

24 April 2023

David Schwebel
Senior Environmental Assessment Officer – Industry Assessments
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150 Australia

Dear David

SSD-9138102 WESTLINK STAGE 1 DEVELOPMENT CONSENT – STAGING

The purpose of this Staging Letter is to provide an outline of the proposed staging of works for Westlink Stage 1 Development Consent (SSD-9138102). This document describes how and when the Conditions of Consent will be addressed for each stage throughout the construction of the development. This letter is prepared to address the staging requirements in Conditions A8, A9, A10, A11 and A12.

In accordance with this requirement, the Staging Letter:

- Describes the construction stages and timing;
- Identifies the relevance of the conditions to each sub-stage, and how and when they will be complied with;
- Identifies how cumulative impacts would be managed; and
- Demonstrates how the duration of construction and its impacts at any one location mitigated and minimised.

Refer to Table 1 below which outlines each conditions relevance each stage during the life of construction.

Table 1 Conditions of Approval relevant to the Staging Letter

Ref. ID	Condition	Document Ref.	How Addressed
A8	If 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 agree with the Planning Secretary), of the date of	This document	This letter is intended to serve as the one month's notice to the Planning Secretary. The staging is anticipated to commence at the start of the development on 22 May 2023.

	commencement and development to be carried out in that stage.		Section 1 details how the staging is intended to be carried out across the site.
A9	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <ul style="list-style-type: none"> (a) Consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; (b) Provide details of the consultation undertaken including: <ul style="list-style-type: none"> a. The outcome of that consultation, matters resolved and unresolved; and b. Details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed matters not resolved. 	Attachment B	<p>Consultation will be carried out as required by each condition. Attachment B outlines the relation to the staging with each condition and its consultation requirement, if any, to ensure a discreet relationship</p>
A10	<p>With the approval of the Planning Secretary, the Applicant may:</p> <ul style="list-style-type: none"> (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 specified 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 	Section 1 Attachment B	<p>Section 1 provides a program on the staging. Further, Attachment B provides a table of each condition. It outlines which condition is to be staged and ties any relevant strategies and plans to each stage.</p>

	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).		
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.	Attachment B	Attachment B provides a breakdown of each stages relationship to all conditions within the consent. If a plan, program or strategy is nominated to be updated without consultation, it will be outlined in this attachment.
A12	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous version of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Attachment B	Attachment B will outline when a strategy, plan or program needs to be updated, if required.

1.0 Staging

1.1 Purpose of Staging

The purpose of staging is to mobilise commencement of construction works as soon as possible to deliver of key logistic warehouses for our customers. Principles of this staging seek to:

- Allow pre-construction minor work with negligible environmental impact to progress ahead of the main works program.
- Prioritise enabling civil works in advance of building construction to minimise disruption to receivers.
- Implement construction of warehouses in two stages:
 - Stage 1: Warehouse 1
 - Stage 2: Warehouse 2
- Where practicable, coordinate works to manage cumulative impacts of Westlink Stage 1 and neighbouring construction projects.

1.2 Westlink Stage 1 Overview

Westlink Stage 1 will be delivered via three contract packages and various minor works. While commencing at different times, each stage will have periods which the works will overlap. The

three contract packages have been staged during construction to meet the objective to facilitate delivery of the proposed development. The following stages are outlined below.

1.2.1 Stage 0 – Pre-Construction Works

The purpose of this stage is to commence pre-construction works that have low impact activities including, remediation investigations, Aboriginal artefact recovery, and establishment of site sheds and erosion and sediment control measures for civil works. It is intended once an area within the site is cleared of pre-construction works by the certifier and environmental representative, it can progress to subsequent stages outlined in this letter. Further, this stage may occur concurrently with the delivery of other main construction stages where it satisfies the relevant conditions in the approval.

1.2.2 Stage 1 – Civil Works

Civil works encompasses earthworks, retaining walls, internal services, roads and trunk drainage. Given this land is transitioning from rural to industrial, it requires a series of stages to ensure programme is maintained to provide completed pads to the builder. Therefore, it is proposed to stage civil works with the following sub-stages:

- Stage 1A – Pad 1 Earthworks and Retaining Walls

Stage 1A – Pad 1 Earthworks and Retaining Walls is associated with Warehouse 1 under the consent. Earthworks to start in the northern half of the site to accelerate delivery of this pad to enable building works to meet the required programme. Retaining walls will be build concurrently as earth is altered to reflect the pad RLs for the future warehouse.

- Stage 1B – Pad 2 Earthworks, Retaining Walls

Stage 1B – Pad 2 Earthworks, Retaining Walls relates to Warehouse 3 under this consent. Earthworks will continue to build the pad for this warehouse with retaining walls build progressively to support the site. Further, the sediment basin to support the first stage of the development will be constructed during this period.

- Stage 1C – Remaining Earthworks and Retaining Walls

Stage 1C – Remaining Earthworks and Retaining Walls seeks to complete the earthworks package such as grading of the roads and building retaining walls to support remaining land as shown on the Civil Drawings.

- Stage 1D – Internal Roads and Services

Stage 1D – Internal Roads and Services inserts required services into the estate such as sewer, water, stormwater, electricity, and telecommunications. It will provide connections to each pad and continue the network to meet future stages of the estate. Once services are complete, internal roads will be constructed and finished as per the drawings and consent conditions.

- Stage 1E – Trunk Drainage

Stage 1E – Trunk Drainage will deliver the trunk drainage channel as per the agreed design with the Stormwater Authority. This includes completing the landscaping within this corridor.

- Stage 1F – Mamre / Abbots and Abbots / Aldington intersection

Stage 1F – Mamre / Abbots and Abbots / Aldington intersection works. These works require a WAD agreement with TfNSW

- Stage 1G – Abbots Road and Aldington Road

Stage 1G – Abbotts Road and Aldington Road. These works require a Works In Kind agreement with Penrith City Council.

1.2.3 Stage 2 – Warehouse 1 Construction

Once the earthworks and retaining wall is completed for Stage 1, the builder will gain access to Pad 1 to start delivery of the warehouse to meet the customer timeframes.

1.2.4 Stage 3 – Warehouse 3 Construction

Once the earthworks and retaining wall is completed for Pad 2, the builder will gain access to Pad 2 to start delivery of the warehouse to meet the customer timeframes.

1.2.5 Stage 4 – External Road Upgrades

The external upgrades will be delivered as stand-alone stages from the internal ESR works. The external road upgrades have been split into two stages based on the road authority which relates to each stage.

1.3 Timing

The proposed timing for each stage of Westlink Stage 1 is outlined in Table 2 below.

Table 2 **Timing**

Stage	Package	Delivery Partner	Construction Commencement Date	Duration	Forecasted End Date
Stage 0	Pre-Construction Work	JK Williams	May 2023	8 weeks	July 2023
Stage 1	Civil Works		June 2023	33 weeks	February 2024
Stage 1A	Pad 1 Earthworks and Retaining Walls		June 2023	12 weeks	August 2023
Stage 1B	Pad 2 Earthworks and Retaining Walls	JK Williams	August 2023	12 weeks	October 2023
Stage 1C	Remaining Earthworks and Retaining Walls		October 2023	12 weeks	December 2023
Stage 1D	Internal Roads and Services		October 2023	20 weeks	February 2024
Stage 1E	Trunk Drainage		October 2023	20 weeks	February 2024
Stage 1F	Mamre / Abbotts & Abbotts / Aldington	TBC	October 2023	47 weeks	August 2024

Intersection Upgrades					
Stage 1G	Abbotts Road and Aldington Road Upgrade	TBC	October 2023	47 weeks	August 2024
Stage 2	Warehouse 1 Construction	Richard Crookes Constructions	August 2023	52 weeks	August 2024
Stage 3	Warehouse 3 Construction	TBC	December 2023	52 weeks	December 2024



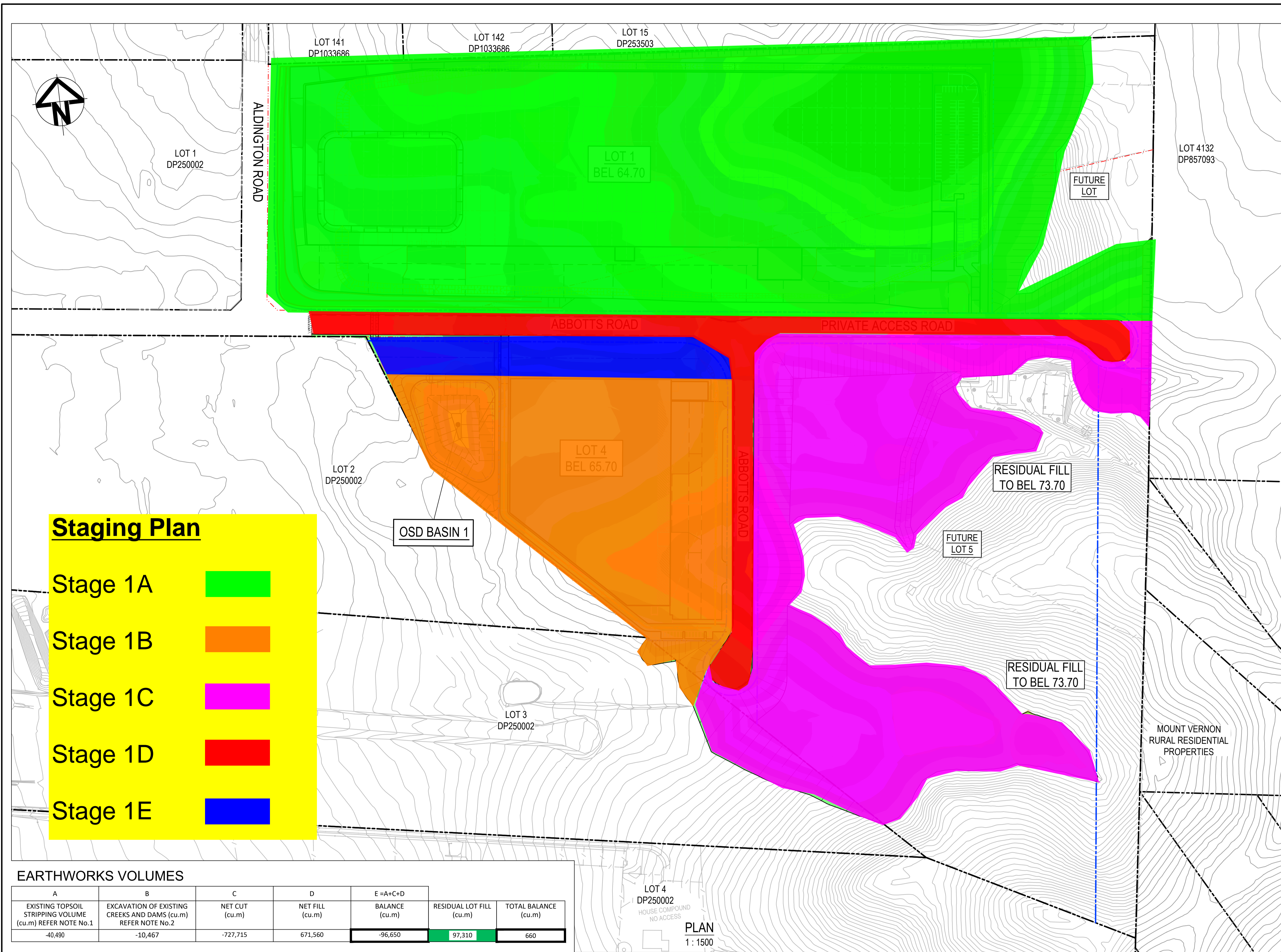
Should you have any question on the above or the associated attachments, please do not hesitate to contact me.

Kind regards,

Grace Macdonald
Planning Manager – NSW
ESR Australia



Attachment A: Staging Plan



LEGEND:

EXISTING	
	EXISTING BOUNDARY
	EXISTING CONTOUR
	EXTENT OF EXCAVATION OF EXISTING DAMS
PROPOSED	
	PROPOSED BOUNDARY
	WAREHOUSE BULK EARTHWORKS PAD LEVEL
	INDICATIVE POND LAYOUT

CUT/FILL DEPTH RANGE LEGEND

Lower_value	Upper_value	Colour
-18.0	to -16.0 m	Dark Brown
-16.0	to -14.0 m	Light Brown
-14.0	to -12.0 m	Orange
-12.0	to -10.0 m	Yellow-Green
-10.0	to -8.0 m	Yellow
-8.0	to -6.0 m	Light Green
-6.0	to -4.0 m	Light Blue
-4.0	to -2.0 m	Light Purple
-2.0	to 0.0 m	Light Red
0.0	to 2.0 m	Light Green
2.0	to 4.0 m	Light Blue
4.0	to 6.0 m	Light Purple
6.0	to 8.0 m	Light Blue
8.0	to 10.0 m	Light Purple
10.0	to 12.0 m	Light Blue
12.0	to 14.0 m	Light Purple
14.0	to 16.0 m	Light Blue
16.0	to 18.0 m	Light Purple

Staging Plan

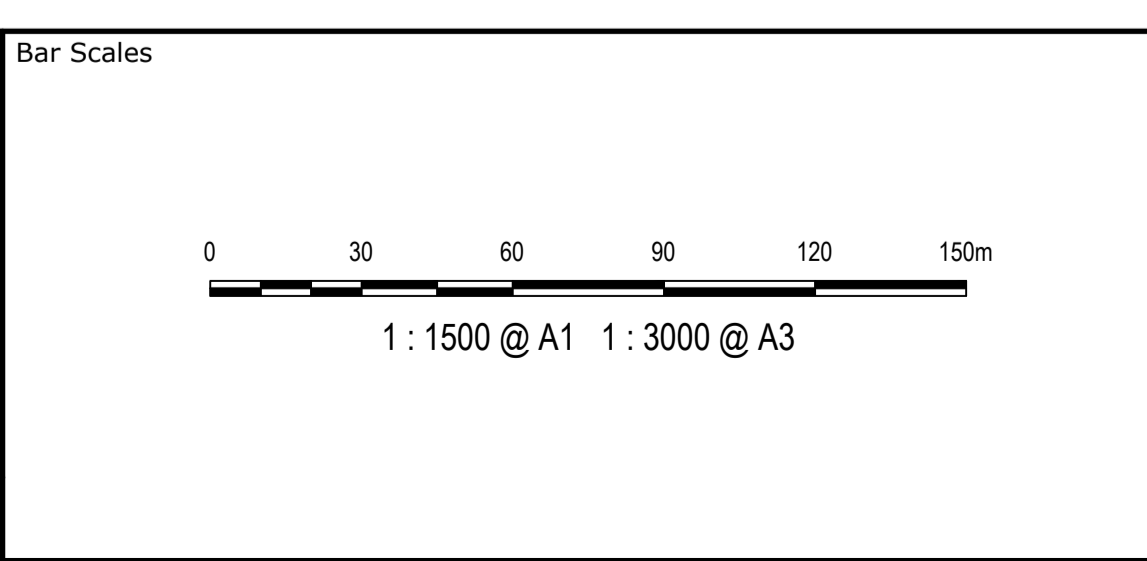
Stage 1A	
Stage 1B	
Stage 1C	
Stage 1D	
Stage 1E	

- NOTES:**
- EXISTING TOPSOIL STRIPPED 200mm
 - ADDITIONAL EXCAVATION OF EXISTING DAMS WITHIN SITE AREA TO A DEPTH OF 1m BELOW EXISTING INVERT AND WIDTH OF EXISTING DAM EXTENT. VOLUMES ARE APPROXIMATE. EXCAVATED MATERIAL TO BE FARMED AND USED AS GENERAL FILL WITHIN FILL ZONES 2m BELOW FINAL SURFACE.
 - NEGATIVE BALANCE VOLUMES INDICATE EXCESS OF MATERIAL (EXPORT).
 - ROAD PAVEMENT DEPTH ASSUMED 700mm.
 - ON LOT PAVEMENT DEPTH ASSUMED 300mm.
 - THE VOLUMES DO NOT TAKE INTO ACCOUNT THE FOLLOWING -
 - BULKING FACTORS OF REMOVED CUT
 - REMOVAL OF EXISTING BUILDING SLABS AND PAVEMENTS
 - REMOVAL AND/OR REMEDIATION OF ANY EXISTING UNCONTROLLED FILL
 - PROPOSED LANDSCAPING
 - STORMWATER AND UTILITY TRENCHING
 - EROSION AND SEDIMENTATION CONTROL SWALES AND BASINS.
 - ENGINEERING FILL VOLUMES BEHIND RETAINING WALLS T.B.C BY COSTIN ROE CONSULTING

EARTHWORKS VOLUMES

A	B	C	D	E = A+C+D	RESIDUAL LOT FILL	TOTAL BALANCE
EXISTING TOPSOIL STRIPPING VOLUME (cu.m) REFER NOTE No.1	EXCAVATION OF EXISTING CREEKS AND DAMS (cu.m) REFER NOTE No.2	NET CUT (cu.m)	NET FILL (cu.m)	BALANCE (cu.m)	(cu.m)	(cu.m)
-40,490	-10,467	-727,715	671,560	-96,650	97,310	660

Issue	Description	Date
A	ISSUED FOR CONSTRUCTION CERTIFICATE	15-03-23



Client

Scales	1 : 1500	Drawn	LM
		Designed	LM
Grid	MGA2020	Checked	AT
Height Datum	AHD	Approved	

Project **PROPOSED INDUSTRIAL DEVELOPMENT WESTLINK KEMPS CREEK**

Title **BULK EARTHWORKS CUT/FILL PLAN**

GDA2020

THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&I

Civil Engineers and Project Managers

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Status	FOR CONSTRUCTION	A1
Project - Drawing No.	20-748-C10021	Issue
		A

ALL LEVELS SHOWN ARE ±1000mm U.N.O



Attachment B: Conditions of Consent Matrix w/ Staging

Ref.	Condition	Stage 0	Stage 1	Stage 2	Stage 3
Part A – Administrative Conditions					
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.	This condition is not staged.			
A2	The development may only be carried out: (a) In compliance with the conditions in this consent; (b) In accordance with 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.	This condition is not staged.			
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).	This condition is not staged.			
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	This condition is not staged.			

	event of an inconsistency, ambiguity or conflict between any of the documented listed in Condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.												
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 the date.	This condition is not staged.											
A6	<p>The maximum GFA for development on site must not exceed the limits in Table 1.</p> <p><i>Table 1 Maximum GFA of the Development</i></p> <table border="1"> <thead> <tr> <th>Land Use</th> <th>Maximum GFA (m²)</th> </tr> </thead> <tbody> <tr> <td>Warehouse or distribution centres</td> <td>79,031</td> </tr> <tr> <td>Ancillary offices</td> <td>2,286</td> </tr> <tr> <td>Total</td> <td>81,317</td> </tr> </tbody> </table>	Land Use	Maximum GFA (m ²)	Warehouse or distribution centres	79,031	Ancillary offices	2,286	Total	81,317	Not applicable to Stage 0.	Not applicable to Stage 1.	Stage 2 to be built as per the GFA allocation shown on the stamped plans and as per Table 1.	Stage 3 to be built as per the GFA allocation shown on the stamped plans and as per Table 1.
Land Use	Maximum GFA (m ²)												
Warehouse or distribution centres	79,031												
Ancillary offices	2,286												
Total	81,317												
A7	<p>The commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:</p> <p>(a) Construction;</p> <p>(b) Operation; and</p> <p>(c) Cessation of operation.</p>	This condition is not to be staged for construction notification. Operation notification will be issued to Department of Planning and Environment at a later date.											
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.	This condition is not to be staged for construction. Further, this letter serves as the notification period for the construction staging.											
A9	<p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) Consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) Provide details of the consultation undertaken including:</p>	Consultation to occur as required by the relevant condition. This table will identify when the consultation should occur in respect to each stage.											

	<ul style="list-style-type: none"> a. The outcome of that consultation, matters resolved and unresolved; and b. Details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 			
A10	<p>With the approval of the Planning Secretary, the Applicant may:</p> <ul style="list-style-type: none"> (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). 	This letter and table identify how the consent is to be staged, including preparing strategies and plans and identifying a program for the staged construction. This table also identifies if a strategy or plan needs to be updated, as ESR move through its proposed staging of the development.		
A11	If the Planning Secretary agrees, a strategy, plan or program may be staged and updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	This condition applies to all stages. If an update is required with subsequent stages with a consultation requirement, it will be addressed under this table at the relevant condition.		
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.	This condition is not staged.		
A13	Before the commencement of construction of the development, the Applicant must:	<table border="1"> <tr> <td>This condition will be satisfied in Stage 0.</td> <td>No further action will be required on the following stages.</td> </tr> </table>	This condition will be satisfied in Stage 0.	No further action will be required on the following stages.
This condition will be satisfied in Stage 0.	No further action will be required on the following stages.			

	<ul style="list-style-type: none"> (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 the 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. 		
A14	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> (a) Repair, or pay the full cost 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. 	This condition is not staged.	
A15	All demolition must be carried out in accordance with <i>Australian Standard AS 2061-2001 The Demolition of Structures</i> (Standards Australia, 2001).	Demolition to be carried out in Stage 0.	Condition not applicable for Stages 1 – 3.
A16	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.	Condition not applicable to Stage 0 & 1.	All buildings and structures in Stage 2 & 3 will follow this condition.
A17	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, Engineering Construction Specification for Civil Works and Austroads Guidelines</i> .	This condition is not staged.	
A18	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 title 'Westlink Stage 1 (SSD-9138102) – Retaining Wall and	This conditions is not staged.	

	Earthworks', prepared by ESR and dated 20 April 2023 and supporting attachments.	
A19	Prior to the issuing of Subdivision Certificates for any stage of the development, detailed works-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internals 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.	This condition is not staged.
A20	Prior to the issuing of Subdivision Certificates for any stage of the development, the Applicant must provide the Certifier evidence that all matters required to be registered to be registered on title, including easements, have been lodged for registration or registered with Land Registry Services.	This condition is not staged.
A21	Prior to issuing of Subdivision Certificates for any stage of the development: <ul style="list-style-type: none"> (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. 	This condition is not staged.
A22	Prior to the issue of a Subdivision Certificate that proposes the dedication of any internal estate road as a public road: <ul style="list-style-type: none"> (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. 	This condition is not staged.

	<p>(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 Fees and Charges.</p> <p>(c) Where installation of any regulatory/ advisory signage and line marking proposed, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.</p> <p>(d) An Application for proposed street names must be lodged with and approved by Penrith City Council and the sign erected on-site. The proposed names must be in accordance with Penrith City Council's Street Naming Policy.</p>	
A23	The Applicant must ensure that all 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.	This condition is not staged.
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.	This condition is not staged.
A25	<p>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.</p> <p>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</p>	This condition is not staged.

	for the development (or the 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.	
A26	All plant and equipment on site, or to monitor the performance of the development, must be: <ul style="list-style-type: none"> (a) Maintained in a proper and efficient condition; and (b) Operated in a proper and efficient manner. 	This condition is not staged.
A27	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	This condition is not staged.
A28	Prior to issuing of: <ul style="list-style-type: none"> (a) 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. <p>The Applicant must provide the Certifier with written documented evidence that the products and systems proposed for use or used the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.</p>	This condition is not staged.
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.	This condition is not staged.
A30	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	This condition is not staged.
A31	Before 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 <i>Sydney Water Act 1994</i> .	This condition is not staged.
A32	Before the issuing of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a	This condition is not staged.

	<p>constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:</p> <ul style="list-style-type: none"> (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. 	
A33	<p>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.</p>	This condition is not staged.
A34	<p>Before the issuing of the Occupation Certificate for the first warehouse building, works-as-executed drawings signed by a registered surveyor demonstrating that the street trees, stormwater drainage (including operation and maintenance of management plans) and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.</p>	This condition is not staged.
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> <ul style="list-style-type: none"> (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; (b) Receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development; 	This condition is not staged.

- (c) Consider and inform the Planning Secretary on matters specified in terms of this consent;
- (d) Consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
- (e) Review the CEMP required in Condition C2 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
 - a. 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
 - b. Make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/Department);
- (f) Regularly monitor the implementation of the CEMP to ensure implementation is being carried out in accordance with the document and the terms of this consent;
- (g) As may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits;
- (h) As may be requested by the Planning Secretary, assist the Department in the resolution of community complaints;
- (i) Provide advice to the Applicant on the management and coordination of construction works on the site with adjoining sites in the Mamre Road Precinct in relation to construction

	<p>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>	
A36	<p>The Applicant must provide the ER will 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>	This condition is not staged.
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 term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.</p>	This condition is not staged
A38	<p>Within three months of the commencement of construction of the development and until all components of the development are</p>	This condition is not staged.

constructed and operational, the Applicant must establish and participate in a working group, or join and participate in an existing 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:

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

A39	<p>Three months prior to the 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> <ul style="list-style-type: none"> (a) Consult with the Planning Secretary (b) provide confirmation that all components of the development are operational; and (c) advise on the date of the proposed exit. 	This condition is not staged.		
A40	<p>References in the conditions of this consent to any guideline, protocol, Australian Standards or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.</p>	This condition is not staged.		
A41	<p>However, consistent with the conditions in 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>	This condition is not staged.		
PART B – SPECIFIC ENVIRONMENTAL CONDITIONS				
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> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council and TfNSW; (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction works to: <ul style="list-style-type: none"> a. ensure access to the site and road safety and network efficiency is maintained; b. manage cumulative construction traffic from other concurrent construction works within the Mamre Road Precinct; and 	<p>A CTMP will be prepared to cover off Stage 0 and Stage 1. This CTMP will not cover construction of the building.</p>	<p>An updated CTMP will be prepared to support the construction of Warehouse 1. This CTMP will undergo the condition requirements and submitted to the Planning</p>	<p>An updated CTMP will be prepared to support the construction of Warehouse 3. This CTMP will undergo the condition requirements submitted to the Planning</p>

	<ul style="list-style-type: none"> c. address the 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; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: <ul style="list-style-type: none"> a. minimise the impacts of earthworks and construction on the local and regional road network; b. minimise conflicts with other road users; c. minimise road traffic noise; and d. ensure truck drivers use specified routes, including entering and exiting Mamre Road via Abbotts Road and not Bakers Lane. (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail the procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. 		Secretary for approval.	Secretary for approval.
B2	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the Construction Traffic Management Plan required by Condition B1 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction. 	All CTMPs identified above are to follow this condition.		
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</p>	The Operational Traffic Monitoring Program will be established at project completion and OC of the first warehouse building.		

	<p>measures to the satisfaction of the Planning Secretary and include but not limited to the following:</p> <ul style="list-style-type: none"> (a) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation; (b) queue monitoring at the Mamre Road/Abbotts Road intersection and background travel counts on Mamre Road and Abbotts Road (c) verify the traffic numbers and level of service against the impacts of the development, and analyse the potential cause of the significant discrepancies; (d) consider the current capacity and efficiency of the existing road network including Mamre Road and Aldington Road; and (e) include procedures for the reporting and monitoring of results to evaluate the traffic performance of the development. 	
B4	<p>Prior to the commencement of operation of the development, the Applicant must complete the construction of the upgrades of Abbotts Road to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.</p>	This condition is not staged.
B5	<p>Prior to the commencement of construction works for the Mamre Road/Abbotts Road intersection works and signalised intersection of Abbotts 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.</p>	This condition is not staged.
B6	<p>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 and 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.</p> <p>The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available</p>	This condition is not staged.

	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 .	
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.	This condition is not staged.
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 .	This condition is not staged.
B9	Any realignment of site boundaries to facilitate the works referred to in Condition B5, inclusive but not limited to drainage, footpaths, and batters resulting from the proposed road and construction works, must be dedicated as public road at no cost to the relevant road authority unless specified otherwise in a planning agreement.	This condition is not staged.
B10	The Applicant must obtain a Road Occupancy Licence (ROL) from TfNSW Management Centre for any works that may impact traffic flows on Mamre Road during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf .	This condition is not staged.
B11	Prior to commencement of operation for the first warehouse building, the upgrade works to the Mamre Road and Abbots Road intersection,	This condition is not staged.

	and upgrades to Abbotts Road must be completed to the satisfaction of the relevant roads authority for each component of the works.			
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 the relevant road authority.	Not relevant to Stage 0.	Stage 1D to follow this condition.	Not relevant to Stage 2 and 3.
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 be: <ul style="list-style-type: none"> (a) prepared in consultation with Council; and (b) demonstrate compliance with the Sydney Water Stormwater Scheme Infrastructure Design Guideline and MRP DCP. 	Not relevant to Stage 0.	Stage 1D to follow this condition.	Not relevant to Stage 2 and 3.
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.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
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 the Australian Standard AS 1742.9:2018 <i>Manual of Uniform Traffic Control Devices - Bicycle Facilities, and Cycling Aspects of Austroads Guides</i> . Any bicycle parking and storage facilities must secure, convenient, well lit, physically and visually accessible and within close proximity to the main in accordance with Austroads guidelines.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
B16	A minimum of 5% parking bays for each warehouse must provide for electrical vehicle charging with a further 5% constructed as readily adaptable.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
B17	The Applicant must ensure: <ul style="list-style-type: none"> (a) internal roads, driveways, and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths, 	Not relevant to Stage 0	Stage 1,2, and 3 to follow this condition.	

	<p>and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS2890.1:2004 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 AUSTROADS 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;</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 Abbotts 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 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>				
B18	Prior to the commencement of operation of any part of the development, the Applicant must prepare a Workplace Travel Plan and	Not relevant to Stage 0 and 1.	At PC, Stage 1 will complete a	At PC, Stage 2 will complete a	

	<p>submit a copy to the Planning Secretary. The Workplace Travel Plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with TfNSW; (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and (c) describe pedestrian and bicycle linkages and end of trip facilities available on site. 			Workplace Travel Plan for Warehouse 1.	Workplace Travel Plan for Warehouse 3.
B19	The Applicant must implement the most recent version of the Workplace Travel Plan for the duration of the development.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.	
B20	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site; (b) keep accurate records of the volume and type of fill to be used; and (c) make these records available to the Planning Secretary upon request. 	Not relevant to Stage 0	Stage 1 to follow this condition.	If builder requires minor alterations to the pad levels at Stage 2 and 3, they will follow this condition.	
B21	<p>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 IWCM controls in the MRP DCP are achieved to the satisfaction of the Planning Secretary. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must:</p> <ul style="list-style-type: none"> (a) be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist; (b) be prepared in accordance with <i>Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book</i> (Landcom 2004) and with the WSUD design principles set out in the <i>Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets</i> (Technical Guidance) (NSW Government 2022); (c) include: 	Erosion and Sediment Control Plans for Stage 0 and 1 will be prepared jointly as per the condition.		Updated Erosion and Sediment Control plans will be prepared for Warehouse 1 build.	Updated Erosion and Sediment Control plans will be prepared for Warehouse 3 build.

	<ul style="list-style-type: none"> a. each major phase of construction work including catchment plans and calculations and sizing for all major drainage and sediment control for each phase; b. 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. 			
B22	<p>The Applicant must:</p> <ul style="list-style-type: none"> (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. 	This condition is not staged.		
B23	<p>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.</p>	This condition is not staged.		
B24	<p>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.</p>	This condition is not staged.		

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> <ul style="list-style-type: none"> (a) be prepared in consultation with the Environment and Heritage Group, Sydney Water and Council; (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; (c) be consistent with the plan shown on Figure 2 in Appendix 1 and the updated Stormwater Management Plan required by Condition B30; (d) include all private, Council and trunk drainage infrastructure within the site including connections to adjacent landholdings; (e) be designed in accordance with the <i>Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets</i> (Technical Guidance) (NSW Government 2022) and detail how: <ul style="list-style-type: none"> a. the requirements and objectives of the IWCM controls of the DCP will be achieved; b. the waterway health objectives and targets set out in the Technical Guidance will be achieved; c. levels are resolved to demonstrate the systems functions effectively; d. the development will ultimately connect to the MRP Stormwater Scheme and interim measures to meet the waterway health objectives and targets will be decommissioned; e. 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; 	Not relevant to Stage 0.	Stage 1 to follow this condition.	Not relevant to Stage 2 and 3.
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	<ul style="list-style-type: none"> (f) demonstrate the on-site stormwater detention is free draining; (g) demonstrate maintenance access driveways to water storage and bio-retention basins are designed in accordance with Council's specifications; (h) demonstrate that sufficient land is reserved on the site for stormwater management purposes (such as irrigation areas and/or evaporation ponds) 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; (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; (j) include landscape drawings that include planting and hardscape details of the WSUD systems; and (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 (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). 			
B26	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence earthworks until the design required by Condition B25 is approved by the Planning Secretary; (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 	Not relevant to Stage 0.	Stage 1 to follow this condition.	Stage 2 and 3 to follow this condition.

	(c) implement the stormwater management system approved by the Planning Secretary prior to the commencement of operation of the first warehouse building.			
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.	This condition is not staged.		
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> <ul style="list-style-type: none"> (a) be designed in consultation with the Regional Stormwater Authority (Sydney Water); (b) be integrated into the Stormwater Management System required under Condition B25; (c) be designed in accordance with the Mamre Road Stormwater Scheme Plan and Sydney Water's <i>Stormwater Infrastructure Technical Guidelines (draft) 2022</i>, or its latest version, unless otherwise agreed with the Regional Stormwater Authority; (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 to the commencement of the trunk drainage exceeds 15ha or where overland flows are unsafe to pedestrians and vehicles; (e) be modelled with demonstration of flow modelling using XP-Rafts (Laurenson's Method) or DRAINS (ILSAX or Laurenson's Method) 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. 	Not relevant to Stage O.	Stage 1 to follow this condition	Not relevant to Stage 2 and 3.

	<p>(f) Include access for management and maintenance by the Regional Stormwater Authority as per the <i>Stormwater Scheme Infrastructure Design Guideline (draft) 2022</i>, 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 upstream piped infrastructure that 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>			
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 first warehouse building.</p>	Not relevant to Stage 0.	Stage 1 to follow this condition.	Not relevant to Stage 2 and 3.
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>	Not relevant to Stage 0 and 1.		Stage 2 and 3 will be supported by a Stormwater Management Plan that covers the entire development area as per this condition.

- (d) be prepared in consultation with the Environment and Heritage Group, Sydney Water, Council and the Department;
- (e) describe the baseline soil, surface water and groundwater conditions at the site;
- (f) define how the development will comply with the stormwater targets, including connection to the regional scheme;
- (g) include MUSIC modelling in each stage of the development in accordance with the Technical Guidance;
- (h) provide catchment plans, tables and all stormwater management details as per the Technical Guidance;
- (i) ensure:
 - a. proprietary devices are located on private land and only include sediment and nutrient removal if certified under SQIDEP;
 - b. ensure external catchments are drained to trunk drainage;
 - c. ensure all catchments areas are accounted for in the MUSIC modelling and post processing tool and there are no inconsistencies;
 - d. 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);
- (j) include a protocol for investigation of any non-compliances of the stormwater management system with the IWCM controls in the MRP DCP and the waterway health objectives and targets in the Technical Guidance;
- (k) detail the contingency measures that would be implemented should issues arise;
- (l) include a Maintenance Plan for the WSUD measures; and
- (m) detail triggers for a review of the plan, including but not limited to, a review of the plan within 6 months of the precinct-wide

	stormwater infrastructure being available for the site to connect to.		
B31	<p>The Applicant must:</p> <ul style="list-style-type: none"> (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 (b) implement the most recent version of the Stormwater Management Plan approved by the Planning Secretary for the duration of the development. 	Not relevant to Stage 0 and 1.	Stage 2 and 3 to follow this condition.
B32	<p>Prior to the issue of a Compliance Certificate under Section 73 of the <i>Sydney Water Act 1994</i>, an easement under section 88A and/or restriction or public positive covenant under section 88E of the <i>Conveyancing Act 1919</i> 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>	Not relevant to Stage 0 and 1.	The PC of Stage 2 and 3 to follow this condition.
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>	This condition is not staged.	
B34	<p>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.</p> <p>Note: This does not include any passively irrigated street trees that may be transferred to the relevant roads authority.</p>	This condition is not staged.	

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 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.	Not relevant to Stage 0 and 1.	The PC of Stage 2 and 3 to follow this condition.
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.	The CEMP prepared for Stage 0 and 1 to follow this condition.	Not relevant to Stage 2 and 3, as dams will be decommissioned prior to handover between Stage 1 and Stages 2 and 3.
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.	This condition is not staged.	
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: <ul style="list-style-type: none"> (a) detail the species to be planted on-site that: <ul style="list-style-type: none"> a. are consistent with the plant list of Appendix C of the Mamre Road Precinct Development Control Plan; and b. are suitable in relation to wildlife management in proximity to the Western Sydney Airport. (b) ensure planting including large trees with sufficient deep soil is provided in areas between retaining wall tiers and between retaining walls and the northern property boundary on Lot 1 (as shown in the landscape plans titled <i>Kemps Creek Logistics Park</i> 	Not relevant to Stage 0.	Landscape management plan to be prepared to cover off all landscape works in Stage 1, 2 and 3.

	<p><i>SSDA Report Landscape Concept Plan</i>, prepared by Site Image and dated 14 February 2023);</p> <p>(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 <i>Kemps Creek Logistics Park SSDA Report Landscape Concept Plan</i>, prepared by Site Image and dated 14 February 2023);</p> <p>(d) demonstrate that the minimum tree canopy targets are achieved in accordance with MRP DCP; and</p> <p>(e) describe the monitoring and maintenance measures to manage revegetation and landscaping works, including the southern boundary landscaping.</p>		
B39	<p>The Applicant must:</p> <p>(a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary;</p> <p>(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</p> <p>(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.</p>	Not relevant to Stage 0 and 1.	The PC of Stage 2 and 3 to follow this condition.
B40	<p>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</p>	Not relevant to Stage 0 and 1.	Stage 2 and 3 to follow this condition.

	report is to detail what measures have been undertaken to address the tree canopy shortfall and a rectification plan is to be provided.			
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.	Not relevant to Stage 0.	Stage 1 to follow this condition.	Not relevant to Stage 2 and 3.
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.	Not relevant to Stage 0.	Stage 1 to follow this condition.	Not relevant to Stage 2 and 3.
B43	The Applicant must ensure the finished facades and roofs of 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.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
B44	The Applicant must ensure the lighting associated with the development: <ul style="list-style-type: none"> (a) complies with the latest version of AS 4282-2019 – <i>Control of the obtrusive effects of outdoor lighting</i> (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. 	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
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 measures to control lighting impacts from illuminated signs.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.
B46	All signage must be erected in accordance with the approved Signage Strategy required by Condition B45.	Not relevant to Stage 0 and 1.		Stage 2 and 3 to follow this condition.

B47	<p>The Applicant must comply with the hours detailed in Table 2 unless otherwise agreed in writing by the Planning Secretary.</p> <p><i>Table 2 Hours of Work</i></p> <table border="1" data-bbox="295 300 1144 411"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Earthworks and construction</td> <td>Monday – Friday</td> <td>7 am to 6 pm</td> </tr> <tr> <td>Saturday</td> <td>8 am to 1 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and construction	Monday – Friday	7 am to 6 pm	Saturday	8 am to 1 pm	Operation	Monday – Sunday	24 hours	This condition is not staged.		
Activity	Day	Time													
Earthworks and construction	Monday – Friday	7 am to 6 pm													
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B48	<p>Works outside of the hours identified in condition B47 may be undertaken in the following circumstances:</p> <ul style="list-style-type: none"> (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. 	This condition is not staged.													
B49	<p>The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (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.</p>	This condition is not staged.													
B50	<p>The Applicant must prepare a Construction Noise and Vibration Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of the CEMP in accordance with Condition C2 and must:</p> <ul style="list-style-type: none"> (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 MRP), include evidence of this consultation and detail how the plan has responded to any issues raised during consultation; 	A Construction Noise and Vibration Plan will be prepared for Stage 0 and 1.	An updated construction noise and vibration plan to be submitted for Stage 2.	An updated construction noise and vibration plan to be submitted for Stage 3.											

	<p>(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);</p> <p>(d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</p> <p>(e) include strategies that have been developed with the community for managing high noise generating works; and</p> <p>(f) include a complaints management system that would be implemented for the duration of the development.</p>															
B51	<p>The Applicant must:</p> <p>(a) not commence earthworks until the Construction Noise and Vibration Management Plan required by Condition B46 is approved by the Planning Secretary;</p> <p>(b) implement the most recent version of the Construction Noise and Vibration Management Plan approved by the Planning Secretary for the duration of construction.</p>	This condition is not staged.														
B52	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 3.</p> <p><i>Table 3 Noise Limits (dB(A))</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day <i>L_{Aeq}(15 minute)</i></th> <th>Evening <i>L_{Aeq}(15 minute)</i></th> <th>Night <i>L_{Aeq}(15 minute)</i></th> </tr> </thead> <tbody> <tr> <td>Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)</td> <td>36</td> <td>31</td> <td>27</td> </tr> <tr> <td>BAPS Temp-e - Outdoor Use Area (Except Car Parking Area)</td> <td colspan="3">33 (When in use)</td> </tr> </tbody> </table>	Location	Day <i>L_{Aeq}(15 minute)</i>	Evening <i>L_{Aeq}(15 minute)</i>	Night <i>L_{Aeq}(15 minute)</i>	Residential receivers near Medinah Avenue (Luddenham), Mount Vernon Road (Mount Vernon) and Kerrs Road (Mount Vernon)	36	31	27	BAPS Temp-e - Outdoor Use Area (Except Car Parking Area)	33 (When in use)			This condition is not staged.		
Location	Day <i>L_{Aeq}(15 minute)</i>	Evening <i>L_{Aeq}(15 minute)</i>	Night <i>L_{Aeq}(15 minute)</i>													
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BAPS Temp-e - Outdoor Use Area (Except Car Parking Area)	33 (When in use)															
B53	<p>The Applicant must ensure that noise generated by:</p> <p>(a) all fixed external mechanical plant for the warehouse building on Lot 1 does not exceed a cumulative sound power level of <i>L_{Aeq}(15min)</i> 90 dB(A)</p>	This condition is not staged.														

	<p>(b) all fixed external mechanical plant for the warehouse building on Lot 4 does not exceed a cumulative sound power level of LAeq(15 min) 86dBA; and</p> <p>(c) any activity on the site does not exceed a sound power level of L_{max} 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).</p>			
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 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 predicted noise levels identified in the report title <i>ESR Westlink Stage 1, Kemps Creek</i>,</p>	Not relevant for Stage 0.	Stage 1 to follow this condition.	Not relevant for Stage 2 and 3.

	<p><i>NSW, Noise and Vibration Impact Assessment</i> prepared by RWDI dated October 2022.</p> <p>(e) development 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 receiver identified in Condition B52;</p> <p>(f) include:</p> <ol style="list-style-type: none"> a. an analysis of compliance with noise limits specified in Conditions B52 and B53; b. an outline of at-source and transmission path mitigation measures required to ensure compliance with the limits specified in Conditions B52 and B53; c. a description of contingency measures (including the cessation of non-compliant noise generating activities during night-time period) in the event management actions are not effective at reducing noise levels to comply with the limits specified in conditions B52 and B53. 			
B55	<p>Should the Design Verification Report identify that the noise limits specified in Condition B52 and B53 cannot be achieved through the mitigation measures and contingency measures required to be considered under Condition B54, the Applicant</p> <ol style="list-style-type: none"> (a) must offer to enter into noise agreement(s) with eligible receivers outside of the Mamre Road Precinct where noise limits are assessed to be exceeded (b) provide written evidence to the Planning Secretary that an agreement is in place with these receivers. 	This condition is not staged.		

B56	<p>If a Noise Agreement is in place with a specified 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>This condition is not staged.</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> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified, experienced and independent acoustic consultant whose appointment has been endorsed by the Planning Secretary; (b) demonstrate that noise verification has been carried out in accordance with: <ul style="list-style-type: none"> a. the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia 2018); b. the EPA Approved Methods for Measurement and Analysis of Environmental Noise in NSW (EPA 2022); c. the Operational Noise Monitoring Plan established under Condition B54(e). (c) include: <ul style="list-style-type: none"> a. an analysis of compliance with noise limits specified in condition B52 and B53; b. an outline of implemented at-source and transmission pathway mitigation measures and their effectiveness at reducing operational noise; and c. a description of contingency measures (including the cessation of non-compliant noise generating activities during the night-time period) in the event implemented mitigation measures are not effective at reducing noise levels to comply with the limits specified in Condition B52 and B53 at all times. 	<p>This condition is not staged.</p>

B58	Prior to the commencement of operation of the development, the Applicant must offer to enter into a noise agreement(s) with the noise mitigation eligible receivers shown in Figure 4 at Appendix 3. The Applicant must provide written evidence to the Planning Secretary that an agreement is in place with these receivers.	This condition is not staged.		
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 sooner.	This condition is not staged.		
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.	Driver Code of Conduct to be prepared for Stage 0 and 1.	Driver Code of Conduct to be updated for Stage 2.	Driver Code of Conduct to be updated for Stage 3.
B61	Vibration caused by construction at any residence or structure outside the site must be limited to: <ul style="list-style-type: none"> (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). 	This condition is not staged.		
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.	This condition is not staged.		
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.	This condition is not staged.		

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.	Not relevant to Stage 0.	Stage 1 to follow this condition.	Not relevant to Stage 2 and 3.
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.	This condition is not staged.		
B66	Prior to the commencement of earthworks, the Applicant must undertake further soil sampling in areas on 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: <ul style="list-style-type: none"> (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)) of 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. 	Stage 0 to follow this condition.	Not relevant for Stage 1, 2, and 3.	

B67	<p>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 <i>Contaminated Land Management Act 1997</i>. Remediation works must be undertaken by a suitably qualified and experienced consultant(s) and must be completed prior to the commencement of earthworks.</p>	<p>Stage 0 to follow this condition.</p>	<p>Not relevant for Stage 1, 2, and 3.</p>
B68	<p>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 which has been 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 (CPPS CSAM) scheme. The validation report shall demonstrate:</p> <ul style="list-style-type: none"> (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. 	<p>Stage 0 to follow this condition.</p>	<p>Not relevant for Stage 1, 2, and 3.</p>
B69	<p>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:</p> <ul style="list-style-type: none"> (a) <i>Work Health and Safety Regulation 2017</i>; (b) <i>SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace</i> September 2016; (c) <i>SafeWork NSW Code of Practice – How to Safely Remove Asbestos</i> September 2016; and (d) <i>Protection of the Environment Operations (Waste) Regulation 2014</i>. 	<p>This condition is not staged.</p>	

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 the removal of the contaminated material from the site.	Unexpected Finds to be prepared for Stage 0 and 1 CEMP.	Unexpected Finds to be updated in CEMP for Warehouse 1.	Unexpected Finds to be updated in CEMP for Warehouse 3.
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 AS2419.1-2005 <i>Fire hydrant installations System design, installation and commissioning</i> .	This condition is not staged.		
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> .	This condition is not staged.		
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 AS 3959-2018 <i>Construction of buildings in bushfire prone areas</i> or NASH Standard (1.7.14 updated) <i>National Standard Steel Framed Construction in Bushfire Area - 2014</i> as appropriate, and Section 7.5 of <i>Planning for Bushfire Protection, 2019</i> .	Not relevant to Stage 0 and 1.	This condition applies to Stage 2 and 3.	
B74	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	This condition is not staged.		
B75	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering;	This condition is not staged.		

	<ul style="list-style-type: none"> (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. 			
B76	<p>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:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(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, details of any issues raised and how the plan has responded to any issues raised during consultation; (c) detail and rank all emissions from all sources during construction of the development, including particulate emissions; (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; (e) identify the control measures that will be implemented for each emission source; and (f) nominate the following for each of the proposed controls: <ul style="list-style-type: none"> a. key criteria; b. monitoring method; and c. locations, frequency and duration of monitoring; (g) outline the procedures that will be implemented in relation to: 	A CAQMP to be prepared for Stage 0 and 1.	A CAQMP to be updated to reflect Stage 2 build.	A CAQMP to be updated to reflect Stage 2 build.

	<ul style="list-style-type: none"> a. record keeping; b. reporting to the Environmental Representative required under condition A35; c. complaints register; d. response procedures; and e. compliance monitoring. <p>(h) detail contingency measures to be implemented to reduce any exceedance of relevant performance indicators or criteria and include a timetable for implementation.</p>			
B77	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence earthworks until the CAQMP required by Condition B76 is approved by the Planning Secretary; and (b) implement the most recent version of the CAQMP approved by the Planning Secretary for the duration of construction; and (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. 	This condition is not staged.		
B78	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	This condition is not staged.		
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.	Stage 0 to follow this condition.	Not relevant to Stage 1, 2 and 3.	
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.	This condition is not staged.		

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 <i>National Parks and Wildlife Act 1974</i> and the conditions in 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.	Stage 0 and 1 to develop an induction training material for the site.	Stage 2 to adopt induction training material in the updated CEMP.	Stage 3 to adopt induction training material in the updated CEMP.
B82	If any item or object of Aboriginal heritage significance is identified on site: <ul style="list-style-type: none"> (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10m wide buffer area around the suspected item or object must be cordoned off; and (c) Heritage NSW must be contacted immediately. 	This condition is not staged.		
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> .	This condition is not staged.		
B84	If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development: <ul style="list-style-type: none"> (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately; (b) Heritage NSW must be contacted immediately; and (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirement of Heritage NSW. 	This condition is not staged.		
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.	This condition is not staged.		
B86	Prior to, and during, construction works the Applicant must implement the mitigation measures recommended in Section 2.2.5 of the	This condition is not staged.		

	Biodiversity Development Assessment Report prepared by Ecological Australia Pty Ltd, dated 14 April 2022.			
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 EcoLogical Australia Pty Ltd dated 14 April 2022, and be submitted to the Planning Secretary.	Wildlife management plan to be prepared for Stage 0 and 1 and adopted through the life of the development.		
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.	This condition is not staged.		
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.	This condition is not staged.		
B90	The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded 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).	This condition is not staged.		
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: <ul style="list-style-type: none"> (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</i>, <i>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. 	Not relevant to Stage 0 and 1.	A Waste management Plan will be prepared for Warehouse 1. It will be specific to this warehouse.	A Waste management Plan will be prepared for Warehouse 3. It will be specific to this warehouse.

B92	The Applicant must implement the Waste Management Plan for the duration of construction and operation.	Not relevant to Stage 0 and 1.	Waste Management Plan for Stage 2 will be implemented for construction and operation.	Waste Management Plan for Stage 3 will be implemented for construction and operation.
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.	Not relevant to Stage 0 and 1.	Stage 2 and 3 to follow this condition. Discussion with Council to be discussed separately for each stage.	
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.	This condition is not staged.		
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.	This condition is not staged.		
B96	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) implement suitable measures to manage pest, 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. <p>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.</p>	This condition is not staged.		
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
C1	Management plans required under this consent must be prepared in accordance with relevant guidelines and include: <ul style="list-style-type: none"> (a) detailed baseline data; 	This condition is not staged.		

- (b) details of:
 - a. the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - b. any relevant limits or performance measures and criteria; and
 - c. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - a. impacts and environmental performance of the development; and
 - b. effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - a. incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - b. compliant;
 - c. failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.
- Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of Condition C1 and to the satisfaction of the Planning Secretary.	This condition is not staged.		
C3	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) Construction Traffic Management Plan (Condition B1); (b) Erosion and Sediment Control Plan (Condition B21); (c) Dam Decommissioning Strategy (Condition B36) (d) Construction Noise and Vibration Management Plan (Condition B50); (e) Unexpected Finds Protocol (Condition B70) (f) Construction Air Quality Management Plan (Condition B76); (g) Site Induction Training Manual (Condition B81); (h) Wildlife Management Plan (Condition B87); (i) Community Consultation and Complaints Handling. 	A CEMP to be prepared for Stage 0 and 1.	An updated CEMP to be prepared for Stage 2 build.	An updated CEMP to be prepared for Stage 2 build.
C4	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time. 	This condition is not staged.		
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.	This condition is not staged.		
C6	<p>As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:</p> <ul style="list-style-type: none"> (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; 	Not relevant to Stage 0 and 1.	At the PC for Warehouse 1, an OEMP for this warehouse will be prepared.	At the PC for Warehouse 3, an OEMP for this warehouse will be prepared.

	<p>(b) describe the procedure that would be implemented to:</p> <ul style="list-style-type: none"> a. keep the local community and relevant agencies informed about the operation and environmental performance of the development; b. receive, handle, respond to and record complaints; c. resolve any disputes that may arise; d. respond to any non-compliance; e. respond to emergencies; and <p>(c) include the following environmental management plans;</p> <ul style="list-style-type: none"> a. Operational Traffic Monitoring Program (Condition B3) b. Workplace Travel Plan (Condition B18) c. Stormwater Management Plan (Condition B30) d. Landscape Management Plan (Condition B38) e. Wildlife Management Plan (Condition B87) f. Waste Management Plan (Condition B91). <p>(d) Detail measures to minimise air emissions during operation.</p>			
C7	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time). 	This condition is not staged.		
C8	<p>Within three months of:</p> <ul style="list-style-type: none"> (a) 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. 	This condition is not staged.		

C9	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under Condition C8, or such other timing as agreed by the Planning Secretary. 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.</p>	This condition is not staged.
C10	<p>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.</p>	This condition is not staged.
C11	<p>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.</p>	This condition is not staged.
C12	<p>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.</p>	This condition is not staged.
C13	<p>A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</p>	This condition is not staged.
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</p>	This condition is not staged.

	<p>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> <ul style="list-style-type: none"> (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. 	
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>	This condition is not staged.
C16	<p>Any condition of this consent that requires the carrying out of monitoring or environmental audit, whether directly or by the way of a plan, strategy, 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>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 or compliance with the consent of the environmental management or impact of the development.</p>	This condition is not staged.
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>	This condition is not staged.

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- (a) make the following information and documents (as they are obtained and approved) publicly available on its website:
- a. the documents referred to in Condition A2 of this consent;
 - b. all current statutory approvals for the development;
 - c. all approved strategies, plans and programs required under the conditions of this consent;
 - d. 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;
 - e. 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;
 - f. a summary of the current stage and progress of the development;
 - g. contact details to enquire about the development or to make a complaint;
 - h. a complaints register, updated monthly;
 - i. the Compliance Report of the development;
 - j. any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.
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