CEMP in condition C2B20.

### Construction Noise and Vibration Management Plan

- B20. The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);
  - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (d) include strategies that have been developed with the community for managing high noise generating works;
  - (e) describe the community consultation undertaken to develop the strategies in condition B20B20(d); and,
  - (f) include a complaints management system that would be implemented for the duration of the development.
- B21. The Applicant must:
- (a) not commence construction of the development until the Construction Noise and Vibration Management Plan required by condition B20B20 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.

### Operational Noise Limits

- B22. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 3.

**Table 3** Noise Limits (dB(A))

Location <sup>a</sup>	Day L <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)
Residences in Horsley Park	33	31	31
Commercial Premises	53	51	51

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

### Operational Noise Verification Report

- B23. Within three months of the completion of commencement of operation of the development, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:
- (a) be prepared to the satisfaction of the Planning Secretary
  - (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
    - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
    - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);
    - (iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);
  - (c) include:
    - (i) an analysis of compliance with noise limits specified in condition B22B22;
    - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B22B22; and
    - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

## VIBRATION

### Vibration Criteria

- B24. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and
  - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- B25. The limits in condition B24B24 apply unless otherwise outlined in the development's Construction Noise and Vibration Management Plan (see condition B20B20B20).

## ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B26. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
  - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
  - (c) Heritage NSW must be contacted immediately.
- B27. 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*.

## NON-ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B28. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
  - (b) Heritage NSW must be contacted immediately; and

- (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

B29. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

## **CONTAMINATION**

### **Unexpected Contaminated Finds Procedure**

B30. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination finds procedure to ensure that known or potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C3 and must ensure any surplus material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations.

## **LANDSCAPING**

B31. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the development's landscaping works to the satisfaction of the Planning Secretary. The LMP must:

- (a) detail the species to be planted on-site;
- (b) be consistent with the planting schedule, species, pot size and diversity/number of plants within the Landscape Plans prepared by Scape Design, revision I, dated 26 February 2025 (see Appendix D of the RTS);
- (c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2 of this consent; and
- (d) describe the ongoing monitoring and maintenance measures which will be implemented to manage the landscaping works.

B32. The Applicant must:

- (a) not commence operation until the LMP (see condition B31B31a)) is approved by the Planning Secretary;
- (b) implement the most recent version of the LMP approved by the Planning Secretary; and
- (c) maintain all on-site landscaping in accordance with the approved LMP for the life of the development.

## **HAZARDS AND RISK**

### **Emergency Response**

B33. Prior to the commencement of operation of the development, the Applicant must prepare the following documents:

- (a) a comprehensive Emergency Response Plan for the site in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*; and
- (b) an Emergency Services Information Package, developed in accordance with the *FRNSW Fire Safety Guideline – Emergency Services Information Package* and Tactical Fire Plans.

B34. The Applicant must implement the Emergency Response Plan and Emergency Services Information Package required under condition B33 for the life of the development.

B35. The Applicant must ensure that adequate emergency vehicle access is incorporated into the development's site design in line with *FRNSW Fire Safety Guideline - Access for Fire Brigade Vehicles and Firefighters*.

### **Dangerous Goods**

B36. The quantities of dangerous goods stored and handled within each of the 8 warehouse tenancies (Units) must be below the placard quantities listed in Schedule 11 of the *Work Health and Safety Regulation 2017 (NSW)* at all times.

B37. Storage and handling of dangerous goods for the three individual warehouse tenancies within the site, as defined by the Australian Dangerous Goods Code, must be strictly in accordance with:

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

B38. In the event of an inconsistency between the requirements of conditions B37(a) and B37(b) the most stringent requirement must prevail to the extent of the inconsistency.

## **WASTE MANAGEMENT**

B39. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).

- B40. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B41. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B42. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

#### **Pests, Vermin and Priority Weed Management**

- B43. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
  - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

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

#### **VISUAL AMENITY**

##### **Lighting**

- B44. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
  - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

##### **Signage and Fencing**

- B45. All signage and fencing must be erected in accordance with the development plans included in the RTS.

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

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

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

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

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1);
  - (b) Erosion and Sediment Control Plan (see condition B9);
  - (c) Construction Noise and Vibration Management Plan (see condition B20B20);
  - (d) a copy of the development's Unexpected Contamination Finds Procedure (see condition B30); and
  - (e) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
  - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

#### OPERATIONAL COMPLAINTS HANDLING PROTOCOL

- C5. Prior to the commencement of operation, the Applicant must prepare an Operational Complaints Handling Protocol (OCHP) for the development. The OCHP must:
- (a) detail how complaints would be received by the Applicant;
  - (b) detail how the contact details for receiving complaints would be communicated to surrounding businesses and/or residential receivers; and
  - (c) include a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint.

**Note:** Methods for receiving complaints could include, but are not limited to, email, a toll-free telephone number and/or a postal address. Methods for communicating contact details could include, but are not limited to, on-site signage and/or an advertisement published in a local paper.

- C6. The Applicant must:
- (a) not commence operation until the OCHP under condition C5 is submitted to the Planning Secretary; and
  - (b) implement the most recent version of the OCHP submitted to the Planning Secretary for the duration of the development.

## **REVISION OF STRATEGIES, PLANS AND PROGRAMS**

- C7. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C9C9;
  - (b) the approval of any modification of the conditions of this consent; or
  - (c) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.
- C8. If identified as part of the review process (see condition C7) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C7, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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

## **REPORTING AND AUDITING**

### **Incident Notification, Reporting and Response**

- C9. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
  - (b) a brief description of what occurred and why it has been classified as an incident;
  - (c) a description of what immediate steps were taken in relation to the incident; and
  - (d) identifying a contact person for further communication regarding the incident.
- C10. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 3 (Incident Notification and Reporting Requirements).

### **Non-Compliance Notification**

- C11. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).
- C12. A non-compliance notification submitted under condition C11C11 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

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

### **Monitoring and Environmental Audits**

- C13. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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



## ACCESS TO INFORMATION

- C14. At least 48 hours before the commencement of construction of the development and for the life of the development and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in condition A2 of this consent;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent with the exception of any hazard and risk related studies;
    - (iv) a summary of the current stage and progress of the development;
    - (v) contact details to enquire about the development or to make a complaint;
    - (vi) a complaints register, updated quarterly;
    - (vii) any other matter required by the Planning Secretary; and
  - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

## APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Drawing Number	Drawing Title	Drawing Issue	Date
<b>Architectural Drawings prepared by Nettletontribe</b>			
DA001	Locality & Context Plan	4	05/07/2024
DA011	Site Plan	10	27/02/2025
DA012	Floor Plans – Building A	9	27/02/2025
DA013	Floor Plans – Building B	7	20/01/2025
DA014	Roof Plan	5	12/07/2024
DA015	Office Floor Plans – Building A	6	12/07/2024
DA016	Office Floor Plans – Building B	6	12/07/2024
DA017	Dock Office Floor Plans and Elevations – Building B	4	05/07/2024
DA020	Elevations – Building A	6	20/01/2025
DA021	Elevations – Building B	6	20/01/2025
DA025	Office Elevations – Building A	4	05/07/2024
DA026	Office Elevations – Building B	4	05/07/2024
DA027	Street Elevations	1	24/02/2025
DA030	Sections – Building A	6	20/01/2025
DA031	Sections – Building B	6	20/01/2025
DA040	Signage Strategy Plan	5	12/07/2024
DA-401	Signage Details	4	05/07/2024
DA041	Shadow Diagram	1	10/01/2025
<b>Civil Drawings prepared by Nettletontribe</b>			
C12990.17 – SSDA100	Drawing List and General Notes	B	16/07/2024
C12990.17 – SSDA150	Existing Services Plan	B	16/06/2024
C12990.17 – SSDA200	Erosion & Sediment Control Plan	A	06/06/2024
C12990.17 – SSDA251	Erosion & Sediment Control Details – Sheet 1	A	06/06/2024
C12990.17 – SSDA252	Erosion & Sediment Control Details – Sheet 2	A	06/06/2024
C12990.17 – SSDA300	Bulk Earthworks Plan	B	12/07/2024
C12990.17 – SSDA310	Cut/Fill Plan	B	12/07/2024
C12990.17 – SSDA351	Bulk Earthworks Sections – Sheet 1	A	06/06/2024
C12990.17 – SSDA352	Bulk Earthworks Sections – Sheet 2	A	06/06/2024
C12990.17 – SSDA353	Bulk Earthworks Sections – Sheet 3	A	06/06/2024
C12990.17 – SSDA400	Stormwater Drainage Plan	B	16/07/2024
C12990.17 – SSDA401	Stormwater Drainage Plan – Sheet 1	B	16/07/2024
C12990.17 – SSDA402	Stormwater Drainage Plan – Sheet 2	B	16/07/2024
C12990.17 – SSDA410	Stormwater Catchments Plan – MUSIC	A	06/06/2024
C12990.17 – SSDA450	Stormwater Drainage Details – Sheet 1	A	06/06/2024
C12990.17 – SSDA451	Stormwater Drainage Details – Sheet 2	A	06/06/2024
C12990.17 – SSDA465	OSD Tank Water Details – Sheet 1	A	16/07/2024
C12990.17 – SSDA466	OSD Tank Water Details – Sheet 2	A	16/07/2024
C12990.17 – SSDA467	OSD Tank Water Details – Sheet 3	A	16/07/2024
C12990.17 – SSDA468	OSD Tank Water Details – Sheet 4	A	16/07/2024
C12990.17 – SSDA500	Finished Levels Plan	B	16/07/2024
C12990.17 – SSDA600	Retaining Wall Plan	A	16/07/2024
C12990.17 – SSDA650	Retaining Wall Sections – Sheet 1	A	16/07/2024

C12990.17 – SSDA651	Retaining Wall Sections – Sheet 2	A	16/07/2024
C12990.17 – SSDA652	Retaining Wall Sections – Sheet 3	A	16/07/2024
C12990.17 – SSDA653	Retaining Wall Sections – Sheet 4	A	16/07/2024

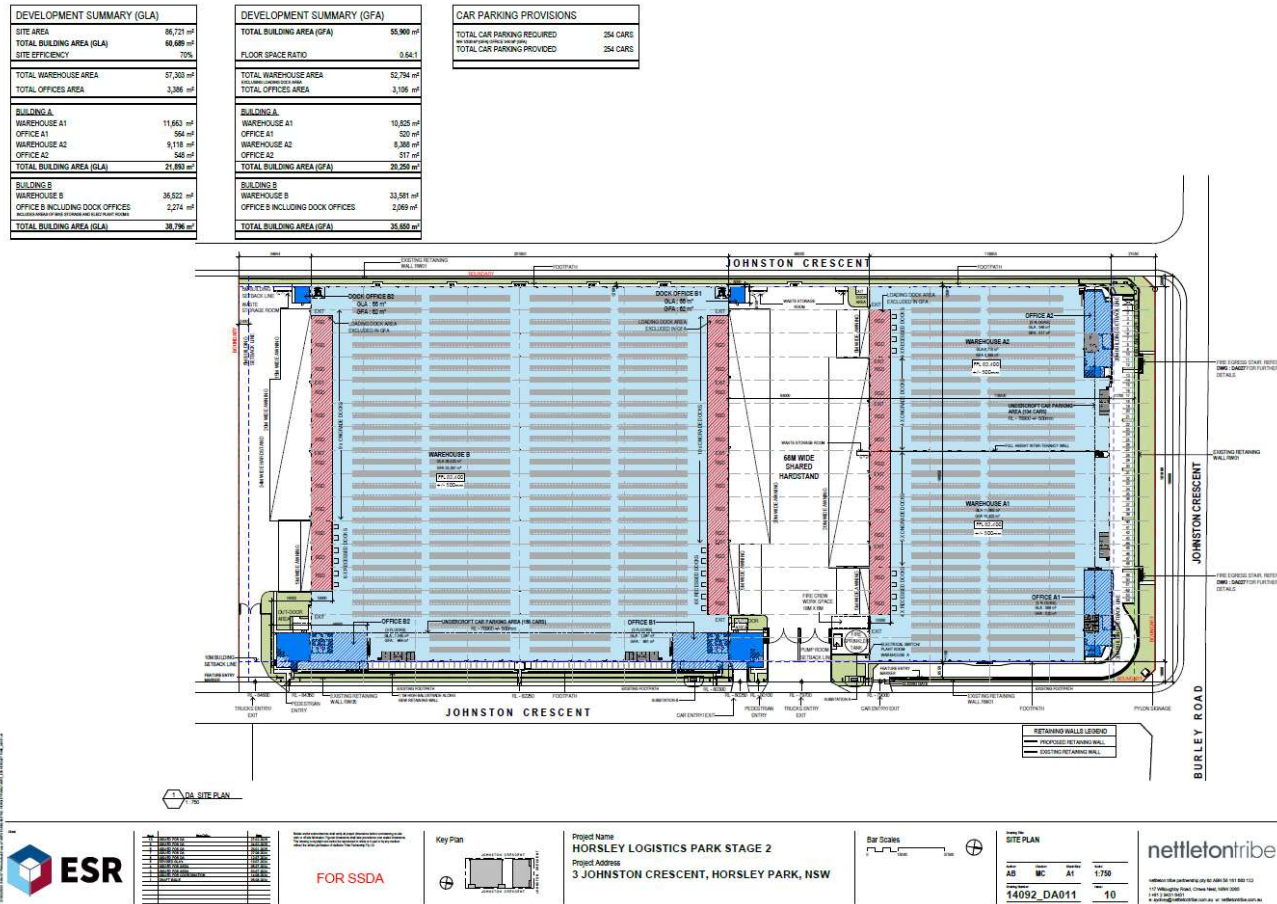


Figure 1: Site Plan

## APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

### ENVIRONMENTAL RISK ASSESSMENT AND MITIGATION MEASURES

The following section provides recommendation for mitigation measures in response to potential impacts identified in **Section 6** of the EIS. The structure of mitigation measures is based on the DPIE's hierarchy of approaches for managing impacts identified in the *Draft Environmental Impact Assessment Guidance Series* released by DPE in June 2017, as:

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

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

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

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

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

Likelihood		Consequence	
A	Almost certain	1	Widespread and/or irreversible impact
B	Likely	2	Extensive but reversible (within 2 years) impact or irreversible local impact

Likelihood		Consequence	
C	Possible	3	Local, acceptable or reversible impact
D	Unlikely	4	Local, reversible, short term (<3 months) impact
E	Rare	5	Local, reversible, short term (<1 month) impact

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

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

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

**N.B. ‘O’ – Operational; ‘C’ – Construction**

**‘Pe’ – Performance based mitigation measure; ‘Pr’ – Prescriptive based mitigation measure ‘Ma’ – Management based mitigation measure**

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
<b>Traffic, Transport and Accessibility</b>	<p>Impacts on road network from construction and operational phase.</p> <p>Additional demand on car parking spaces.</p>	C & O	D	3	Low	<p><u>Construction</u></p> <p>The following measures should be implemented:</p> <ul style="list-style-type: none"> <li>• A detailed CTMP should be prepared upon appointment of a Contractor where detailed construction traffic volumes and vehicles would be ascertained.</li> <li>• As part of the Monitoring and Communications Strategies prepared as part of the CTMP, regular reviews will be undertaken by the on-site coordinator during implementation and execution of the CTMP.</li> <li>• A Greet Travel Plan (GTP) should be prepared and finalised prior to occupation, the GTP should address the overarching requirements of the preliminary GTP prepared by Anson and submitted as part of the EIS.</li> <li>• Traffic control would be required to manage and regulate traffic movements into and out of the Site during construction.</li> <li>• Disruption to road users would be kept to a minimum by scheduling intensive delivery activities outside of peak network</li> </ul>	Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>hours.</p> <ul style="list-style-type: none"> <li>Construction and delivery vehicles would be restricted to using Old Wallgrove Road and M7 Motorway; and Lenore Drive and Mamre Road.</li> </ul> <p><u>Operation</u></p> <p>The following measures should be implemented:</p> <ul style="list-style-type: none"> <li>Due to the shared nature of the hardstand, a Loading Dock Management Plan (LDMP) and Operational Traffic Management Plan (OTMP) is required to ensure the efficient and efficient operation of the site. Measures will also be included to ensure loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network. These plans should be prepared prior to obtaining the Occupation Certificate (OC).</li> <li>Bicycle parking and end of trip facilities must be provided in accordance with the rate under the NSW Planning Guidelines for Walking and Cycling (Walking and Cycling).</li> </ul>		



SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<ul style="list-style-type: none"> <li>Driveway, ramp, onsite parking, accessible parking, bicycle parking and end of trip facilities should be designed in accordance with relevant Australian Standards.</li> </ul>		
<b>Noise and Vibration</b>	Noise amenity impacts during operations of load equipment and machinery.	C & O	C	4	Low	<p><b>Construction</b></p> <ul style="list-style-type: none"> <li>The use of standard mitigation measures provided in the Transport for NSW Construction Noise and Vibration Guideline should be implemented during construction to minimise acoustic impact.</li> <li>A Construction Noise and Vibration Management Plan (CNVMP) should be prepared before any work begins. This should identify all potentially impacted receivers, assess the potential noise and vibration impacts from the proposal and provide details regarding how the impacts would be minimised through the use of all feasible and reasonable mitigation measures. The CNVMP should also contain procedures for handling complaints, should they occur, and detail any compliance monitoring requirements.</li> </ul> <p><b>Operation</b></p> <ul style="list-style-type: none"> <li>Where operational noise impacts from the development are predicted to exceed the relevant noise criteria, feasible and</li> </ul>	Pr	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>reasonable operational noise mitigation and management measures should be implemented, with the aim of reducing noise emissions to the relevant criteria. The potential feasible and reasonable mitigation measures that can be applied to the development are summarised in the Acoustic Report prepared by SLR dated July 2024.</p> <ul style="list-style-type: none"> <li>An Operational Noise Management Plan should be prepared subject to further refinement of these measures during detailed design when more details regarding specific tenants are known</li> </ul>		
<b>Air Quality</b>	Emissions of fugitive dust during construction works	C	C	4	Low	<p>Earthworks</p> <ul style="list-style-type: none"> <li>Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.</li> <li>Use Hessian, mulches or trackifiers where it is not possible to revegetate or cover with topsoil, as soon as practicable.</li> <li>Only remove the cover in small areas during work and not all at once.</li> </ul>	Pr	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>Construction</p> <ul style="list-style-type: none"> <li>• Avoid scabbling (roughening of concrete surfaces) if possible.</li> <li>• Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.</li> <li>• Ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.</li> </ul> <p>Trackout</p> <ul style="list-style-type: none"> <li>• Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.</li> <li>• Avoid dry sweeping of large areas.</li> <li>• Ensure vehicles entering and leaving sites are covered to prevent escape of</li> </ul>		

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>materials during transport.</p> <ul style="list-style-type: none"> <li>Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.</li> <li>Record all inspections of haul routes and any subsequent action in a site log book.</li> <li>Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowzers and regularly cleaned.</li> <li>Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</li> <li>Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.</li> <li>Access gates to be located at least 10 m from receptors where possible.</li> </ul>		

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
Visual Impacts	Visual amenity impacts to the surrounding receivers	O	D	3	Low	<ul style="list-style-type: none"> <li>To help mitigate and soften the building particularly from visual receptors located in the north, northeast and northwest, the proposal should retain the proposed landscape setback. This should include indigenous and native canopy tree planting together with shrubs and groundcovers.</li> </ul>	Pr	Low
Contamination	N/A							
Social impact	Negative social impacts to local health and wellbeing, local accessibility, way of life, community, and local engagement	C & O	D	3	Low	<ul style="list-style-type: none"> <li>Implementation of a Construction Environmental Management Plan (CEMP) detailing compliance requirements. Provide community with information of the complaints procedure during construction.</li> <li>Implementation of Construction Noise and Vibration Management Plan (CNVMP) and a Operation Noise and Vibration Management Plan (ONVMP).</li> <li>Effective communication and engagement with the community to minimise social anxiety and keep community well informed.</li> <li>Consider visual screening from public viewpoints.</li> </ul>	Pr. Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<ul style="list-style-type: none"> <li>• Implementation of a Construction Traffic Management Plan (CTMP) consistent with other approvals in the area.</li> <li>• Implementation of an Operational Traffic Management Plan (OTMP) consistent with other approvals in the area.</li> <li>• Keep the local community informed around the construction hours and any subsequent changes.</li> <li>• Strategy in place to attract and maximise employment creation.</li> <li>• Proactive and ongoing information sharing about the project and associated opportunities</li> </ul>		
<b>Biodiversity</b>	N/A							
<b>Aboriginal Heritage</b>	Unexpected finds	C	D	3	Low	<b>Unexpected Archaeological Finds Procedure</b> - The following unexpected archaeological finds procedure should be followed in the unlikely event that any archaeological materials, or suspected archaeological materials, are uncovered during any works within the subject area:	Pr	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<ul style="list-style-type: none"> <li>All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds. The find must not be moved 'out of the way' without assessment.</li> <li>The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.</li> <li>The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS). Any management measures should be decided upon consultation with the RAPs.</li> <li>Depending on the significance of the find, reassessment of the archaeological</li> </ul>		

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<p>potential of the subject area may be required and further archaeological investigation undertaken.</p> <ul style="list-style-type: none"> <li>Reporting may need to be prepared regarding the find and approved management strategies.</li> <li>Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.</li> </ul> <p><b>Human Remains Procedure</b> - The following human remains procedure should be followed in the unlikely event that any human remains, or suspected human remains, are uncovered during any works within the subject area:</p> <ul style="list-style-type: none"> <li>All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds.</li> <li>The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).</li> <li>The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.</li> </ul>		



SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<ul style="list-style-type: none"> <li>Management recommendations are to be formulated by the NSW Police, Heritage NSW, site representatives and the RAPs.</li> <li>Works are not to recommence until the find has been appropriately managed.</li> </ul>		
Environmental heritage	N/A							
Trees and Landscaping	Environmental amenity and biodiversity outcomes are not achieved. Adverse heat gain from direct sunlight.	O	D	3	Low	Water Sensitive Urban Design principles (WSUD) have been used to address considerations for efficient water use and design in the landscape.	Pr	Low
ESD	Unsustainable practices employed which adversely contribute to carbon emissions.	C & O	D	4	Low	<p>ESD strategies outlined in the ESD reported prepared by E-Lab must be implemented during construction and operation phase of the development.</p> <p>The office component of this development is required to achieve the following NABERS</p>	Pr, Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Energy and Water ratings as committed under the NABERS Agreement prepared by E-Lab: <ul style="list-style-type: none"> <li>• 5.5 star NABERS energy rating and</li> <li>• 3 star NABERS water rating</li> </ul>		
<b>Geotechnical</b>	soil salinity risks	C	D	4	Low	The field work for the current geotechnical and salinity investigation was conducted on 12 July 2024 and 16 July 2024 and concluded that the materials used as controlled fill were predominantly slightly saline, except for one sample which returned a non-saline classification. Therefore no salinity management plan for this site is required.	Pr, Ma	Low
<b>Water management</b>	Impact on the existing drainage system and waterways through increased runoff and pollutants present in the stormwater.	C & O	D	4	Low	<u>Construction</u>  During the construction phase, a Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff.  <u>Operation</u>  To manage water quality and quantity, the proposed measures are incorporated into the development:  Several OSD systems.  On-lot treatment measures.	Pr, Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						Incorporate the principles of Water Sensitive Urban Design (WSUD) to target pollutants.		
<b>Flood risk</b>	N/A							
<b>Waste</b>	Waste generated by the development is not appropriately handled, stored, or collected.	C & O	D	4	Low	<p><u>Construction waste management:</u></p> <p>The Building Contractor, Building Designer and/or those in equivalent roles should follow better practice waste avoidance strategies outlined in the WMP.</p> <p>Effective management of construction materials and waste, including options for reuse and recycling where applicable and practicable, will be conducted. Only waste that cannot be cost effectively reused or recycled is to be sent to landfill or appropriate disposal facilities.</p> <p>Waste materials produced from construction activities will be separated at the source and stored separately on-site. A more detailed construction waste management plan will be prepared that will provide further information on waste storage on site during construction.</p> <p><u>Operation waste management:</u></p> <p>The following operational waste management strategies are proposed:</p>	Ma	Low

SEARS	Potential Impact	Stage of Project	Likelihood	Consequence	Risk Level	Approach	Mitigation Measure (Pe/Pr/Ma)	Residual Impact
						<ul style="list-style-type: none"> <li>Waste avoidance measures</li> <li>Possible re-use opportunities include establishing systems with in-house and supply chain stakeholders to transport products in re-useable packaging where possible.</li> <li>maximise recycling opportunities</li> <li>Education and communication on waste management initiatives and measures will be regularly and clearly conveyed to staff, cleaners and visitors</li> <li>Signs which clearly identify waste management procedures and provisions to contractors, staff and visitors will be posted at the Development as appropriate.</li> <li>Roles and Responsibilities of implement the operational measures</li> </ul>		
Bushfire	N/A							

## **APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

### **WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C9C9 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C9C9C9), the Applicant is required to submit a subsequent incident report that:
  - (a) identifies how the incident was detected;
  - (b) identifies when the Applicant became aware of the incident;
  - (c) identifies any actual or potential non-compliance with conditions of consent;
  - (d) identifies further action(s) that will be taken in relation to the incident;
  - (e) a summary of the incident;
  - (f) outcomes of an incident investigation, including identification of the cause of the incident;
  - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
  - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

### **INCIDENT REPORT REQUIREMENTS**

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