

WESTLINK STAGE 1

SSD 9138102

Construction Compliance Report #1

7 November 2023– 31 March 2024




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7 November 2023 – 31 March 2024

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Date 7/05/2024

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DOCUMENT TRACKING

Version No.	Document No.	Detail	Prepared By	Approved By	Date
Rev 01	J0019292400501.01	Draft	C. Johnson	R. Salisbury	01/05/24
Rev 02	J0019292400507.02	Final	C. Johnson	R. Salisbury	07/05/24

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Acronyms

Acronym	Meaning
CCR	Construction compliance report
CEMP	Construction Environmental Management Plan
CoC	Condition(s) of consent
CRPAR	Compliance Reporting Post Approval Requirements
DP	Deposited plan
DPE	NSW Department of Planning and Environment (now DPHI)
DPHI	NSW Department of Planning, Housing and Infrastructure
RCC	Richard Crookes Constructions
SSD	State significant development

1. Introduction

This construction compliance report (CCR) has been prepared to evaluate compliance with the requirements of Westlink Stage 1 (the Development) State significant development (SSD) 9138102 Development Consent and has been prepared to align with the requirements of condition of consent (CoC) C14.

The compliance reporting period for this CCR is 7 November 2023 – 31 March 2024.

1.1 Project Description

Consent for the Development was issued by the Department of Planning, Housing and Infrastructure (DPHI) (formerly Department of Planning and Environment (DPE)) on 21 April 2023. The Development involves the construction of the first stage of an industrial estate including:

- Bulk earthworks
- Subdivision
- Construction, fit out and operation of two warehouse buildings and ancillary office space with a total gross floor area of 81,317m²
- Landscaping
- Construction of estate roads and external road upgrades
- Site servicing
- Stormwater infrastructure.

1.2 Site Location

The Development is located at 290-308 Aldington Road, Kemps Creek (Lot 13 Deposited Plan (DP) 253503), 59-62 Abbots Road (Lot 12 DP 253503), and 63 Abbots Road, Kemps Creek (Lot 11 DP 253503) within the Penrith City Local Government Area. SSD 9138102 Development Consent also includes Lots 3 and 4 DP 250002, which are located immediately south of Lot 11 DP 253503. The location of the Development is indicated by the red outline in Figure 1-1 and the indicative site layout is shown in Figure 1-2.

Figure 1-1 Site location



Figure 1-2 Stage 1 site layout (SSD 9138102 Development Consent, 21 April 2023)



1.3 Key Development Contacts

In accordance with the Compliance Reporting Post Approval Requirements (CRPAR – DPE, 2020), the contact details for key personnel across the Project have been provided in Table 1-1 below.

Table 1-1 Contact details of key personnel

Role	Organisation	Name	Contact details
Project Manager/ Site Superintendent	ESR	Jacob Dickson	Ph: +61 403 737 834 E: Jacob.Dickson@esr.com
1800 Number Responder (Business Hours)	ESR	Grace Macdonald	Ph: +61 411 599 155 E: Grace.Macdonald@esr.com
Environmental Representative	Ersed Environmental	Carl Vincent	Ph: +61 424 203 046 E: carlvincent@ersed.com.au
Environmental Representative (alternate)	Trigalana Environmental	Richard Peterson	Ph: +61 429 227 775 E: Richard.peterson-trigalana@outlook.com
Earthworks Site Manager	JK Williams	Slave Kirovski	Ph: +61 456 768 574 E: skirovski@jkw.com.au
Earthworks Environmental Manager	JK Williams	Jessica Gough	Ph: +61 401 020 133 E: jgough@jkw.com.au
Warehouse 1 Project Manager	RCC	Gavin Stringer	Ph: +61 429 368 315 E: StringerG@richardcrookes.com.au
Warehouse 1 Environmental Manager	RCC	Chris Chapman	Ph: +61 428 471 987 E: chapmanc@richardcrookes.com.au

1.4 Works Undertaken During the Reporting Period

Earthworks remained ongoing on site during the reporting period. Construction works commenced on the 7 November 2023 and included:

- Ground preparation
- Inground services
- Footings
- Structural steel installation.

1.5 Scope and Purpose

This CCR outlines the compliance status of the Development against the relevant SSD 9138102 CoC, as required by CoC C14. This CCR has been prepared in accordance with the CRPAR. The structure of this CCR is as follows:

- Section 1 – Introduction: Provides a brief summary of the Project, scope of works and the works undertaken during the compliance reporting period.
- Section 2 – Development Compliance: This includes detail of progress against previous compliance report actions, including internal and external audit results, any environmental incidents and non-compliances and details of community complaints and responses.
- Section 3 – Environmental Performance: Summarises and identifies trends within the monitoring data for the reporting period, compares the actual impacts of the Development with that predicted by the Environmental Impact Statement (Ethos Urban, 17 June 2021), as updated by the Construction Environmental Management Plans (CEMP) and associated sub-plans, and details the measures that will be implemented in subsequent reporting periods to further promote environmental performance.
- Section 4 – Compliance Summary: Provides a review of the compliance status of the Development.

Appendix A contains the compliance tracking table for SSD 9138102 CoC.

1.6 Methodology for Data Collection

This CCR has been prepared with input from:

- ESR – the developer
- JK Williams – the earthworks contractor
- Richard Crookes Constructions (RCC) – the Warehouse 1 construction contractor.

This report integrates information collated from regular compliance activities, such as progress meetings, inspections, client surveillance and monitoring undertaken in accordance with the relevant CEMP and sub-plans.

2. Development Compliance

2.1 Previous Actions

2.1.1 Construction Compliance Reports

This CCR is the first construction compliance report prepared for the Development. There are no previous actions to be addressed.

2.2 DPHI Notifications

No compliance notifications were received from DPHI during the reporting period.

2.3 Independent Environmental Audit

No independent environmental audits have been undertaken for the Development or completed during the compliance reporting period.

2.4 Environmental Incidents

One reportable safety incident occurred during the compliance reporting period. This incident occurred during the construction of Warehouse 1 and was reported to DPHI on 16/02/2024.

2.5 Conditions of Consent

Compliance against the applicable CoC is provided in Appendix A. The status of each compliance requirement during the reporting period is recorded using the descriptors prescribed by the CRPAR (DPE, 2020). These are provided in Table 2-1.

Table 2-1 Compliance status descriptors (CRPAR – DPE, 2020)

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate all elements of the requirement have been complied with.
Non-compliant	The proponent has identified a non-compliance with one or more element 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.

2.6 Non-Compliance

There were six non-compliances observed in the reporting period. These non-compliances are detailed in Table 2-2.

Table 2-2 Non-compliances and observations identified by CCR #1

CoC Ref	Type	Detail	Current Status
A2	Non-compliance	Non-compliances have been recorded against other CoC during the reporting period, triggering this administrative non-compliance. The Development has not been carried out in compliance with all conditions of consent during the reporting period.	Open
A29	Non-compliance	Condition requires documentation to be submitted to the Planning Secretary by 23/02/2024, but it was not submitted by this date. A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met.	Open
B25	Non-compliance	Condition requires approval by the Planning Secretary of the design of the Stage 2 stormwater management system. A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met. Non-compliance with this condition was ongoing in this reporting period.	Open
B38	Non-compliance	Condition requires Planning Secretary approval of Stage 1 works landscape design prior to 21/10/2023. The landscape design for Stage 1 works remains in progress. A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met.	Open
B54	Non-compliance	Condition requires that within three months of the commencement of earthworks of the development, the applicant must submit the Design Noise Verification Report for the development to the satisfaction of the Planning Secretary. Earthworks commenced on 17/08/2023, and the Design Noise Verification Report was submitted on 20/12/2023 and approved by DPHI on 24/01/2024. A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met.	Open
C17	Non-compliance	Condition requires that all required documentation outlined in the condition is to be made available on the Development website. The Development website contains a link to the Planning Portal which contains some documentation, but the link is not sufficient as the Applicant does not have direct control over the documents and what is made available on the website. Difficulties are anticipated when documents are progressively updated. The timing requirement of this condition has not been met.	Open

2.7 Complaints Management

The process for managing complaints and enquiries is outlined in the Community and Stakeholder Communications Strategy (Ethos Urban, May 2023). Complaint details and the subsequent responses are recorded in the community complaints register, which is required to be published on the Project website.

The community complaints register was unable to be located on the Project website during the reporting period. It is recommended that, even in the absence of receiving a complaint, a template register be uploaded to the Development website.

One complaint was received during the reporting period (15/03/2024), relating to trucks on Abbots Road and implications for public safety. ESR advised the complainant that the trucks were not related to the Development, but were associated with another development located further north, on Aldington Road.

Based on the single complaint received during the reporting period, no trends have been determined and current management measures to address complaints are considered to be satisfactory.

3. Environmental Performance

This section provides a review of the environmental monitoring results for the reporting period, identifies trends within the recorded data, including discrepancies between predicted and actual impacts, and describes the measures that will be implemented in the following reporting period to promote the environmental performance of the Development.

As this is the first construction compliance report for the Development, trends within the recorded data will be reported in future reports.

3.1 Air Quality

Current data is sufficient to identify discrepancies between predicted and actual impacts.

Dust monitoring has been undertaken by JK Williams and RCC during the reporting period, from December 2023 to March 2024. Results of the monitoring indicate that monthly dust deposition and average daily PM_{2.5} and PM₁₀ dust deposition were below the criteria set for the Development.

3.2 Noise and Vibration

Current data is sufficient to identify discrepancies between predicted and actual impacts.

Noise monitoring has been undertaken by JK Williams during the reporting period, from December 2023 to March 2024. Results of the monitoring indicate that noise levels measured at the boundary of the site would result in noise levels below the noise criteria set for receivers located close to the Development.

3.3 Water Quality

Current data is insufficient to identify discrepancies between predicted and actual impacts.

No water quality monitoring was undertaken during the reporting period.

3.4 Traffic

Current data is sufficient to identify discrepancies between predicted and actual impacts.

Tracking of heavy and light vehicle movements has been undertaken by JK Williams and RCC during the reporting period. Vehicle tracking indicates that daily and peak hour movements have been at levels below the predicted volumes for the Development.

3.5 Biodiversity

Current data is sufficient to identify discrepancies between predicted and actual impacts.

No items relating to biodiversity were identified during regular site inspections undertaken by the construction contractors.

3.6 Heritage

No unexpected finds relating to heritage were encountered during the reporting period.

3.7 Waste

Current data is sufficient to identify discrepancies between predicted and actual impacts.

Waste tracking has been undertaken by JK Williams and RCC during the reporting period, from December 2023 to March 2024. Waste is being managed in accordance with the requirements of the relevant waste management plans for the Development.

4. Compliance Summary

At the completion of this compliance reporting period, it is considered that works have generally been undertaken in compliance with the CoC and approved CEMP and sub-plans. The environmental performance of the Development remains satisfactory.


Periodic review of compliance against the CoC will continue to be undertaken in accordance with Westlink Stage 1 SSD 9138102 Development Consent.

5. Compliance Report Declaration

Development Name	Westlink Stage 1
Development Application Number	SSD 9138102
Description of Development	Construction of the first stage of an industrial estate including bulk earthworks, subdivision, construction, fit out and operation of two warehouse buildings and ancillary office space with a total gross floor area of 81,317m ² landscaping, construction of estate roads and external road upgrades, site servicing and stormwater infrastructure.
Development Address	290-308 Aldington Road, 59-62 Abbots Road & 63 Abbots Road, Kemps Creek
Proponent	ESR Developments (Australia) Pty Ltd
Title of Compliance Report	Construction Compliance Report #1
Date	07/05/2024

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;
- 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 (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	Rob Salisbury
Title	General Manager Environment
Signature	
Qualification	BSc DipEnvStud MSc
Company	Aspect Environmental
Company Address	Suite 115-117, 25 Solent Circuit Baulkham Hills NSW 2153

Appendix A – SSD 9138102 Compliance Tracking Table

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
Compliance Requirement					
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.	At all times	Daily site observations and weekly site inspections against an environmental checklist reviewing integrity of environmental mitigation controls. Incorporation of environmental awareness into site induction procedures and toolbox talks. Review of incident and near miss reports for preventative action and opportunities for improvement.	Environmental awareness items are incorporated into site induction material and toolbox talks.	Compliant
Terms of Consent					
A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS, RTS, ADR 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 5.	At all times	Independent Environmental Audits Compliance Reporting	This Construction Compliance Report Non compliances have been recorded against other CoC during the reporting period, triggering this administrative non-compliance. Development has not been carried out in compliance with all conditions of consent. Direction was received from DPHI (05/03/2023, ref: SSD 9138102-PA-33) during the reporting period to amend the ER reporting frequency from quarterly to monthly. ER reports are now being undertaken on a monthly basis.	Non-Compliant
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).	At all times	Record of any directions received from Planning Secretary and response action.	Direction was received from DPHI during the reporting period to amend the ER reporting frequency from quarterly to monthly. ER reports are now being undertaken on a monthly basis.	Compliant
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At all times	For reference	Noted	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.	At all times	Confirm commencement date of physical works.	Letter of notification of commencement was submitted to DPHI on 24/04/2023, noting that construction works were intended to commence on 22/05/2023. The consent was granted on 21/04/2023. The consent has not lapsed.	Compliant
A6	The maximum GFA for development on the site must not exceed the limits in Table 1.	At all times	Confirm development GFA are within prescribed limits.	Requirement is identified within section 1.2 of the Construction Environmental Management Plan (Aspect Environmental, Rev 02, 15/08/2023).	Not Triggered
Notification of Commencement					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A7	The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary: (a) construction; (b) operation; and (c) cessation of operations.	1 month prior to construction, operation and cessation of operations	Record of notification to Planning Secretary. Record of commencement date.	Letter of notification of commencement was submitted to DPHI on 24/04/2023, noting that construction works were intended to commence on 22/05/2023. The consent was granted on 21/04/2023. The consent has not lapsed. The Planning Secretary was notified of the commencement of Stage 1 works on 3/05/2023. The Planning Secretary was notified of the commencement of construction under Stage 2 on 11/08/2023 as being 23/10/2023. Construction works (Stage 2), as defined by the Development Consent, commenced on 07/11/2023.	Compliant
A8	If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.	1 month prior to construction and operation stage	Record of notification to Planning Secretary. Record of stage commencement date.	A Staging Plan (ESR, Rev 1) was submitted to DPHI on 8/05/2023 and approved on 19/05/2023 (SSD-9138102-PA-2). The Revised Staging Report (ESR, Rev 2) is currently being implemented. Revision 2 was submitted to DPHI on 6/07/2023 and approved on 31/07/2023 (SSD-9138102-PA-10). The Planning Secretary was notified of the commencement of Stage 1 works on 3/05/2023. The Planning Secretary was notified of the commencement of construction under Stage 2 on 11/08/2023 as being 23/10/2023. Construction works (Stage 2), as defined by the Development Consent, commenced on 07/11/2023.	Compliant
Evidence of Consultation					
A9	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and (b) provide details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	At all times	Record of consultation within relevant development documentation.	Consultation is being undertaken as required by specific CoC. Consultation undertaken includes, but is not limited to; - Construction Air Quality Management Plan (Section 3/ Appendix B, Aspect Environmental, Rev 5, 30/05/2023) - Construction Noise Vibration Management Plan (Appendix B, Renzo Tonin, Rev 7, 22/05/2023) - Construction Traffic Management Plan (Appendix E, Ason Group, rev 1, 05/04/2023). Consultation Log (Stage 1, 01/05/2023-04/04/2023).	Compliant
Staging, Combining and Updating Strategies, Plans or Programs					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A10	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	At all times	Record of Planning Secretary approval. Record of documentation submission.	A Staging Plan (ESR, Rev 1) was submitted to DPHI on 8/05/2023 and approved on 19/05/2023 (SSD-9138102-PA-2). The Revised Staging Report (ESR, Rev 2) is currently being implemented. Revision 2 was submitted to DPHI on 6/07/2023 and approved on 31/07/2023 (SSD-9138102-PA-10).	Compliant
A11	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At all times	Record of Planning Secretary agreement.	Staging Report (ESR, Rev 2) was submitted to DPHI on 6/07/2023. The Staging Report was approved by the Planning Secretary on 31/07/2023 (SSD-9138102-PA-10).	Compliant
A12	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times	For reference	Noted	Compliant
Protection of Public Infrastructure					
A13	Before the commencement of construction of the development, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and (c) submit a copy of the dilapidation report to the Planning Secretary and Council .	Prior to the commencement of construction	Record of consultation with relevant service owners/providers. Dilapidation report Record of dilapidation report submission to Planning Secretary. Record of dilapidation report submission to Council.	Construction works commenced on 07/11/2023. Dilapidation Reports were prepared by Effective Building Consultancy for the following locations; - Abbots Road - Addington Road - Mamre Road. The Dilapidation Reports were submitted to Penrith City Council on 26/04/2023. The Dilapidation Reports were submitted to the Planning Secretary on 09/05/2023. Edgewater Connections have been engaged to manage ESR's consultation with service providers for the Project. Consultation with Endeavour Energy (9/05/2023, ref 4770) identified that no assets required additional protection.	Compliant
A14	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	At all times	Dilapidation Report Payment receipts	No public infrastructure has been damaged during the reporting period.	Not Triggered
Demolition					
A15	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Prior to demolition	Engagement of suitably qualified person to review work plans and provide a compliance statement. Compliance statement	No demolition work has been undertaken during the reporting period.	Not Triggered
Structural Adequacy					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A16	<p>All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the NCC.</p> <p>Note:</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. The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development. 	Construction	Record of structural design certificates received for works.	<p>The following structural design certificates have been provided;</p> <ul style="list-style-type: none"> Retaining Wall Package (Protest Engineering, PTP/12403-0003, 18/09/2023) Steel Post Concrete Sleeper Wall (Protest Engineering, PTP/12403S-0002, 09/10/2023). <p>Construction Certificate (No.201652/01 , 20/10/2023, McKenzie Group) identifies at attachment 9 consideration of Design Certificate for Structural works prepared by Northrop dated 1/09/2023.</p> <p>Construction Certificate (No.201652/02, 16/02/2024, McKenzie Group) identifies at item 28 consideration of a Post-Tensioned Structural Adequacy Slab Certificate of structural adequacy prepared by PTWORKS dated 25 January 2024.</p>	Compliant
Civil Plans					
A17	<p>Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's <i>Design Guidelines for Engineering Works for Subdivisions and Developments</i>, <i>Engineering Construction Specification for Civil Works</i> and Austroads Guidelines.</p>	Construction	<p>Copy of engineering plans.</p> <p>Copies of design plan certifications.</p>	<p>Architectural plans (12587_DA101 Westlink Stage 1, nettletontribe, February 2023) have been prepared for the project.</p> <p>Design Certificate (AT&L, 03/08/2023 CER001-01-20-748).</p> <p>Westlink Kemps Creek Bulk Earthworks Package- Stage 1 Subdivision Works Certificate Plans (AT&L, E, 2/08/2023).</p>	Compliant
A18	<p>All earthworks and retaining walls subject to this development must be contained within the site and not cause any constraint on future development of any adjoining properties, as described in the information titled 'Westlink Stage 1 (SSD-9138102) – Retaining Wall and Earthworks', prepared by ESR and dated 20 April 2023 and supporting attachments.</p>	Construction	Review earthworks and retaining walls location.	<p>A Letter for Stage 1 Earthworks (LTR004-01-20-748- Westlink Stage 1 Earthworks Letter, April 2023) has been prepared by AT&L, Costin Roe and Douglas Partners that consist of bulk earthworks drawings to ensure no earthworks take place within the neighbouring lots and all boundary levels are maintained around the development.</p> <p>Design Certificate (AT&L, 03/08/2023 CER001-01-20-748).</p> <p>All earthworks and retaining walls have been contained within the site boundary during the reporting period.</p>	Compliant
Subdivision					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A19	Prior to the issuing of Subdivision Certificates for any stage of the development, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage, street trees and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier, Council and Sydney Water prior to the issue of a Subdivision Certificate.	Prior to the issue of subdivision certificate	Detailed work-as-executed drawings signed by a registered surveyor. Submission record of works-as-executed drawings to Certifier. Submission record of works-as-executed drawings to Council. Submission record of works-as-executed drawings to Sydney Water. Subdivision Certificates.	No subdivision certificates issued during the reporting period. Condition not triggered for current works.	Not Triggered
A20	Prior to the issuing of Subdivision Certificates for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.	Prior to the issue of subdivision certificate	Lodgement/ registration records. Submission of evidence to Certifier.	No subdivision certificates issued during the reporting period. Condition not triggered for current works.	Not Triggered
A21	Prior to the issuing of Subdivision Certificates for any stage of the development: (a) a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established; and (b) a certificate from the Regional Stormwater Authority must be submitted to the Certifier certifying that satisfactory stormwater servicing arrangements for the site have been established.	Prior to the issue of subdivision certificate	Certificate from electricity and telecommunications provider. Submission of electricity and telecommunications certificate to Certifier. Certificate from Regional Stormwater Authority. Submission of stormwater certificate to Certifier.	No subdivision certificates issued during the reporting period. Condition not triggered for current works.	Not Triggered
A22	Prior to issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road: (a) a final inspection of the estate road is to be undertaken by the relevant Roads Authority. All compliance documentation for road and drainage construction of the estate road must be submitted to the relevant Roads Authority in accordance with the relevant Roads Authorities specifications and requirements. (b) a Maintenance Bond is to be lodged with Penrith City Council for all road and drainage works that are to be dedicated to the relevant Roads Authority. The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges. (c) where installation of any regulatory/advisory signage and line marking are proposed, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee (d) an application for proposed street names must be lodged with and approved by Penrith City Council and the signs erected on-site. The proposed names must be in accordance with Penrith City Council's Street Naming Policy. <i>Note: Contact Penrith City Council's Engineering Services Department on 4732 7777 for further information on this process and applicable fees.</i>	Prior to the issue of subdivision certificate	Record of compliance documentation to Roads Authority. Record of maintenance bond lodgement with Penrith City Council. Record of plan lodgement with Penrith City Council and Local Traffic Committee approval. Street name application lodgement with Penrith City Council.	No subdivision certificates issued during the reporting period. Condition not triggered for current works.	Not Triggered
Compliance					
A23	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.	At all times	Review of site induction material and records, and toolbox talks.	Site induction and prestart/toolbox talks include material relevant to compliance with CoC including Soil and Water Management and Unexpected Finds.	Compliant
Development Contributions					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A24	Prior to the issue of a Subdivision Certificate or Construction Certificate (as required by the contributions plan or agreed by Council), the Applicant must pay contributions to Council as required in accordance with the Penrith City Mamre Road Precinct Development Contributions Plan 2022, or any other contributions plan as in force when the later consent takes effect. <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>	Prior to the issue of subdivision certificate or construction certificate	Copy of payment receipts. Copy of Subdivision and Construction Certificates.	Construction Certificate (No.201652/01 , 20/10/2023, McKenzie Group) identifies at attachment 47 a Letter of Acceptance for Deferral of Development Contributions prepared by City of Penrith dated 20/10/2023.	Compliant
A25	A special infrastructure contribution must be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022 (2022 Determination) as in force when this development consent takes effect. A person may not apply for a subdivision certificate or construction certificate (as the case may require, having regard to the Determination) in relation to the development unless the person provides, with the application, written evidence from the Department of Planning and Environment that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution. More information <i>A request for assessment by the Department of Planning and Environment of the amount of the contribution that is required under this condition can be made through the NSW planning portal (https://www.planningportal.nsw.gov.au/development-assessment/contributions/sic-online-service). Please refer enquiries to SIContributions@planning.nsw.gov.au.</i>	Prior to the issue of subdivision certificate or construction certificate	Copy of payment receipts. Record of written evidence from DPHI submitted to support application. Copy of Subdivision and Construction Certificates.	Construction Certificate (No.201652/01 , 20/10/2023, McKenzie Group) identifies at attachment 44 a Receipt of Payment for DA Condition A25 Special Infrastructure Contribution.	Compliant
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.	At all times	Inclusion of maintenance requirements for plant and equipment with environmental management plans. Regular inspection and maintenance records of plant and equipment.	Vehicle pre start checklists are being undertaken to confirm maintenance and operation of plant and equipment.	Compliant
External Walls and Cladding					
A27	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Copies of issued structural design certificates.	The following construction certificates were received during the reporting period; - No.201652/01 (Structure, Inground Services, Civil and Retaining Wall), dated 20/10/2023. - No. 201652/02 (Architectural and Services, Warehouse, office and carpark) dated 16/02/2024. Construction certificate notes BCA classification.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A28	Prior to the issuing of: (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and (b) an Occupation Certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.	Prior to the issue of construction certificate and occupation certificate	Copies of construction certificates. Copies of occupation certificates. Record of evidence submission to Certifier.	The following construction certificates were received during the reporting period; - No.201652/01 (Structure, Inground Services, Civil and Retaining Wall), dated 20/10/2023. - No. 201652/02 (Architectural and Services, Warehouse, office and carpark) dated 16/02/2024. Construction certificate notes BCA classification.	Compliant
A29	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Within seven days of Certifier acceptance under A28	Record of evidence submission to Certifier. Record of evidence submission to Planning Secretary.	Documentation was required to be submitted to the Planning Secretary by the 23/02/2024, but was not submitted by this date.	Non-Compliant
Utilities and Services					
A30	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Prior to construction of utility works	Copies of approvals from service providers. Record of utility works commencement date.	Endeavour Energy Design Certification (Ref ARP5452, 22/12/2023) for electricity works. Endeavour Energy Letter to Proceed (Ref: ARP5452, 30/01/2024) re asset relocation application.	Compliant
A31	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.	Prior to operation	Record of operations commencement date. Copy of Section 73 Compliance Certificate.	This is a construction compliance report.	Not Triggered
A32	Before the issuing of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.	Prior to the issue of subdivision certificate or construction certificate	Record of documentation submission to Certifier. Copies of subdivision and construction certificates.	nbn letter dated 17/11/2021 that installation of fibre-ready facilities have been arranged. Subdivision works certificate (cert 17365, 3/07/2023) at schedule 2 item four confirms that the nbn letter has been submitted and accepted by the Certifier.	Compliant
A33	Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.	Prior to issue of occupation certificate	Record of carrier satisfaction in writing. Copies of occupation certificates.	No occupation certificates have been issued for the Development. Condition is not triggered for works within reporting period.	Not Triggered
Work as Executed Plans					
A34	Before the issuing of the Occupation Certificate for the first warehouse building, work-as-executed drawings signed by a registered surveyor demonstrating that the street trees, stormwater drainage (including operation and maintenance management plans) and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.	Prior to issue of occupation certificate	Record of signed work-as-executed drawings submission to Certifier. Copy of occupation certificate for first warehouse building.	No occupation certificates have been issued for the Development. Condition is not triggered for works within reporting period.	Not Triggered
Environmental Representative					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A35	<p>The Applicant must engage an Environmental Representative (ER) to oversee construction of the development. Unless otherwise agreed to by the Planning Secretary, construction of the development must not commence until an ER has been approved by the Planning Secretary and engaged by the Applicant. The approved ER must:</p> <p>(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 development and is independent from the design and construction personnel for the development;</p> <p>(b) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;</p> <p>(c) consider and inform the Planning Secretary on matters specified in the terms of this consent;</p> <p>(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;</p> <p>(e) review the CEMP required in Condition C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:</p> <p>(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</p> <p>(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);</p> <p>(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;</p> <p>(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;</p> <p>(h) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;</p> <p>(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;</p> <p>(j) attend the Mamre Road Precinct Working Group (see Condition A38) in a consultative role in relation to the environmental performance of the development; and</p> <p>(k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Quarterly Report providing the information set out in the Environmental Representative Protocol under the heading 'Environmental Representative Quarterly Reports'. The Environmental Representative Quarterly Report must be submitted within seven calendar days following the end of each quarter for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.</p>	Prior to construction	<p>Submission of documentation to the Planning Secretary to support ER approval.</p> <p>Planning Secretary approval of ER.</p>	<p>Letter seeking approval for the appointment of the ER including supportive documentation was submitted to DPHI on 26/04/2023.</p> <p>DPHI approved the appointment of Carl Vincent as lead ER and Maurice Pignatelli and Richard Peterson as alternative ER on 15/05/2023 (SSD-9138102-PA-3).</p> <p>ER inspections commenced on 25/08/2023 and Quarterly Reports were issued on 7/11/2023 and 6/02/2024.</p> <p>A direction was received from DPHI (05/03/2023, ref: SSD 9138102-PA-33) during the reporting period to amend the ER reporting frequency from quarterly to monthly. ER reports will now be undertaken on a monthly basis.</p>	Compliant
A36	<p>The Applicant must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A35 (including preparation of the ER monthly report), as well as:</p> <p>(a) the complaints register (to be provided on a daily basis); and</p> <p>(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).</p>	At all times	<p>Review of ER meeting minutes.</p> <p>Confirm ER provided with documentation requested.</p>	The ER continues to be provided with documentation as requested.	Compliant
A37	<p>The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition A35. The Applicant must:</p> <p>(a) facilitate and assist the Planning Secretary in any such audit; and</p> <p>(b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.</p>	At all times	<p>Confirm ER engagement includes requirement.</p> <p>Copy of ER engagement documentation.</p>	No audits have been commissioned by the Planning Secretary.	Not Triggered
Mamre Road Precinct Working Group					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
A38	<p>Within three months of the commencement of construction of the development and until all components of the development are constructed and operational, the Applicant must establish and participate in a working group, or join and participate in an existing working group, with relevant consent holders in the MRP, to the satisfaction of the Planning Secretary. The purpose of the working group is to consult and coordinate construction works within the MRP to assist with managing and mitigating potential cumulative environmental impacts. The working group must:</p> <p>(a) comprise at least one representative of the Applicant, the Applicant's ER, and relevant consent holders in the MRP;</p> <p>(b) meet periodically throughout the year to discuss, formulate and implement measures or strategies to improve monitoring, coordination of the approved industrial developments in the MRP;</p> <p>(c) regularly inform Council, TfNSW, Sydney Water and the Planning Secretary of the outcomes of these meetings and actions to be undertaken by the working group;</p> <p>(d) review the performance of approved industrial developments in the MRP and identify trends in the data with respect to cumulative construction traffic, erosion and sediment control, noise, stormwater management and waterway health objectives under the MRP DCP;</p> <p>(e) review community concerns or complaints with respect to environmental management;</p> <p>(f) identify interim traffic safety measures to manage construction traffic and how these measures will be coordinated, communicated, funded and monitored in the MRP; and</p> <p>(g) provide the Planning Secretary with an update and strategies, if a review under subclause (d) and (e) identifies additional measures and processes are required to be implemented by the working group.</p>	<p>Within three months of the commencement of construction and until full operations</p>	<p>Working group meeting minutes.</p> <p>Record of working group consultation with Council, TfNSW, Sydney Water and the Planning Secretary.</p> <p>Record of update submission to Planning Secretary.</p>	<p>Construction works commenced on 07/11/2023.</p> <p>ESR has joined, and is participating in, the Mamre Road Precinct Working Group.</p> <p>ESR first attended the Working Group on the 10/11/2023 (Mamre Road Precinct Working Group Meeting Minutes, 10/11/2023). Condition timing has been satisfied.</p> <p>ESR have since attended the most recent Extraordinary Meeting (12/04/2024).</p>	<p>Compliant</p>
A39	<p>Three (3) months prior to completion of construction of all components of the development, the Applicant is eligible to exit the working group required under condition A38. The Applicant must:</p> <p>(a) consult with the Planning Secretary;</p> <p>(b) provide confirmation that all components of the development are operational; and</p> <p>(c) advise on the date of the proposed exit.</p>	<p>Three months prior to completion of construction</p>	<p>Record of consultation with Planning Secretary.</p> <p>Record of confirmation.</p> <p>Record of advised exit date.</p>	<p>Not triggered during the reporting period.</p>	<p>Not Triggered</p>
Applicability of Guidelines					
A40	<p>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.</p>	<p>At all times</p>	<p>For reference</p>	<p>Noted</p>	<p>Not Triggered</p>
A41	<p>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.</p>	<p>At all times</p>	<p>Record of directions received from Planning Secretary.</p>	<p>No directions from the Planning Secretary relevant to this condition were received during the reporting period.</p>	<p>Not Triggered</p>
Advisory Notes					
AN1	<p>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.</p>	<p>At all times</p>	<p>Maintain legal requirements register.</p>	<p>Noted</p>	<p>Not Triggered</p>

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
Compliance Requirement					
Part B Specific Environmental Conditions					
Construction Traffic Management Plan					
B1	<p>Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s);</p> <p>(b) be prepared in consultation with Council and TfNSW;</p> <p>(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction works to:</p> <p>(i) ensure access to the site and road safety and network efficiency is maintained,</p> <p>(ii) manage cumulative construction traffic from other concurrent construction works within the Mamre Road Precinct, and</p> <p>(iii) address necessary interim traffic safety controls and management measures, including consideration of any traffic control measures required to manage traffic entering Mamre Road in the period before Mamre Road/Abbotts Road intersection construction is complete;</p> <p>(d) detail heavy vehicle routes, access and parking arrangements;</p> <p>(e) include a Driver Code of Conduct to:</p> <p>(i) minimise the impacts of earthworks and construction on the local and regional road network;</p> <p>(ii) minimise conflicts with other road users;</p> <p>(iii) minimise road traffic noise; and</p> <p>(iv) ensure truck drivers use specified routes, including entering and exiting Mamre Road via Abbotts Road and not Bakers Lane;</p> <p>(f) include a program to monitor the effectiveness of these measures; and</p> <p>(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.</p>	Prior to commencement of construction	<p>Review of CTMP to confirm content requirements satisfied.</p> <p>Record of consultation with Council and TfNSW.</p> <p>Record of CTMP submission to Planning Secretary.</p> <p>Record of Planning Secretary approval of CTMP.</p> <p>Copy of approved CTMP.</p>	<p>The CTMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11).</p> <p>Details of relevant qualifications have been included in Section 1.2 of the CTMP.</p> <p>Evidence of consultation has been provided within Appendix E of the CTMP.</p> <p>Traffic management measures has been detailed in Section 3 of the CTMP.</p> <p>The site access arrangements have been outlined in Section 2.4.</p> <p>The Driver Code of Conduct has been included in Appendix A of the CTMP.</p> <p>A monitoring program has been developed in Section 4 of the CTMP.</p> <p>Procedures for notifying residents and the community have been detailed in Section 4.1 and Section 4.4 of the CTMP.</p> <p>The CTMP Stages 1A-1C (Ason Group, 29 June 2023, rev 4) is currently being implemented.</p> <p>Construction works commenced on 07/11/2023.</p> <p>The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.</p>	Compliant
B2	<p>The Applicant must:</p> <p>(a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.</p>	Prior to commencement of construction	<p>Record of Planning Secretary approval of CTMP.</p> <p>Record of construction commencement date.</p>	<p>The CTMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11).</p> <p>Construction works commenced on 07/11/2023.</p> <p>The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.</p>	Compliant
Operational Traffic Monitoring Program					
B3	<p>At the commencement of operation of the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program to verify light and heavy vehicle traffic numbers against the predictions in the 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:</p> <p>(a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;</p> <p>(b) queue monitoring at the Mamre Road/Abbotts Road intersection and background travel counts on Mamre Road and Abbotts Road;</p> <p>(c) verify the predicted traffic numbers and level of service against the actual impacts of the development, and analyse the potential cause of any significant discrepancies;</p> <p>(d) consider the current capacity and efficiency of the existing road network including Mamre Road and Aldington Road; and</p> <p>(e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development.</p>	Commencement of operation	<p>Record of OTMP submission to Planning Secretary.</p> <p>Record of OTMP approval by Planning Secretary.</p> <p>Approved OTMP.</p> <p>Maintain OTMP monitoring records.</p> <p>Progressive OTMP monitoring reports.</p>	<p>This is a construction compliance report.</p>	Not Triggered
External Road Upgrades					
B4	<p>Prior to the commencement of operation of the development, the Applicant must complete the construction of the upgrades to Abbotts Road to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.</p>	Prior to commencement of operation	<p>Copy of Section 138 works approval.</p> <p>Record of Council satisfaction.</p> <p>Record date of operations commencement.</p>	<p>This is a construction compliance report.</p>	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B5	Prior to the commencement of construction works for the Mamre Road/Abbotts Road intersection works and signalised intersection of Abbots Road and Aldington Road, the Applicant must enter into a Works Authorisation Deed with TfNSW. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the Applicant prior to the commencement of works.	Prior to commencement of construction for intersection works	Executed Works Authorisation Deed. Receipts for required fees. Record commencement date of construction works for Mamre Road/ Abbots Road intersection.	Scope of works did not occur during reporting period.	Not Triggered
B6	Prior to the commencement of construction of signalised intersection road works, the proposed Traffic Control Signal/s at the intersection of Mamre Road/Abbotts Road and Aldington Road/Abbotts Road must be designed to meet TfNSW requirements. The Traffic Control Signal (TCS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available on www.transport.nsw.gov.au). The certified copies of the TCS design and civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of a Construction Certificate and commencement of signalised intersection road works. Please send all documentation to development.sydney@transport.nsw.gov.au.	Prior to commencement of construction for intersection works	Confirm TCS plans meet content requirements. Confirm TCS plans are designed in accordance with appropriate guidelines. Confirm plans prepared by suitably qualified person and endorsed by suitably qualified practitioner. Record of TCS plans submission to TfNSW. Record of TfNSW approval of TCS plans. Copy of Construction Certificate for relevant works. Record commencement date of signalised intersection works.	Scope of works did not occur during reporting period.	Not Triggered
B7	Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works referred to in Condition B5. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.	Prior to commencement of B5 works	Record submission of design plans to TfNSW. Record of TfNSW approval. Record commencement date of CoC B5 works. Receipts for fees paid.	Scope of works did not occur during reporting period.	Not Triggered
B8	The Applicant must be responsible for all public utility adjustment/relocation works, necessitated by the work referred to in Condition B5 and as required by the various public utility authorities and/or their agents. Should any public utility adjustment/relocation works be required adjacent to a classified road, plans are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee may be payable and a performance bond may be required before TfNSW approval is issued.	Prior to commencement of B5 works	Record submission of design plans to TfNSW. Record of TfNSW approval. Record commencement date of CoC B5 works. Receipts for fees paid.	Scope of works did not occur during reporting period.	Not Triggered
B9	If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.	Construction	Confirm executed WAD addresses dedication requirements.	Scope of works did not occur during reporting period.	Not Triggered
B10	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 activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf .	Construction	Copies of ROL received.	Scope of works did not occur during reporting period.	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B11	Prior to the commencement of operation of the first warehouse building, the upgrade works to the Mamre Road and Abbots Road intersection, Abbots Road and Aldington Road intersection, and upgrades to Abbots Road must be completed to the satisfaction of the relevant roads authority for each component of the works.	Prior to commencement of operation of first warehouse	Record of roads authority satisfaction with upgrade works. Record commencement date for operation of first warehouse.	This is a construction compliance report.	Not Triggered
Internal Access Roads					
B12	Prior to the commencement of operation of the first warehouse building, the Applicant must construct and operate the road works shown in Figure 1 in Appendix 1 to the satisfaction of relevant road authority.	Prior to commencement of operation of first warehouse	Record commencement date for operation of first warehouse. Record commencement date for operation of road works. Record of roads authority satisfaction with road works.	This is a construction compliance report.	Not Triggered
Street Trees					
B13	Prior to the commencement of any stage of road construction, detailed design plans showing the provision of passively irrigated street trees within the relevant stage of works must be submitted to the satisfaction of the relevant road authority. The plans must: (a) be prepared in consultation with Council; and (b) demonstrate compliance with the Sydney Water Stormwater Scheme Infrastructure Design Guideline and MRP DCP.	Prior to commencement of road construction	Confirm design plans contain required content. Record submission of design plans to roads authority. Record of roads authority satisfaction with design plans. Record commencement date for road construction.	Scope of works did not occur during reporting period.	Not Triggered
Parking					
B14	The Applicant must provide sufficient parking facilities on-site in accordance with the MRP DCP, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	Construction	Confirm CoC requirement is included within CTMP. Record of CTMP approval. Copy of approved CTMP.	The CTMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). Details of parking provisions have been included in Section 3.5 and 3.6 of the CTMP. The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.	Compliant
B15	Prior to the issue of the occupation certificate for the first warehouse building, the development must include bicycle parking and end of trip facilities in accordance with Australian Standard AS1742.9:2018 <i>Manual of Uniform Traffic Control Devices - Bicycle Facilities, and Cycling Aspects of Austroads Guides</i> . Any bicycle parking and storage facilities must be secure, convenient, well lit, physically and visually accessible and within close proximity to the main in accordance with Austroads guidelines.	Prior to issue of occupation certificate for first warehouse	Confirm CoC requirement is included within CTMP. Record of CTMP approval. Copy of approved CTMP. Record of bicycle parking and end of trip facilities installation. Copy of occupation certificate for first warehouse.	No occupation certificates have been received.	Not Triggered
B16	A minimum of 5% of parking bays for each warehouse must provide for electric vehicle charging, with a further 5% constructed as readily adaptable.	Construction	Confirm CoC requirement is included within CTMP. Record of CTMP approval. Copy of approved CTMP.	The CTMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). Details of parking provisions have been included in Section 3.5 and 3.6 of the CTMP. The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.	Not Triggered
Operating Conditions					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B17	<p>The Applicant must ensure:</p> <p>(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)</p> <p>(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;</p> <p>(c) the development does not result in any vehicles queuing on the public road network;</p> <p>(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</p> <p>(e) all vehicles are wholly contained on site before being required to stop;</p> <p>(f) all loading and unloading of materials is carried out on-site;</p> <p>(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</p> <p>(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times</p> <p>(i) all vehicles accessing and departing the site from/to Mamre Road must travel via Abbots Road and not Bakers Lane, until the completion of the ultimate upgrade of Aldington Road and delivery of the Southern Link Road or otherwise agreed in writing by the Secretary, Council and TfNSW</p> <p>(j) Use of 30m PBS Level on local roads will require approval from the National Heavy Vehicle Regulator (NHVR) and Council's Asset Section.</p>	Construction	<p>Confirm CoC requirement is included within CTMP.</p> <p>Record of CTMP approval.</p> <p>Copy of approved CTMP.</p>	<p>The CTMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11).</p> <p>Site access details are included in Section 2.8 of the CTMP.</p> <p>Other requirements for this condition have been addressed in Section 3 and Appendix A of the CTMP.</p> <p>The CTMP Stages 1A-1C (Ason Group, 29 June 2023, rev 4) is currently being implemented.</p> <p>The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.</p>	Compliant
Workplace Travel Plan					
B18	<p>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:</p> <p>(a) be prepared in consultation with TfNSW;</p> <p>(b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and</p> <p>(c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.</p>	Prior to commencement of operation	<p>Confirm WTP contains required content.</p> <p>Record of WTP submission to Planning Secretary.</p> <p>Record of commencement date for operation.</p>	This is a construction compliance report.	Not Triggered
B19	The Applicant must implement the most recent version of the Workplace Travel Plan for the duration of the development.	At all times	<p>Record of WTP submission to Planning Secretary.</p> <p>Copy of current WTP.</p>	This is a construction compliance report.	Not Triggered
Imported Soil					
B20	<p>The Applicant must:</p> <p>(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</p> <p>(b) keep accurate records of the volume and type of fill to be used; and</p> <p>(c) make these records available to the Planning Secretary upon request.</p>	Construction	<p>Copy of CSWMP.</p> <p>Confirm CSWMP includes requirements.</p> <p>Maintain records of volume and type of fill imported to site.</p>	During the reporting period approximately 6,500m ³ of VENM was 'imported' from the northern boundary of the site. A VENM certificate (report # P23188, 02/02/2024) and a survey of stockpile (#8686 Measurement Report, 26/03/2024) were obtained for the material.	Compliant
Erosion and Sediment Control					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B21	Prior to the commencement of earthworks for the development, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase I/CM controls in the MRP DCP are achieved to the satisfaction of the Planning Secretary. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must: (a) be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist; (b) be prepared in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1:Blue Book (Landcom, 2004) and with the WSUD design principles set out in the Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets (Technical Guidance) (NSW Government, 2022); (c) include: (i) each major phase of construction work including catchment plans and calculations and sizing for all major drainage and sediment controls for each phase; (ii) the type of sediment basin, details of all functional components and calculations demonstrating compliance with the DCP; (d) demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met; and (e) detail measures to manage external catchment flows and dispersive soils; (f) detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed; (g) be included in the CEMP required by Condition C2.	Prior to commencement of earthworks	Record commencement date for earthworks. Record of ESCP submission to Planning Secretary. Record of Planning Secretary approval of ESCP.	Bulk earthworks commenced on 17/08/2023. ESCP Stages 1A-1C (AT&L, 25 May 2023, rev B) and 'CPESC review of the Westlink Industrial Development ESCP' (Leneco Pty Ltd, 19 June 2023) was approved on the 4/08/2023 (SSD-9138102-PA-11). CPESC qualifications are included in Section 1 and appendix A of the ESCP (CPESC Number 9758).	Compliant
B22	The Applicant must: (a) not commence earthworks until the Erosion and Sediment Control Plan required by condition B21 is approved by the Planning Secretary; and (b) implement the most recent version of the Erosion and Sediment Control Plan approved by the Planning Secretary for the duration of earthworks and construction.	Prior to commencement of earthworks	Record commencement date for earthworks. Record of ESCP submission to Planning Secretary. Record of Planning Secretary approval of ESCP.	ESCP Stages 1A-1C (AT&L, 25/05/ 2023, rev B) and 'CPESC review of the Westlink Industrial Development ESCP' (Leneco Pty Ltd, 19/06/2023) was approved on the 4/08/2023 (SSD-9138102-PA-11). Bulk earthworks commenced on 17/08/2023. The ESC Stages 1A-1C (AT&L, 25/05/2023, rev B) is currently being implemented.	Compliant
B23	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.	Construction and 12 months following completion of construction works	Record of CPESC certification. Monthly CPESC audits.	Record of CPESC certification is provided in Appendix A of the ESCP. The following CPESC audits (#7645) have been undertaken; Earthworks - JKW -13/11/2023 (OCHRE Environmental Management) -11/12/2023 (OCHRE Environmental Management) -11/01/2024 (OCHRE Environmental Management) -20/02/2024 (OCHRE Environmental Management) -14/03/2024 (OCHRE Environmental Management) Warehouse 1 construction - RCC -11/01/2024 (OCHRE Environmental Management) -28/02/2024 (OCHRE Environmental Management) -28/03/2024 (OCHRE Environmental Management)	Compliant
Discharge Limits					
B24	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.	At all times	Confirm CSWMP contains requirement. Copy of CSWMP.	No pollution incidents have occurred during the reporting period.	Compliant
Stormwater Management System Design					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B25	<p>Within two months of the date of this consent, the Applicant must design the stormwater management system to the satisfaction of the Planning Secretary. The stormwater management system design must:</p> <p>(a) be prepared in consultation with the Environment & Heritage Group, Sydney Water and Council;</p> <p>(b) be prepared and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems, whose appointment has been endorsed by the Planning Secretary;</p> <p>(c) be consistent with the plan shown on Figure 2 in Appendix 1 and the updated Stormwater Management Plan required by Condition B30;</p> <p>(d) include all private, Council and trunk drainage infrastructure within the site including connections to adjacent landholdings;</p> <p>(e) be designed in accordance with the Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets (Technical Guidance) (NSW Government, 2022) and detail how:</p> <p>(i) the requirements and objectives of the IWCM controls of the DCP will be achieved;</p> <p>(ii) the waterway health objectives and targets set out in the Technical Guidance will be achieved;</p> <p>(iii) levels are resolved to demonstrate the system functions effectively;</p> <p>(iv) the development will ultimately connect to the MRP Stormwater Scheme and interim measures to meet the waterway health objectives and targets will be decommissioned;</p> <p>(v) all stormwater management devices will contain an impermeable liner and all naturalised trunk drainage (or other open drainage) is either lined with an impermeable liner, or ameliorated (i.e., gypsum), and compacted to a suitable depth and topsoiled (AS44119) to limit infiltration to soils;</p> <p>(f) demonstrate the on-site stormwater detention design is free draining;</p> <p>(g) demonstrate maintenance access driveways to water storage or bio-retention basins are designed in accordance with Council's specifications;</p> <p>(h) demonstrate that sufficient land is reserved on site for stormwater management purposes (such as irrigation areas and undeveloped areas) as shown on Figure 2 in Appendix 1, to ensure the development meets the controls in the DCP and the waterway health targets in the Technical Guidance, unless an alternative stormwater management strategy has been approved by the Planning Secretary;</p> <p>(i) include civil design drawings that define the design for the WSUD systems in accordance with the Technical Guidance and the requirements of Sydney Water and Council;</p> <p>(j) include landscape drawings that include planting and hardscape details of the WSUD systems; and</p> <p>(k) include certification (and appropriate designed checklists) of the civil and landscape drawings by suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems that the design drawings comply with the Technical Guide requirements and the stormwater targets are achieved; and</p> <p>(l) 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).</p>	Within two months of consent issue	<p>Confirm Stormwater Management Plan includes required content.</p> <p>Copy of Stormwater Management Plan.</p> <p>Record of SMP submission to Planning Secretary.</p> <p>Record of Planning Secretary approval of SMP.</p>	<p>A letter seeking endorsement for appointment of a qualified chartered engineer in relation to stormwater management was submitted to DPHI on 28/04/2023.</p> <p>The engineers engaged to prepare the Stormwater Management System Design were endorsed by DPHI on 26/05/2023 (SSD-9138102-PA-4).</p> <p>Planning Secretary approval of the Stormwater Management System Design was required prior to 21/06/2023.</p> <p>The Stormwater Management System for Stages 1A-1C was approved by DPHI on 4/08/2023.</p> <p>Stormwater management design/plan for subsequent scope of works remains in progress.</p> <p>A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met.</p>	Non-Compliant
B26	<p>The Applicant must:</p> <p>(a) not commence earthworks until the design required by Condition B25 is approved by the Planning Secretary;</p> <p>(b) ensure construction of the stormwater management system is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and</p> <p>(c) implement the stormwater management system approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.</p>	Prior to commencement of earthworks and prior to commencement of operations of first warehouse	<p>Record commencement date of earthworks.</p> <p>Confirm Stormwater Management Plan includes required content.</p> <p>Copy of Stormwater Management Plan.</p> <p>Record of SMP submission to Planning Secretary.</p>	<p>The Stormwater Management System Stages 1A-1C was approved by DPHI on 4/08/2023 for commencement of earthworks.</p> <p>Bulk earthworks commenced on 17/08/2023.</p>	Compliant
B27	The Applicant must not carry out earthworks or construction, other than those works approved under this consent, on land shown as 'undeveloped land' on Figure 2 in Appendix 1 (including Lots 3 and 4 on DP 250002) unless the site is connected to the Stormwater Scheme or an alternative Stormwater Management System for the site has been approved by the Planning Secretary.	Prior to earthworks and construction	<p>Copy of approved CEMP.</p> <p>Confirm approved CEMP addresses requirement.</p>	<p>The CEMP Stages 1A-1C (Aspect Environmental, 26 May 2023, rev 5) was approved on 4/08/2023.</p> <p>Section 2.1 of the CEMP addresses this condition.</p> <p>The CEMP for Stage 1/2 scope of works (Aspect Environmental, 15/08/2023, rev 2) was approved by the Planning Secretary on 16/10/23.</p>	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
	Trunk Drainage Design				
B28	<p>Within two months of the date of this consent, the Applicant must design the trunk drainage infrastructure on the site, to the satisfaction of the Planning Secretary. The trunk drainage infrastructure must:</p> <p>(a) be designed in consultation with the Regional Stormwater Authority (Sydney Water);</p> <p>(b) be integrated into the Stormwater Management System required under Condition B25;</p> <p>(c) be designed in accordance with the Mamre Road Stormwater Scheme Plan and Sydney Water's Stormwater Scheme Infrastructure Design Guidelines (draft) 2022, or its latest version, unless otherwise agreed with the Regional Stormwater Authority;</p> <p>(d) be designed so that the naturalised trunk drainage channel is used to carry all overland flows greater than the 5% AEP piped drainage capacity where the catchment upstream of the commencement of the trunk drainage exceeds 15 ha or where overland flows are unsafe to pedestrians and vehicles;</p> <p>(e) be modelled with demonstration of flow modelling using either XP-Rafts (Laurenson's Method) or DRAINS (ILSAX or Laurenson's Methods) with full catchment diagrams – discretised to accurately show development catchments and external catchments. Input data sets shall be fully described and can be provided in spreadsheet form.</p> <p>(f) include access for management and maintenance by the Regional Stormwater Authority as per the Stormwater Scheme Infrastructure Design Guideline (draft) 2022, including provision of an easement in accordance with Condition B32;</p> <p>(g) include appropriate connections from the trunk drainage channel on site to the existing downstream flow paths, until such time as the trunk drainage channel downstream of the site is constructed;</p> <p>(h) ensure any piped infrastructure that intersects or connects into the trunk drainage channel on the site is designed to accommodate the trunk drainage channel design; and</p> <p>(i) include landscape drawings with planting details.</p>	Within two months of consent issue	<p>Confirm design plans meet content requirements.</p> <p>Record submission of trunk drainage design plans to Planning Secretary.</p> <p>Record of Planning Secretary approval of trunk drainage design plans.</p> <p>Copy of approved design plans.</p>	Trunk Drainage Landscape Plan (Site Image, 14/07/2023, rev C) and Detailed Concept Design Plans (J Wyndham Prince, 07/07/2023, rev 1) were approved by DPHI on 4/08/2023 (SSD-9138102-PA-12).	Compliant
B29	<p>The Applicant must:</p> <p>(a) not commence earthworks until the design required by Condition B28 is approved by the Planning Secretary;</p> <p>(b) ensure construction of the trunk drainage infrastructure is supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD systems; and</p> <p>(c) implement the trunk drainage infrastructure approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.</p>	Prior to commencement of earthworks and prior to commencement of operations of first warehouse	<p>Record commencement date for earthworks.</p> <p>Record of Planning Secretary approval of trunk drainage design plans.</p> <p>Record qualifications of chartered professional engineer engaged to supervise and certify trunk drainage infrastructure.</p> <p>Record commencement date for operation of first warehouse.</p>	<p>Trunk Drainage Landscape Plan (Site Image, 14 July 2023, rev C) and Detailed Concept Design Plans (J Wyndham Prince, 7 July 2023, rev 1) were approved by DPHI on 4/08/2023 (SSD-9138102-PA-12).</p> <p>Bulk earthworks commenced on 17/08/2023.</p>	Compliant
	Stormwater Management Plan				

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B30	<p>Within four months of the date of this consent, the Applicant must prepare a separate Water and Stormwater Management Plan (WSMP) to the satisfaction of the Planning Secretary. The WSMP must:</p> <p>(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;</p> <p>(b) comply with the requirements of the Technical Guidance;</p> <p>(c) be consistent with the plan shown on Figure 2 in Appendix 1;</p> <p>(d) be prepared in consultation with the Environment & Heritage Group, Sydney Water, Council and the Department;</p> <p>(e) describe the baseline soil, surface water and groundwater conditions at the site;</p> <p>(f) define how the development will comply with the stormwater targets, including connection to the regional scheme;</p> <p>(g) include MUSIC modelling for each stage of the development in accordance with the Technical Guidance;</p> <p>(h) provide catchments plans, tables and all stormwater management details as per the Technical Guidance;</p> <p>(i) ensure;</p> <p>(i)proprietary devices are located on private land and only include including sediment and nutrient removal if certified under SQIDEP;</p> <p>(ii)ensure external catchments are drained to trunk drainage;</p> <p>(iii)ensure all catchment areas are accounted for in the MUSIC modelling and post processing tool and there are no inconsistencies;</p> <p>(iv) the strategy and stormwater elements are consistent with the design drawings required by Conditions B25 to B27 (including the detailed drawings in appendices to the report);</p> <p>(j) include a protocol for investigation of any non-compliances of the stormwater management system with the IWCM controls in the MRP DCP the waterway health objectives and targets in the Technical Guidance;</p> <p>(k) detail the contingency measures that would be implemented should issues arise;</p> <p>(l) include a Maintenance Plan for the WSUD measures; and</p> <p>(m) detail triggers for a review of the plan, including, but not limited to a review of the plan within 6 months of the Stormwater Scheme being available for the site to connect to.</p>	Within four months of consent issue	<p>Record submission of WSMP to Planning Secretary.</p> <p>Record of Planning Secretary approval of WSMP.</p> <p>Copy of approved WSMP.</p>	<p>The Stormwater Management Plan for Stage 1 Scope of Works was submitted to the Planning Secretary on 24/07/2023 and was approved on 4/08/2023.</p> <p>Stormwater management design/plan for subsequent scope of works remains in progress.</p>	Compliant
B31	<p>The Applicant must:</p> <p>(a) not commence operation of the first warehouse building until the Stormwater Management Plan required by Condition B30 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Stormwater Management Plan approved by the Planning Secretary for the duration of the development.</p>	Prior to commencement of operation of first warehouse	<p>Record submission of WSMP to Planning Secretary.</p> <p>Record of Planning Secretary approval of WSMP.</p> <p>Copy of approved WSMP.</p> <p>Record commencement date for operation of first warehouse.</p>	<p>Warehouse operation has not commenced.</p> <p>Condition is not triggered for current scope of works.</p>	Not Triggered
Easements and Maintenance					
B32	<p>Prior to the issue of a Compliance Certificate under Section 73 of the Sydney Water Act, 1994, an easement under section 88A and/or restriction or public positive covenant under section 88E of the Conveyancing Act 1919 naming the Regional Stormwater Authority (Sydney Water) as the prescribed authority, which can only be revoked, varied or modified with the consent of the Regional Stormwater Authority and which provides for appropriate access to all trunk drainage land for maintenance at no cost to the Regional Stormwater Authority must be registered on the title of the land.</p>	Prior to issue of Section 73 Compliance Certificate	<p>Record of easement registration.</p> <p>Copy of issued Section 73 certificate.</p>	Condition is not triggered for current scope of works.	Not Triggered
B33	<p>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 to Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.</p> <p><i>Note: This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.</i></p>	At all times	<p>Maintain inspection records.</p> <p>Copies of any requests received from Council and subsequent responses.</p>	Condition is not triggered for current scope of works.	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B34	All stormwater infrastructure, including bio-retention basins, shall remain under the ownership, control and care of the registered proprietor of the lots. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements. <i>Note: This does not include any passively irrigated street trees that may be transferred to the relevant roads authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.</i>	At all times	Evidence of stormwater infrastructure ownership. Confirm SMP includes requirement.	Condition is not triggered for current scope of works.	Not Triggered
B35	Prior to the issue of any Occupation Certificate, a restriction on the use of land and positive covenant relating to the permanent stormwater management systems (including on-site stormwater detention and water sensitive urban design), shall be registered on the title of the property. The restriction on the use of land and positive covenant shall be in Penrith City Council's standard wording as detailed in Council's Stormwater Drainage Specification for Building Developments – Appendix F.	Prior to the issue of occupation certificate	Record of restriction registration. Copy of issued occupation certificates.	No occupation certificates have been received.	Not Triggered
Dam Decommissioning Strategy					
B36	Prior to commencement of construction of the development, the Applicant must prepare a Dam Decommissioning Strategy to the satisfaction of the Planning Secretary. The Dam Decommissioning Strategy must form part of the CEMP required by Condition C2. The Applicant must implement the most recent version of the Dam Decommissioning Strategy for the duration of construction.	Prior to commencement of construction	Record of DDS submission to Planning Secretary. Record of Planning Secretary approval of DDS. Copy of approved DDS. Record commencement date of construction.	A DDS Stages 1A-1C (Aspect Environmental, 22/05/2023, rev 3) was approved on 4/08/2023 (SSD-9138102-PA-11) Construction commenced on 07/11/2023.	Compliant
Flooding					
B37	Prior to the commencement of operation of the development, the Applicant must connect the development to the road drainage infrastructure for the upgraded Aldington and Abbotts Roads, to ensure the development does not increase flood flows and velocities on adjoining properties for all flood events up to and including the critical 1% Annual Exceedance Probability flow.	Prior to commencement of operation	Record connection date. Record commencement date of operation.	This is a construction compliance report.	Not Triggered
Landscaping					
B38	Within six months of the date of this consent, 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: (a) detail the species to be planted on-site that: (i) are consistent with the plant list in Appendix C of the Mamre Road Precinct Development Control Plan; and (ii) are suitable in relation to wildlife management in proximity to the Western Sydney Airport. (b) ensure sufficient deep soil to allow large tree planting is provided in the areas between retaining wall tiers and between retaining walls and the northern property boundary on Lot 1 (as shown in the landscape plans titled Kemps Creek Logistics Park SSDA Report Landscape Concept plan, prepared by Site Image and dated 14 February 2023); (c) ensure adequate planting is implemented to provide screening between the basin and retaining wall on Lot 4 (as shown in the landscape plans titled Kemps Creek Logistics Park SSDA Report Landscape Concept plan, prepared by Site Image and dated 14 February 2023); (d) demonstrate that the minimum tree canopy targets are achieved in accordance with the MRP DCP; and (e) describe the monitoring and maintenance measures to manage revegetation and landscaping works.	Within six months of consent issue	Record of LMP submission to Planning Secretary. Record of Planning Secretary approval of LMP. Copy of approved LMP.	Planning Secretary approval of the LMP was required prior to 21/10/2023. Landscape design for Stage 1 works remains in progress. A non-compliance with this condition has been recorded as the required timeframe for this condition has not been met.	Non-Compliant
B39	The Applicant must: (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary; (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary and not commence operation until the landscaping works have been completed in accordance with the plan; and (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by Condition B38 for the life of the development.	Prior to commencement of operation	Record of LMP submission to Planning Secretary. Record of Planning Secretary approval of LMP. Copy of approved LMP.	This is a construction compliance report.	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B40	Prior to the issue of an Occupation Certificate for each warehouse building, the Applicant must provide the Certifier with written evidence in the form of plans and a report prepared by the project landscape architect confirming that trees identified in the approved document package as contributing to the site's canopy target have been installed and that the trees are capable of reaching maturity in their locations. Where the canopy cover target (in accordance with the MRP DCP) is identified as not being achievable through those trees planted, the report is to detail what measures have been undertaken to address the tree canopy shortfall and a rectification plan is to be provided.	Prior to issue of occupation certificate for each warehouse	Record submission of landscaping reports/plans to Certifier. Copies of issued occupation certificates.	This is a construction compliance report.	Not Triggered
Retaining Walls					
B41	Prior to the commencement of retaining wall construction, the Applicant must submit details of retaining wall materials fronting the public domain demonstrating suitable visual presentation, particularly treatment of higher fill walls visible from the public domain, to the satisfaction of the Planning Secretary.	Prior to commencement of retaining wall construction	Record of submission to Planning Secretary. Record of Planning Secretary approval. Record commencement date of retaining wall construction.	Retaining wall materials (Site Image, February 2023) were submitted to DPHI on 21/07/2023. Approval for material and colours issued by DPHI on 31/07/2021.	Compliant
B42	All structures (foot, batter, tie backs/in and drainage) associated with retaining walls must be within private property and not within the public road reserve and not within any zone of influence.	Construction	Confirm CEMP includes requirement. Copy of approved CEMP. Copy of approved design plans.	Retaining walls have remained contained within the Site boundary during the reporting period.	Compliant
Building Materials					
B43	The Applicant must ensure the finished facades and roofs of the warehouses and office buildings use neutral, recessive colours, non-reflective materials and are designed to present an attractive façade to residential areas and to minimise glare.	Construction	Confirm CEMP includes requirement. Copy of approved CEMP. Copy of approved design plans.	Architect's Design Statement (nettletontribe) received 24/01/2024. Applicable to: - Architectural - FER - All services - Finishes - Balance of work.	Compliant
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.	Operation	Copy of design certificate confirming compliance with standards. Maintain complaints register.	This is a construction compliance report.	Not Triggered
Signage and Fencing					
B45	Prior to the commencement of construction of the first warehouse building, the Applicant must submit a Signage Strategy to the satisfaction of the Planning Secretary. The Signage Strategy must demonstrate that proposed signage is consistent with Chapter 3 of <i>State Environmental Planning Policy (Industry and Employment) 2021</i> and the MRP DCP, including limiting illumination of signage or measures to control lighting impacts from illuminated signs.	Prior to commencement of construction of first warehouse	Record of Signage Strategy submission to Planning Secretary. Record of Planning Secretary approval of Signage Strategy. Copy of approved Signage Strategy. Record commencement date for construction of first warehouse.	The Construction Certificate Checklist (201652 CC RFI Checklist, McKenzie Group) accepted (at row 30) that the signage strategy submitted as part of the SSD application was sufficient to close out condition requirements.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B46	All signage must be erected in accordance with the approved Signage Strategy required by Condition B45. <i>Note: This condition does not apply to temporary construction and safety related signage.</i>	At all times	Copy of approved Signage Strategy.	Scope of works has not occurred during reporting period.	Not Triggered
Hours of Work					
B47	The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the Planning Secretary.	Construction	Confirm work hours are included in approved CEMP. Copy of approved CEMP. Confirm inclusion of working hours in site induction material and toolbox talks.	CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 5) includes work hours requirement in Section 1.2.2. The CEMP was approved by DPHI on 4/08/2023. The CEMP for Stage 1/2 scope of works (Aspect Environmental, 15/08/2023, rev 2) was approved by the Planning Secretary on 16/10/23. Condition requirement is included in section 1.2.2.	Compliant
B48	Works outside of the hours identified in condition B47 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	Confirm work hours are included in approved CEMP. Copy of approved CEMP. Maintain records of any OOHW.	CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 5) includes work hours requirement in section 1.2.2. The CEMP was approved by DPHI on 4/08/2023. The CEMP for Stage 1/2 scope of works (Aspect Environmental, 15/08/2023, rev 2) was approved by the Planning Secretary on 16/10/2023. Condition requirement is included in section 1.2.2. No out-of-hours works were undertaken during the reporting period.	Compliant
Construction Noise Limits					
B49	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in Appendix 5.	Construction	Review consistency of CNVMP with guidelines in the ICNG. Record of Planning Secretary approval of CNVMP. Copy of approved CNVMP.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). Consistency of the applicable guidelines are detailed in Section 3 of the CNVMP. The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Consistency of the applicable guidelines are detailed in Section 3 of the CNVMP. No complaints relating to noise have been received.	Compliant
Construction Noise and Vibration Management Plan					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B50	The Applicant must prepare a Construction Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must (a) be prepared by a suitably qualified and experienced noise expert(s); (b) be prepared in consultation with owners of adjoining residential properties (including those still occupied for residential use in the MRP), include evidence of this consultation and detail how the plan has responded to any issues raised during consultation; (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time); (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers; (e) include strategies that have been developed with the community for managing high noise generating works; and (f) include a complaints management system that would be implemented for the duration of the development.	Prior to commencement of earthworks	Record of CNVMP submission to Planning Secretary. Record of Planning Secretary approval of CNVMP. Copy of approved CNVMP.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Bulk earthworks commenced on 17/08/2023.	Compliant
B51	The Applicant must: (a) not commence earthworks until the Construction Noise and Vibration Management Plan required by condition B50 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 earthworks and construction.	Prior to commencement of earthworks	Record of CNVMP submission to Planning Secretary. Record of Planning Secretary approval of CNVMP. Copy of approved CNVMP. Record commencement date for earthworks.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). Section 7 of the CNVMP includes review and improvement requirements. The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Section 7 of the CNVMP includes review and improvement requirements. Bulk earthworks commenced on 17/08/2023.	Compliant
Operational Noise Limits					
B52	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 3. <i>Note: Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 2 for the location of residential sensitive receivers.</i>	Operation	Confirm requirement is included in ONMP. Copy of ONMP.	This is a construction compliance report.	Not Triggered
B53	The Applicant must ensure that noise generated by: (a) all fixed external mechanical plant for the warehouse building on Lot 1 does not exceed a cumulative sound power level of LAeq(15min) 90 dB(A); (b) all fixed external mechanical plant for the warehouse building on Lot 4 does not exceed a cumulative sound power level of LAeq(15min) 86 dB(A); and (c) any activity on the site does not exceed a sound power level of LAMax 115 dB(A) or result in annoying noise characteristics as determined in accordance with the Noise Policy for Industry (EPA, 2017) and Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018).	Operation	Confirm requirement is included in ONMP. Copy of ONMP.	This is a construction compliance report.	Not Triggered
Noise Verification					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B54	<p>Within three months of the commencement of earthworks for the development, the Applicant must prepare and submit a Design Noise Verification Report for the development to the satisfaction of the Planning Secretary. The Applicant must not commence construction of any warehouse buildings until the Design Noise Verification Report is approved by the Planning Secretary. The Design Noise Verification Report must:</p> <p>(a) be prepared by a suitably qualified, experienced and independent acoustic consultant whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) identify and justify the design noise emission scenario, including the adopted engineering safety factor, schedule of all noise generating sources on the site (including but not limited to, all vehicle types, mechanical plant and waste areas), stationary equipment specification and verifiable data of dynamic noise emission activities;</p> <p>(c) demonstrate the noise propagation modelling is capable of accurately predicting noise levels under noise enhancing meteorological conditions to surrounding receivers in Mount Vernon and Luddenham;</p> <p>(d) provide updated noise modelling to verify the predicted performance of the development and the predicted noise levels identified in the report titled ESR Westlink Stage 1, Kemps Creek, NSW, Noise and Vibration Impact Assessment, prepared by RWDI, dated 6 October 2022;</p> <p>(e) develop an Operational Noise Monitoring Plan in accordance with Section 7 of the Noise Policy for Industry to verify the operational performance of the development, including details of the nominated intermediate monitoring locations, reference noise levels at each intermediate location, and noise level relationship between each intermediate location and sensitive receivers identified in condition B52;</p> <p>(f) include:</p> <p>(i) an analysis of compliance with noise limits specified in conditions B52 and B53;</p> <p>(ii) an outline of at-source and transmission path mitigation measures required to ensure compliance with the limits specified in conditions B52 and B53;</p> <p>(iii) a description of contingency measures (including specific measures to manage noise generating activities during the night time period) in the event management actions are not effective at reducing noise levels to comply with limits specified in conditions B52 and B53.</p>	<p>Within three months of the commencement of earthworks</p>	<p>Record of commencement date for earthworks.</p> <p>Record of submission of DNVR to Planning Secretary.</p> <p>Record of Planning Secretary approval of DNVR.</p> <p>Copy of approved DNVR.</p> <p>Record commencement date of warehouse construction.</p> <p>Maintain records of operational noise monitoring.</p>	<p>Bulk earthworks commenced on 17/08/2023.</p> <p>The Design Noise Verification Report was submitted to DPHI on 20/12/23 and was subsequently approved on the 24/01/2024.</p> <p>Construction works commenced on 7/11/2023.</p> <p>Timing requirements of condition have not been complied with.</p>	<p>Non-Compliant</p>
B55	<p>Should the Design Noise Verification Report identify that the noise limits in Conditions B52 and B53 cannot be achieved through the mitigation measures and contingency measures required to be considered under Condition B54, the Applicant must:</p> <p>(a) offer to enter into noise agreement(s) with eligible receivers outside of the Mamre Road Precinct where noise limits are predicted to be exceeded</p> <p>(b) provide written evidence to the Planning Secretary that an agreement is in place with these receivers.</p>	<p>Operation</p>	<p>Copy of executed noise agreements.</p> <p>Record of evidence submission to Planning Secretary.</p>	<p>Not triggered.</p>	<p>Not Triggered</p>
B56	<p>If a Noise Agreement is in place with a specific receiver(s) to exceed the noise limits in Condition B52, the noise limits in Table 3 do not apply to that receiver(s).</p>	<p>Operation</p>	<p>For reference.</p>	<p>Not triggered.</p>	<p>Not Triggered</p>
B57	<p>Within three months of the commencement of operation of the development, the Applicant must prepare and submit an Operational Noise Verification Report for the development to the satisfaction of the Planning Secretary. The Operational Noise Verification Report must:</p> <p>(a) be prepared by a suitably qualified, experienced and independent acoustic consultant whose appointment has been endorsed by the Planning Secretary;</p> <p>(b) demonstrate that noise verification has been carried out in accordance with:</p> <p>(i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and</p> <p>(ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);</p> <p>(iii) the Operational Noise Monitoring Plan established under condition B54(e);</p> <p>(c) include:</p> <p>(i) an analysis of compliance with noise limits specified in conditions B52 and B53;</p> <p>(ii) an outline of implemented at-source and transmission pathway mitigation measures and their effectiveness at reducing operational noise; and</p> <p>(iii) a description of contingency measures in the event implemented mitigation measures are not effective at reducing noise levels to comply with limits specified in condition B52 and B53 at all times.</p>	<p>Within three months of commencement of operation</p>	<p>Record submission of ONVR to Planning Secretary.</p> <p>Record of Planning Secretary approval of ONVR.</p> <p>Record commencement date for operation.</p>	<p>This is a construction compliance report.</p>	<p>Not Triggered</p>

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
	MRP Noise Agreement(s)				
B58	Prior to the commencement of operation of the development, the Applicant must offer to enter into noise agreement(s) with the eligible receivers shown in Figure 4 in Appendix 3. The Applicant must provide written evidence to the Planning Secretary that an agreement is in place with these receivers.	Prior to commencement of operation	Correspondence demonstrating offer of noise agreement. Copies of any executed noise agreements. Record of submission of evidence to Planning Secretary.	This is a construction compliance report.	Not Triggered
B59	The noise agreement required under Condition B58 must be in force until the existing residential use ceases on the land subject to the agreement or a development consent for general industrial or other employment uses applies to the land, whichever is the sooner.	Prior to commencement of operations and until existing residential use ceases on the land	Copies of executed noise agreements.	This is a construction compliance report.	Not Triggered
	Road Traffic Noise				
B60	Prior to the commencement of construction of the development, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.	Prior to commencement of construction	Copy of Driver Code of Conduct (Construction). Record of commencement date for construction. Inclusion of Driver Code of Conduct in induction material. Copy of Driver Code of Conduct (Operation).	The Driver Code of Conduct has been included in Appendix A of the CTMP Stages 1A-1C. The CTMP Stages 1A-1C (Ason Group, 29 June 2023, rev 4) was approved by DPHI on 4/08/2023 (SSD-9138102-PA-11). The Driver Code of Conduct has been included in Appendix A of the CTMP for works on Lot 1. The CTMP Stages 1A-1C (Ason Group, 28/09/2023, rev 04) was approved on 16/10/2023. The Driver Code of Conduct is included within site induction material. The CTMP for Stage 1/2 works (Ason Group, 28/09/2023, rev 04) was approved on the 16/10/2023.	Compliant
	Vibration Criteria				
B61	Vibration caused by construction at any residence or structure outside the site must be limited to: (a) for structural damage, the latest version of <i>DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures</i> (German Institute for Standardisation, 1999); and (b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: a technical guideline</i> (DEC, 2006) (as may be updated or replaced from time to time).	Construction	Confirm content is included in CNVMP. A copy of the approved CNVMP.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). Section 3.3 of the CNVMP included requirements of this condition. The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Section 3.3 of the CNVMP included requirements of this condition. No complaints relating to vibration have been received.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B62	Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B61.	Construction	Confirm content is included in CNVMP. A copy of the approved CNVMP.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). The requirements under this condition are detailed in Section 5.2 of the CNVMP. The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Section 5.2 of the CNVMP included requirements of this condition. Vibration works have not been undertaken within 30m of residential buildings.	Compliant
B63	The limits in conditions B61 and B62 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.	Construction	Confirm content is included in CNVMP. A copy of the approved CNVMP.	The CNVMP Stages 1A-1C (Renzo Tonin & Associates, 22/05/2023, rev 7.2) is currently being implemented. The CNVMP Stages 1A-1C was approved on 4/08/2023 (SSD-9138102-PA-11). The requirements under this condition are detailed in Section 5.2 of the CNVMP. The CNVMP for Stage 1/2 scope of works (Renzo Tonin & Associates, 16/08/2023, rev 2) was approved by DPHI on 16/10/2023. Section 5.2 of the CNVMP included requirements of this condition.	Compliant
Dilapidation Reporting					
B64	Prior to the commencement of earthworks, the Applicant must offer and prepare (if the offer is accepted) a preconstruction dilapidation report for adjoining properties that may be affected by proposed earthworks (including Lot 2 DP 250002, Lots 141 and 142 DP 1033686, Lot 15 DP 253503 and Lot 4132 DP 857093). The report must be submitted to the Planning Secretary and the relevant property owner(s) prior to construction works commencing on the site.	Prior to commencement of earthworks	Record submission of Pre-Construction Dilapidation Reports to Planning Secretary and relevant property owners. Pre-Construction Dilapidation Reports. Record of commencement date for construction. Record of commencement date for earthworks.	The Pre-Construction Dilapidation report for Lots 141 and 142 DP 1033686 was submitted to the Planning Secretary on 25/07/2023. Bulk earthworks commenced on 17/08/2023. Construction works commenced on 7/11/2023.	Compliant
B65	If requested by the property owner, the Applicant must repair, or pay the full costs associated with repairing, any damage to adjoining properties caused by carrying out the development in accordance with the preconstruction dilapidation reports required by Condition B64, unless otherwise agreed by the Planning Secretary.	Construction	Copy of completed Dilapidation Reports. Receipts for any payments made.	A request was received during the reporting period to repair damage to eaves of a building. ESR has agreed to undertake the repairs.	Compliant
Supplementary Site Investigation					
B66	Prior to the commencement of earthworks, the Applicant must undertake further soil sampling in areas of the site that were inaccessible during the Detailed Site Investigation prepared by Alliance dated 1 December 2021, to further refine the nature and extent of contamination on the site. The supplementary site investigation must: (a) be prepared by a suitably qualified and experienced consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme; (b) be prepared in accordance with the relevant guidelines produce or approved under the <i>Contaminated Land Management Act, 1997</i> ; (c) define the nature and extent of contamination in areas not previously accessible for sampling; and (d) include an updated Remedial Action Plan that describes the preferred remediation approach to make the site suitable for the intended industrial land use and details the need for any long term management following completion of remediation.	Prior to commencement of earthworks	Copy of Supplementary Site Investigation Report. Confirm Supplementary Site Investigation includes required content. Record of commencement date for earthworks.	Earthworks commenced on 17/08/2023. The Remedial Action Plan was prepared for the site (Alliance, 2 May 2023, rev 1). A supplementary contamination assessment is included within Section 8 of the report. An addendum to the Remedial Action Plan was prepared by EP Risk (12 September 2023, Rev 1) to address opportunities for the application of remedial methodologies across the site.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
	Remedial Works				
B67	The Applicant must remediate the site in accordance with the Remedial Action Plan approved under Condition B66 and relevant guidelines produced or approved under the Contaminated Land Management Act 1997. Remediation works must be undertaken by a suitably qualified and experienced consultant(s) and must be completed prior to the commencement of earthworks.	Prior to commencement of earthworks	Copy of Remedial Action Plan. Copy of consultant qualifications. Record of commencement date for earthworks.	The Remedial Action Plan was prepared for the site (Alliance, 2 May 2023, rev 1). Interim Validation Letter (EP Risk, 08/08/2023). Alliance Remedial Action Plan Addendum (EP Risk, 23/09/2023). Remediation works for Stage 1A were completed prior to the commencement of earthworks. Remediation for Stages 1B and 1C are still in progress and continued to be undertaken in accordance with the approved RAP.	Compliant
	Validation Report				
B68	Within one month of completion of the remediation works for the development, the Applicant must submit a Remediation Validation Report (RVR) to the satisfaction of the Planning Secretary. The RVR must be prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. The validation report shall demonstrate that: (a) the site is suitable for its intended industrial land use, or (b) the site is suitable for its intended industrial land use with the implementation of an environmental management plan or long term environmental management plan.	Within one month of remediation works completion	Record of RVR submission to Planning Secretary. Record of Planning Secretary approval of RVR. Copy of approved RVR.	Remediation works remained ongoing during the reporting period.	Not Triggered
	Asbestos				
B69	The Applicant must ensure that any asbestos encountered during the remediation works for the development is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (a) <i>Work Health and Safety Regulation 2017</i> ; (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016; (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and (d) <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .	During remediation works	Copy of Remedial Action Plan. Copy of contractor qualifications.	The Remedial Action Plan was prepared for the site (Alliance, 2 May 2023, rev 1). No asbestos finds occurred during the reporting period.	Not Triggered
	Unexpected Finds				
B70	Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.	Prior to commencement of earthworks	Confirm content is included in Contamination Unexpected Finds Protocol. Record of Contamination Unexpected Finds Protocol (CEMP) approval by Planning Secretary. Copy of Contamination Unexpected Finds Protocol. Record commencement date for earthworks. Record of disposal evidence submission to the Planning Secretary.	The Contamination Unexpected Finds Protocol was approved on 4/08/2023 (SSD-9138102-PA-11). The CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 05) was approved on 4/08/2023. Revision 5 of the CEMP (Aspect Environmental, 26 May 2023) is currently being implemented. Earthworks commenced on 17/08/2023. An Unexpected Finds Protocol was also prepared for the Stage 2 scope of works (Aspect Environmental, CEMP Appendix F) and was approved on 16/10/2023. No unexpected contamination finds have occurred during the reporting period.	Compliant
	Bushfire Protection				

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B71	The Applicant shall ensure the development complies with: (a) the relevant provisions of <i>Planning for Bushfire Protection</i> (NSW RFS, 2019); (b) the recommendations of the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners dated 3 March 2022; and (c) Australian Standard <i>AS2419.1-2005 Fire hydrant installations System design, installation, and commissioning</i> .	At all times	Confirm Landscape Management Plan includes requirements. Copy of Landscape Management Plan.	Design statement (nettleontribe, 24/02/2024) confirms that the architectural drawings for Warehouse 1 are compliant with Planning for Bushfire Protection 2019.	Compliant
B72	The Applicant must ensure the entire site, including landscaping, is managed as an inner protection area (IPA) in accordance with <i>Planning for Bushfire Protection 2019</i> .	At all times	Confirm Landscape Management Plan includes requirements. Copy of Landscape Management Plan.	Design statement (nettleontribe, 24/02/2024) confirms that the architectural drawings for Warehouse 1 are compliant with Planning for Bushfire Protection 2019.	Compliant
B73	The Applicant must ensure the warehouse buildings are constructed in accordance with the Bushfire Attack Level (BAL) plan shown in Appendix 4 and relevant sections of the Australian Standard AS3959-2018 <i>Construction of buildings in bush fire prone areas</i> or NASH Standard (1.7.14 updated) <i>National Standard Steel Framed Construction in Bushfire Areas - 2014</i> as appropriate, and Section 7.5 of Planning for Bushfire Protection, 2019.	Construction	Confirm Landscape Management Plan includes requirements. Copy of Landscape Management Plan. Copy of design certification.	Design statement (nettleontribe, 24/02/2024) confirms that the architectural drawings for Warehouse 1 are compliant with Planning for Bushfire Protection 2019.	Not Triggered
Dust Minimisation					
B74	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	At all times	Confirm requirement is included within CAQMP. Copy of approved CAQMP.	The CAQMP Stages 1A-1C (Aspect Environmental, 30/05/2023, rev 5.2) was approved on 4/08/2023. Details required under this condition are included in Section 6 of the CAQMP. The CAQMP (Aspect Environmental, 15/08/2023, rev 2) for Stage 1/2 works was approved on 16/10/2023. Section 6 addresses the requirements of this condition. Dust minimisation measures continued to be implemented during the reporting period.	Compliant
B75	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; (d) public roads used by these trucks are kept clean; and (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Construction	Confirm requirements are included within CAQMP. Copy of approved CAQMP.	The CAQMP Stages 1A-1C (Aspect Environmental, 30/05/2023, rev 5.2) was approved on 4/08/2023. Details required under this condition are included in Table 6-1 of the CAQMP. The CAQMP (Aspect Environmental, 15/08/2023, rev 2) for Stage 1/2 works was approved on 16/10/2023. Table 6-1 addresses the requirements of this condition.	Compliant
Construction Air Quality Management Plan					
	Prior to the commencement of earthworks, the Applicant must prepare a Construction Air Quality Management Plan (CAQMP) to the satisfaction of the Planning Secretary. The CAQMP must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); be prepared in consultation with owners of adjoining residential properties (including those		Record of CAQMP submission to Planning Secretary. Record of Planning Secretary approval of CAQMP. A copy of the approved CAQMP.	The CAQMP Stages 1A-1C (Aspect Environmental, 30/05/2023, rev 5.2) was approved on 4/08/2023. Bulk earthworks commenced on 17/08/2023.	

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B76	<p>Still occupied for residential use in the MRP), include evidence of this consultation, details of any issues raised and how the plan has responded to any issues raised during consultation;</p> <p>(c) detail and rank all emissions from all sources during construction of the development, including particulate emissions;</p> <p>(d) describe a program that is capable of evaluating the performance of the construction and determining compliance with key criteria, including installation of dust deposition gauges at neighbouring existing residences (where agreed by the landowner) or on the site boundary;</p> <p>(e) identify the control measures that will be implemented for each emission source; and</p> <p>(f) nominate the following for each of the proposed controls:</p> <p>(i) key criteria;</p> <p>(ii) monitoring method; and</p> <p>(iii) locations, frequency and duration of monitoring;</p> <p>(g) outline procedures that will be implemented in relation to:</p> <p>(i) record keeping;</p> <p>(ii) reporting to the Environmental Representative required under Condition A35;</p> <p>(iii) complaints register;</p> <p>(iv) response procedures; and</p> <p>(v) compliance monitoring;</p> <p>(h) detail contingency measures to be implemented to reduce any exceedances of relevant performance indicators or criteria and include a timetable for implementation.</p>	Prior to commencement of earthworks	Copies of dust monitoring results collected in accordance with CAQMP requirements.	The CAQMP (Aspect Environmental, 15/08/2023, rev 2) for Stage 1/2 works was approved on 16/10/2023.	Compliant
B77	<p>The Applicant must:</p> <p>(a) not commence earthworks until the CAQMP required by condition B76 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of construction; and</p> <p>(c) offer to enter into an agreement with a neighbouring landowner, that may involve at-property treatment, if a complaint is received from that landowner and a non-compliance is confirmed by dust monitoring. Evidence of any agreement must be provided to the Planning Secretary.</p>	Prior to commencement of earthworks	<p>Record of CAQMP submission to Planning Secretary.</p> <p>Record of Planning Secretary approval of CAQMP.</p> <p>A copy of the approved CAQMP.</p> <p>Record commencement date for earthworks.</p> <p>Record of any landowner agreements.</p> <p>Record of agreement evidence submission to Planning Secretary.</p>	<p>The CAQMP Stages 1A-1C (Aspect Environmental, 30/05/2023, rev 5.2) was approved on 4/08/2023. Neighbouring agreement requirements are included in Section 3.3 of the CAQMP.</p> <p>Bulk earthworks commenced on 17/08/2023.</p> <p>The CAQMP (Aspect Environmental, 15/08/2023, rev 2) for Stage 1/2 works was approved on 16/10/2023. Neighbouring agreement requirements are included in Section 3.3 of the CAQMP.</p> <p>No agreements have been entered into with neighbouring land owners during the reporting period.</p>	Compliant
Odour Management					
B78	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	At all times	<p>Confirm requirement is included in CAQMP.</p> <p>Copy of approved CAQMP.</p>	<p>The CAQMP Stages 1A-1C (Aspect Environmental, 30/05/2023, rev 5.2) was approved on 4/08/2023. Odour management measures have been included in Table 6-1 of the CAQMP.</p> <p>The CAQMP (Aspect Environmental, 15/08/2023, rev 2) for Stage 1/2 works was approved on 16/10/2023. Odour management measures have been included in Table 6-1 of the CAQMP.</p>	Compliant
Statutory Requirements					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B79	Prior to the commencement of earthworks, the Applicant must undertake surface collection of the identified artefacts IF1, IF2 and IF3 as detailed in the Aboriginal Cultural Heritage Assessment Report prepared by Urbis and dated 12 April 2022. The identified artefacts must be registered on the OEH's Aboriginal Heritage Information Management System (AHIMS) Aboriginal Sites Register, prior to construction.	Prior to commencement of earthworks	Record of surface collection. Record of commencement date for earthworks.	Section 6.1.1 of the Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17/05/2023, rev 6) addresses the requirements of this condition. Earthworks commenced on 17/08/2023. As required by the ACHMP, an attempt was made to collect the identified Aboriginal artefacts prior to the commencement of earthworks, however the artefacts could not be located.	Compliant
Consultation					
B80	The Applicant must continue to consult with Registered Aboriginal Parties (RAPs) for the duration of construction. The RAPs should be consulted to determine the appropriate management of unexpected finds on the site.	Construction	RAP consultation records.	Section 6.1.2 and Table 2 of the Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17/05/2023, rev 6) addresses the requirements of this condition. Consultation will continue to be undertaken during construction as required.	Not Triggered
Site Induction					
B81	Prior to the commencement of earthworks, the Applicant must prepare and implement Aboriginal cultural heritage induction training for all staff and contractors. The Applicant must involve Aboriginal knowledge holders in the development of the induction training. The training must outline the obligations of staff and contractors under the National Parks and Wildlife Act, 1974 and the conditions of this consent. The Applicant must ensure any new staff or contractors receive the induction training prior to commencing works on the site. The induction training material must form part of the CEMP required by condition C2.	Prior to commencement of earthworks	Record of consultation with Aboriginal knowledge holders. Copy of Induction material. Induction records. Confirm approved CEMP includes requirement. Record commencement date of earthworks.	The Aboriginal Cultural Heritage Induction Training Stages 1A-1C (Aspect Environmental, 28/04/2023, rev 1) was approved on 4/08/2023. Site induction material includes Aboriginal cultural heritage training.	Compliant
Unexpected Finds Protocol					
B82	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.	At all times	Confirm inclusion of unexpected finds protocol in approved CEMP. Copy of the approved CEMP. Confirm content is included in induction material and toolbox talks. Review incident register.	The Aboriginal Cultural Heritage Induction Training Stages 1A-1C (Aspect Environmental, 28/04/2023, rev 1) was approved on 4/08/2023. An unexpected finds protocol is included in the induction training. The Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17 May 2023, rev 6) addresses the requirements of this condition. The unexpected finds procedure is included within Appendix 3 of the ACHMP. Site induction material includes Aboriginal cultural heritage training. No unexpected finds have occurred during the reporting period.	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B83	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .	At all times	<p>Confirm inclusion of unexpected finds protocol in approved CEMP.</p> <p>Copy of the approved CEMP.</p> <p>Confirm content is included in induction material and toolbox talks.</p> <p>Review incident register.</p>	<p>The Aboriginal Cultural Heritage Induction Training Stages 1A-1C (Aspect Environmental, 28/04/2023, rev 1) was approved on 4/08/2023.</p> <p>The Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17/05/2023, rev 6) addresses the requirements of this condition. The unexpected finds procedure is included within Appendix 3 of the ACHMP.</p> <p>Site induction material includes Aboriginal cultural heritage training.</p> <p>No unexpected finds of Aboriginal Heritage significance have occurred during the reporting period.</p>	Not Triggered
Unexpected Finds Protocol					
B84	<p>If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:</p> <p>(a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;</p> <p>(b) Heritage NSW must be contacted immediately; and</p> <p>(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.</p>	At all times	<p>Confirm inclusion of unexpected finds protocol in approved CEMP.</p> <p>Copy of the approved CEMP.</p> <p>Confirm content is included in induction material and toolbox talks.</p> <p>Review incident register.</p>	<p>The Aboriginal Cultural Heritage Induction Training Stages 1A-1C (Aspect Environmental, 28/04/2023, rev 1) was approved on 4/08/2023.</p> <p>The Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17/05/2023, rev 6) addresses the requirements of this condition. The unexpected finds procedure is included within Appendix 3 of the ACHMP.</p> <p>No unexpected finds have occurred during the reporting period.</p>	Compliant
B85	Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.	At all times	<p>Confirm inclusion of unexpected finds protocol in approved CEMP.</p> <p>Copy of the approved CEMP.</p> <p>Confirm content is included in induction material and toolbox talks.</p> <p>Review incident register.</p>	<p>The Aboriginal Cultural Heritage Induction Training Stages 1A-1C (Aspect Environmental, 28/04/2023, rev 1) was approved on 4/08/2023.</p> <p>The Aboriginal Cultural Heritage Management Plan (ACHMP) (Artefact Heritage, 17/05/2023, rev 6) addresses the requirements of this condition. The unexpected finds procedure is included within Appendix 3 of the ACHMP.</p> <p>No unexpected finds have occurred during the reporting period.</p>	Compliant
Biodiversity					
B86	Prior to, and during, construction works, the Applicant must implement the mitigation measures recommended in Section 2.2.5 of the Biodiversity Development Assessment Report prepared by Eco Logical Australia Pty Ltd, dated 14 April 2022.	Prior to and during construction	<p>Copy of the BDAR.</p> <p>Confirm measures outlined in BDAR have been implemented.</p>	<p>The Wildlife Management Plan Stages 1A-1C (Aspect Environmental, 22/05/2023, rev 3) was approved on 4/08/2023.</p> <p>Mitigation measures outlined in Biodiversity Development Assessment Report have been included in Table 4.1 of the WMP.</p>	Compliant
B87	Prior to the commencement of construction, a Wildlife Management Plan must be prepared in accordance with section 6.2 of the <i>Westlink Industrial Estate Wildlife Management Assessment Report</i> prepared by Eco Logical Australia Pty Ltd dated 14 April 2022, and be submitted to the Planning Secretary.	Prior to commencement of construction	<p>Record of submission of WMP to Planning Secretary.</p> <p>Confirm WMP includes content requirements.</p> <p>Copy of the submitted WMP.</p> <p>Record commencement date for construction.</p>	<p>The WMP Stages 1A-1C (Aspect Environmental, 22/05/2023, rev 3) was approved on 4/08/2023.</p> <p>The WMP has been prepared in accordance with the reference identified in this condition as detailed in Section 4.2 of the WMP.</p> <p>Construction works commenced on 07/11/2023.</p>	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B88	The Wildlife Management Plan must form part of the CEMP required by Condition C2 and the Applicant must implement the Wildlife Management Plan for the duration of construction and operation.	Construction and operation	Confirm approved CEMP includes WMP.	The WMP Stages 1A-1C (Aspect Environmental, 22/05/2023, rev 3) was approved on 4/08/2023.	Compliant
Dangerous Goods					
B89	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.	At all times	Confirm total quantities of dangerous goods are kept below threshold. Maintain records and undertake regular inspections.	Quantities of dangerous goods stored on-site during the reporting period are below the SEPP 33 threshold quantities.	Compliant
Bundling					
B90	The Applicant must store all chemicals, fuels and oils used on-site in appropriately bundled areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	At all times	Confirm requirement is included within approved CEMP. A copy of the approved CEMP.	Requirement is included in environmental inspection checklists within Appendix M of the Stage 2 CEMP (Aspect Environmental, Rev 02, 15/08/2023). Chemicals are stored in a well ventilated storage container on a bundled pallet.	Compliant
Waste Management Plan					
B91	Prior to the commencement of construction of the first warehouse building, the Applicant must update the Waste Management Plan included in the EIS for the development. The Plan must: (a) detail the type and quantity of waste to be generated during construction and operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the <i>Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014</i> and the <i>Waste Classification Guideline</i> (Environment Protection Authority, 2014); and (c) detail the materials to be reused or recycled, either on or off site.	Prior to commencement of construction of first warehouse	Record commencement date for construction of first warehouse. A copy of the updated WMP. Confirm updated WMP includes content requirements.	The updated Construction Waste Management Plan is included as Appendix E of the CEMP Stages 1A-1C (Aspect Environmental, 26/05/ 2023, rev 05) and was approved on 4/08/2023.	Compliant
B92	The Applicant must implement the Waste Management Plan for the duration of construction and operation.	Construction and operation	A copy of the updated WMP. Maintain waste records.	The updated Construction Waste Management Plan is included as Appendix E of the CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 05). An additional Construction Waste Management Plan was prepared for Stage 1-Stage 2 Works (Aspect Environmental, rev 2, 11 August 2023).	Compliant
Waste Storage and Processing					
B93	Prior to the commencement of construction of the development, the Applicant must obtain agreement from Council for the design of the waste storage area for the development.	Prior to commencement of construction	Record of Council agreement. Record of commencement date for construction.	Council agreement to the design of waste storage area for Warehouse 1 was received on 27/09/2023. Construction commenced on 7/11/2023.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
B94	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.	At all times	Confirm requirement is included within updated WMP. A copy of the updated WMP. Review of complaints register.	Waste mitigation measures are included in Section 4.3 of the CEMP. The CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 05) was approved on 4/08/2023. No complaints relating to waste have been received during the reporting period.	Compliant
Statutory Requirements					
B95	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 <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose of all wastes to a waste management facility or premises lawfully permitted to accept the waste.	Construction and operation	Confirm requirement is included within updated WMP. A copy of the updated WMP. Maintain waste register with required detail.	Requirements for the assessment and classification of waste are included in Section 4.3 of the CEMP. The CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 05) was approved on 4/08/2023. An additional Construction Waste Management Plan was prepared for Stage 1-Stage 2 Works (Aspect Environmental, rev 2, 11/08/2023). Tracking register is being maintained and waste is being classified.	Not Triggered
Pests, Vermin and Priority Weed Management					
B96	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. <i>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.</i>	At all times	Confirm requirement is included within approved CEMP. A copy of the approved CEMP. Maintain inspection records.	The WMP Stages 1A-1C (Aspect Environmental, 22/05/ 2023, rev 3) was approved on 4/08/2023. The management measures are included in Table 4-1 of the WMP. Additional inspections are identified in Section 5 of the WMP. Vegetation monitoring is undertaken during monthly site audits. The absence of pests and vermin are confirmed during daily site observations.	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
Compliance Requirement					Compliant
Part C Specific Environmental Management, Reporting and Auditing					Non-Compliant
Management Plan Requirements					Not Triggered
C1	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and criteria; and</p> <p>(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;</p> <p>(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the development; and</p> <p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</p> <p>(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;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i></p>	At all times	<p>Review content of management plans to confirm requirements are satisfied.</p>	<p>Management plans are being prepared in accordance with CoC requirements.</p> <p>The following management plans, prepared for the Stage 1 scope of works, were approved by the Planning Secretary on 4/08/2023 as satisfying the requirements of C1:</p> <ul style="list-style-type: none"> - Construction Environmental Management Plan (Aspect Environmental, 26/05/2023, rev 5) - ESCP (AT&L, 25/05/2023, rev B) - DDS (Aspect Environmental, 22/05/2023, rev 3) - CNVMP (Aspect Environmental, 22/05/2023, rev 7.2) - UFP (Aspect Environmental) - WMP (Aspect Environmental, 22/05/2023, rev 3) - CCS (Ethos Urban, 24/05/2023, rev 2.2). <p>The following management plans, prepared for the Stage 1/2 scope of works, were approved by the Planning Secretary on 16/10/23 as satisfying the requirements of C1:</p> <ul style="list-style-type: none"> - Construction Environmental Management Plan (Aspect Environmental, 15/08/2023, rev 2) - CAQMP (Aspect Environmental, 15/08/2023, rev 2) - CNVMP (Renzo Tonin and Associates, 16/08/2023, rev 2) - CTMP (Ason Group, 28/09/2023, rev 04). 	Compliant
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.	Prior to commencement of construction	<p>Record of CEMP submission to Planning Secretary for approval.</p> <p>Planning Secretary approval of CEMP.</p> <p>Approved CEMP.</p>	<p>The CEMP Stages 1A-1C (Aspect Environmental, 26 May 2023, rev 5) was approved by DPHI on 4/08/2023.</p> <p>The CEMP Stages 1/2 (Aspect Environmental, 15/08/2023, rev 2) was approved by DPHI on 16/10/2023.</p>	Compliant

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
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 B21); (c) Dam Decommissioning Strategy (see condition B36); (d) Construction Noise and Vibration Management Plan (see condition B50); (e) Unexpected Finds Protocol (see condition B70); (f) Construction Air Quality Management Plan (see condition B76); (g) Site induction training material (see condition B81); (h) Wildlife Management Plan (see condition B87); (i) Community Consultation and Complaints Handling.	Prior to commencement of construction	Review content of management plans to confirm requirements are satisfied. Record submission of management plans to Planning Secretary. Planning Secretary approval of management plans. Approved management plans.	The CEMP Stages 1A-1C (Aspect Environmental, 26 May 2023, rev 5) was approved by DPHI on 4/08/2023. The following plans for stages 1A-1C were approved by DPHI on 4/08/2023 and are appended to the CEMP: - ESCP (AT&L, 25/05/2023, rev B) as Appendix B - DDS (Aspect Environmental, 22/05/2023, rev 3) as Appendix C - CNVMP (Aspect Environmental, 22/05/2023, rev 7.2) as Appendix D - UFP (Aspect Environmental) as Appendix E - Site induction training (Aspect Environmental, 28/04/2023, rev 1) as Appendix G - WMP (Aspect Environmental, 22/05/2023, rev 3) as Appendix H - Community and Stakeholder Communications Strategy (Ethos Urban, 24/05/2023, rev 2.2) as Appendix I. The following management plans, prepared for the Stage 1/2 scope of works, were approved by the Planning Secretary on 16/10/2023 as satisfying the requirements of C1: - Construction Environmental Management Plan (Aspect Environmental, 15/08/2023, rev 2) - CAQMP (Aspect Environmental, 15/08/2023, rev 2) - CNVMP (Renzo Tonin and Associates, 16/08/2023, rev 2) - CTMP (Ason Group, 28/09/2023, rev 04).	Compliant
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.	Prior to commencement of construction	Confirm commencement date of construction. Planning Secretary approval of CEMP.	The CEMP Stages 1A-1C (Aspect Environmental, 26/05/2023, rev 5) was approved by DPHI on 4/08/2023. Construction works commenced on 07/11/2023. The CEMP for Stage 1/2 scope of works (Aspect Environmental, 15/08/2023, rev 2) was approved by the Planning Secretary on 16/10/23.	Compliant
Operational Environmental Management Plan					
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Prior to commencement of operation	Record of OEMP submission to Planning Secretary for approval. Planning Secretary approval of OEMP. Approved OEMP.	This is a construction compliance report.	Not Triggered
C6	As part of the OEMP required under condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: (i) Operational Traffic Monitoring Program (see condition B3); (ii) Workplace Travel Plan (see condition B18); (iii) Stormwater Management Plan (see condition B30); (iv) Landscape Management Plan (see condition B38); (v) Wildlife management Plan (see condition B87); (vi) Waste Management Plan (see condition B91). (d) detail measures to minimise air emissions during operation.	Prior to commencement of operation	Review content of management plans to confirm requirements are satisfied. Record submission of management plans to Planning Secretary. Planning Secretary approval of management plans. Approved management plans.	This is a construction compliance report.	Not Triggered

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
C7	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and 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).	Prior to commencement of operation	Confirm commencement date of operation. Planning Secretary approval of OEMP.	This is a construction compliance report.	Not Triggered
Revision of Strategies, Plans and Programs					
C8	Within three months of: (a) the submission of a Compliance Report under condition C14; (b) the submission of an incident report under condition C10; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.	Within three months of trigger event	Record of documentation review post trigger event. Planning Secretary notification in writing where required.	A direction was received from DPHI on the 05/03/2024. A review of strategies, plans and programs must be undertaken within three months (prior to the 05/06/2024), with the Planning Secretary notified of the outcome of the review. Condition timing requirement has not lapsed. Where applicable, updated management plans will be captured in the next reporting period.	Not Triggered
C9	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary. <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>	At all times	Record submission of revised documentation to Planning Secretary. Planning Secretary approval of revised management plans. Approved management plans.	Not triggered during reporting period.	Not Triggered
Incident Notification, Reporting and Response					
C10	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 6.	At all times	Record of Planning Secretary notification. Confirm notifications contain appropriate content.	Notification was provided to the Planning Secretary on 07/12/2023 identifying that an incident had occurred on 07/12/2023 whereby the undercarriage of a truck become damaged resulting in a hydraulic fluid leak. Both the site ER and EPA were notified of the incident on 07/12/2023. The incident did not generate a non-compliance with any CoC. An incident report was subsequently submitted to the Planning Secretary on 11/12/2023. DPHI was notified of an incident on the 16/02/2024. DPHI acknowledged receipt of the incident notification on the 21/02/2024 and identified that they had no further comments.	Compliant
Non-Compliance Notification					
C11	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	Within seven days of non-compliance	Record of Planning Secretary notification. Confirm notifications contain appropriate content.	No known non-compliances, other than those identified within this report, have occurred during the reporting period.	Not Triggered
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	Record of Planning Secretary notification. Confirm notifications contain appropriate content.	Not triggered.	Not Triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	For reference.	Not triggered.	Not Triggered
Compliance Reporting					

Approval (ID)	Condition	Timing	Monitoring methodology	Evidence and Comments	Compliance Status
C14	<p>Within six months after the commencement of construction of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary) for the duration of construction works, the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:</p> <p>(a) identify any trends in the monitoring data; (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p>	<p>Within six months after the commencement of construction and then annually</p>	<p>Record of Compliance Report submission to Planning Secretary.</p> <p>Confirm Compliance Reports align to Post Approval Requirements and include required content.</p> <p>Record of Planning Secretary satisfaction with Compliance Reports.</p>	<p>Construction works commenced on 07/11/2023.</p> <p>This Compliance Report has been prepared to meet this requirement.</p>	Compliant
C15	<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 seven days before this is done.</p>	<p>Within sixty days of compliance report submission</p>	<p>Record of Compliance Report submission to Planning Secretary.</p> <p>Record of upload of Compliance Report to website.</p>	<p>Not triggered.</p> <p>This Compliance Report will be made publicly available.</p>	Not Triggered
Monitoring and Environmental Audits					
C16	<p>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.</p> <p><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 compliance with the consent or the environmental management or impact of the development.</i></p>	<p>At all times</p>	<p>For reference</p>	<p>Noted</p>	Not Triggered
Access to Information					
C17	<p>At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) the Compliance Report of the development; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	<p>At least 48 hours before commencement of construction</p>	<p>Review public website for current documentation.</p> <p>Record of any directions received from the Planning Secretary.</p>	<p>Construction works commenced on 07/11/2023.</p> <p>All required documentation is not currently available on the Project website.</p> <p>The Project website contains a link to the NSW Planning website that contains some of the required documentation. This link is not considered sufficient as the Applicant does not have direct control over the documents made available on the website and difficulties are likely to be experienced when documents are progressively updated.</p>	Non-Compliant