

Development Consent

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

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

These conditions are required to:

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



Joanna Bakopanos
A / Director
Industry Assessments

Sydney

30 September 2025

File: EF24/7194

SCHEDULE 1

Application Number:	SSD-71052213
Applicant:	Selleys - Dulux Group Australia Pty Limited
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 100 DP1011185 and Lot 53 DP1064349 15 and 20 Gow Street, Padstow
Development:	The expansion of an existing manufacturing facility, including the partial demolition and refurbishment of an existing warehouse, and the construction and operation of a new technical centre, ancillary staff facilities, landscaping and site infrastructure.

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DEFINITIONS

Applicant	Selleys as part of Dulux Group (Australis) Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and / or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
CFERP	Construction Flood Emergency Response Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	Canterbury Bankstown Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in Schedule 1, the EIS and RTS, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled Environmental Impact Statement – <i>Proposed refurbishment of the existing chemical manufacturing and associated warehouse or distribution centre, 15 & 20 Gow Street Padstow, Lot 100 DP1011185 and Lot 53 DP1064349</i> prepared by Willow Tree Pty Ltd, dated 15 November 2024, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Evening	The period from 6pm to 10pm
Fibre-ready facility	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
GFA	Gross Floor Area
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: “material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that:

- a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
- b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	10pm to 7am Monday to Saturday and 10pm to 8am Sunday
OFERP	Operational Flood Emergency Response Plan
Operation	The use of the manufacturing facility and warehouse and distribution centre and the ancillary office space as described in the EIS and RTS and as modified by the conditions of this consent
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Remedial Action Plan	Remedial Action Plan (prepared by Senversa Pty Ltd, Project Rev 2, dated 28 October 2024) (see Appendix 36 of the EIS).
Submissions Report (RTS)	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Response to Submission Report, Proposed refurbishment of the existing chemical manufacturing and associated warehouse or distribution centre, 15 & 20 Gow Street Padstow, Lot 100 DP1011185 and Lot 53 DP1064349</i> prepared by Willow Tree Pty Ltd and dated 28 May 2025
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1 of this consent
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

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

LIMITS OF CONSENT

Lapsing

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

Pedestrian Crossing

- A6. The pedestrian crossing within Gow Street is not approved as part of this development. Any reference to the pedestrian crossing on the approved architectural plans shall be disregarded and does not form part of this consent.

NOTIFICATION OF COMMENCEMENT

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

EVIDENCE OF CONSULTATION

- A9. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and

- (II) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A10. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- 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.
- 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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A13. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Sydney Water

- A15. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Fibre-Ready Facilities

- A16. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (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;
 - (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.
- A17. Prior to the issue of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

DEMOLITION

- A18. All demolition must be carried out in accordance with Australian Standard *AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A19. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

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

EXTERNAL WALLS AND CLADDING

- A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

- A21. Prior to the issue of:

- any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- an Occupation Certificate,

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

- A22. The Applicant must provide a copy of the documentation given to the Certifier (see condition A21) to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A23. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A24. Prior to the issue of a Construction Certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)) must be paid to Council under section 7.12 of the EP&A Act and in accordance with the *Canterbury Bankstown Local Infrastructure Contributions Plan 2022*.

Note: Please contact Canterbury Bankstown Council on (02) 9707 9000 or council@cbc.city.nsw.gov.au to obtain the contributions payment invoice.

HOUSING AND PRODUCTIVITY CONTRIBUTION

- A25. Prior to the issue of a Construction Certificate for any part of the development, a housing and productivity contribution (HPC) in accordance with Table 1 must be paid for the development, as adjusted in accordance with condition 0.

Table 1 Housing and Productivity Contribution Amount

HOUSING AND PRODUCTIVITY CONTRIBUTION	AMOUNT
Housing and productivity contribution (base component)	\$467,751.57
Transport project component	\$0
Total housing and productivity contribution	\$467,751.57

- A26. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 1 October 2023 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A Act agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act to the development, or the HPC Order exempts the development from the contribution.

OPERATION OF PLANT AND EQUIPMENT

- A27. All plant and equipment used on-site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A28. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A29. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A30. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

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

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B1. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
 - (d) include details of:
 - (i) vehicle types, heavy vehicle routes including any heavy vehicle restriction routes, parking and access arrangements;
 - (ii) the strategies that would be implemented to minimise the number of construction workers who will drive to the site; and
 - (iii) any potential construction traffic impacts to general traffic, cyclists, and pedestrians within the vicinity of the site;
 - (e) include an Operational Driver Code of Conduct to:
 - (i) minimise the impacts of earthworks and construction vehicles on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers are aware of heavy vehicle traffic restriction routes and use specified routes;
 - (f) include a program to monitor the effectiveness of these measures; and
 - (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B2. The Applicant must:
- (a) not commence construction until the CTMP required by condition B1 B1is approved by the Planning Secretary; and
 - (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Parking and Access

- B3. Prior to the commencement of operation, the Applicant must complete the construction of the Gow Street civil works, including the upgrades to the access driveways to the satisfaction of the roads authority. The Applicant must obtain approval for these works from the roads authority under section 138 of the *Roads Act 1993*.
- B4. Prior to the commencement of operation, the Applicant must provide parking facilities on-site for heavy vehicles and site personnel to ensure that traffic associated with the development does not park on local roads or in public parking facilities.

Operating Conditions

- B5. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009);
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (c) the development does not result in any vehicles queuing on the public road network, waiting to enter the site;
 - (d) heavy vehicles, equipment and bins associated with the development are not parked and/or stored on public roads or footpaths in the vicinity of the site;

- (e) all vehicles are wholly contained on site before being required by the Applicant to stop;
- (f) all loading and unloading of materials is carried out on-site; and
- (g) all on-site turning areas are kept clear of any obstacles, including parked cars, at all times.

NOISE

Hours of Work

- B6. The Applicant must comply with the hours detailed in Table 2 below.

Table 2 Hours of Work

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

- B7. Works outside of the hours identified in condition B6 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
 - (b) works agreed to in writing by the Planning Secretary;
 - (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

- B8. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guidelines* (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the Construction Noise and Vibration Management Plan required under condition B13B13.

Vibration Criteria

- B9. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- B10. The limits in condition B9 apply unless otherwise outlined in the development's Construction Noise and Vibration Management Plan (see condition B13).
- B11. The Applicant must offer and prepare (if the offer is accepted) a pre-dilapidation and post-dilapidation survey at the properties, No. 31 Gow Street, and No. 42, No. 54, No. 56-58 and No. 60 Fairfield Road, Padstow:
- (a) prior to the commencement of construction; and
 - (b) within one month of the conclusion of construction, or as otherwise agreed with the Planning Secretary.
- The surveys must be submitted to the Planning Secretary and the relevant property owners within seven days of being prepared.
- B12. Should the survey at B11(b) identify any damage, the Applicant must discuss the repairs to be undertaken with the relevant property owners, and repair or pay the full costs associated with repairing any part of the building that is determined to be damaged by the carrying out construction works associated with the development.

Construction Noise and Vibration Management Plan

- B13. Prior to the commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. A copy of the CNVMP must be included in the development's CEMP (see condition C2) and must:
- be prepared by a suitably qualified and experienced noise expert(s);
 - describe procedures for achieving the noise management levels detailed in the *Interim Construction Noise Guidelines* (as may be updated or replaced from time to time) and the vibration criteria in condition B9;
 - describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - include strategies that have been developed with the community for managing high noise generating works (such as the provision of respite periods);
 - include strategies that have been developed in consultation with the directly adjoining properties for managing vibration (such as any alternative construction methods with lower source vibration levels and provision for respite periods);
 - describe the community consultation undertaken to develop the strategies in condition B13(d) and B13(e); and
 - include a complaints management system that would be implemented for the duration of construction of the development.
- B14. The Applicant must:
- not commence construction until the CNVMP required by condition B13 is approved by the Planning Secretary; and
 - implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

- B15. The Applicant must ensure that noise generated by the operation of the development does not exceed the noise limits at the receiver locations outlined in Table 3 below of this consent.

Table 3 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)
22 Iris Avenue, Riverwood 62 Moxon Road, Punchbowl 24 Iris Avenue, Riverwood	42	42	41
3 Craig Street, Punchbowl	41	41	41
44 Kentucky Road, Riverwood	39	39	38
24 Bryant Street, Padstow	37	37	36

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

Operational Noise Verification Report

- B16. At the following stages of the development (or as otherwise directed by the Planning Secretary), the Applicant must prepare and submit a Noise Verification Report to the satisfaction of the Planning Secretary within three months of the commencement of operation. The Noise Verification Report must:
- be prepared to the satisfaction of the Planning Secretary;
 - demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with the latest version of:

- (i) the Australian Standard *AS 1055:2018 Acoustics – Description and measurement of environmental noise* (Standards Australia, 2018);
 - (ii) the *Approved Methods for the Measurement and Analysis of Environmental Noise in NSW* (EPA, 2022);
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the *NSW Noise Policy for Industry* (EPA, 2017); and
- (c) include:
- (i) an analysis of the development's compliance with the noise limits specified in condition B15;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B15; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B17. The Applicant must:

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

Erosion and Sediment Control

B18. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B19. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B18 for the duration of construction of the development.

Discharge Limits

B20. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.

Stormwater Management System

B21. The Applicant must finalise the detailed design of the stormwater management system for the development, prior to the commencement of construction of that system. The system must:

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

B22. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B21) and ensure the system is operational.

B23. The Applicant must maintain the stormwater management system installed on the site under condition B22 for the duration of the development.

FLOOD MANAGEMENT

B24. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Flood Emergency Response Plan (CFERP) and submit it to the Planning Secretary. The Plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s);

- (b) address the provisions of the Floodplain risk management manual (2023) and Support for emergency management planning (2023); and
- (c) include details of:
 - (i) the flood emergency responses for the construction phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time, flood notification, signs and depth indicators;
 - (iv) assembly points and evacuation routes;
 - (v) shelter in place protocols, including suitable locations of flood free refuge areas;
 - (vi) evacuation protocols; and
 - (vii) awareness training for employees and contractors.

B25. The Applicant must:

- (a) not commence construction until the CFERP required by condition B24 is submitted to the Planning Secretary; and
- (b) implement the most recent version of the CFERP submitted to the Planning Secretary for the duration of the development.

B26. Prior to the commencement of operation of the development, the Applicant must prepare an Operational Flood Emergency Response Plan (OFERP) for the site and submit it to the Planning Secretary. The Plan must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the Floodplain risk management manual (2023) and Support for emergency management planning (2023);
- (c) nominate suitable flood free locations accessible from all tenancies for shelter in place scenarios for the site;
- (d) include details of:
 - (i) the flood emergency responses for the operational phase of the development;
 - (ii) predicted flood levels, including probable maximum flood;
 - (iii) shelter in place protocols for all relevant flooding events;
 - (iv) awareness training for employees and contractors;
 - (v) protocols for advising site employees and visitors to stay away from the site during flood events;
 - (vi) flood warning time, flood notification, signs and depth indicators;
 - (vii) evacuation protocols including assembly points and evacuation routes (where applicable); and (viii) communication strategies to ensure all potential tenants are aware of flood levels (including probable maximum flood);
- (e) detail protocols for periodic review and update to the plan at least once every five years as well as (but not limited to):
 - (i) when flood warning systems in the area are updated;
 - (ii) when new flood evacuation routes are made available; and
 - (iii) following a flood event that triggers the OFERP.

B27. The Applicant must:

- (a) not commence operation until the OFERP required by condition B26 is submitted to the Planning Secretary and Council; and
- (b) implement the most recent version of the OFERP submitted to the Planning Secretary for the duration of the development.

AIR QUALITY

Dust Minimisation

B28. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B29. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and

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

Air Quality Discharges

- B30. The Applicant must install and operate equipment in line with best practice to ensure the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the Protection of the Environment Operations (Clean Air) Regulation 2022.

Air Quality Verification

- B31. The Applicant must prepare an Air Quality Verification report that confirms the air quality emissions associated with the development. The Air Quality Verification report must be submitted to the Planning Secretary within 60 days of operation of the development. The Air Quality Verification report must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be representative of the final plant design and operating regime of the development;
 - (c) must include all sources of emissions;
 - (d) demonstrate that odour, particles and NO₂ predicted concentrations comply with the criteria in the Approved Methods for Modelling and Assessment of Air Pollutants in NSW (2022) (The Approved Methods); and
 - (e) identifies management measures in the event predicted concentrations exceed the criterion in the Approved Methods.

BIODIVERSITY

Tree Protection Measures

- B32. Prior to the commencement of construction, a project arborist with a minimum 'Australian Qualifications Framework – Level 5' certification is to be appointed. The project arborist is to:
- (a) oversee the tree protection measures and any works within the Tree Protection Zones established under this consent in accordance with the Arboricultural Impact Assessment, Report prepared by Capability Green Consulting, Version 2 (Appendix 6 of the EIS); and
 - (b) complete regular inspections of retained trees in accordance with the Arboricultural Impact Assessment, Report prepared by Capability Green Consulting, Version 2 (Appendix 6 of the EIS) for the duration of construction in order to ensure that protection measures are being adhered to.
- B33. All trees identified for retention within the site must be protected for the duration of construction. The trees must be protected in accordance with:
- (a) the recommendations of the Arboricultural Impact Assessment, Report prepared by Capability Green Consulting, Version 2 (Appendix 6 of the EIS); and
 - (b) the latest version of Australian Standard AS 4970:2009 – *Protection of Trees on Development* (Standards Australia, 2009).
- All required tree protection measures must be in place prior to the commencement of construction works at the site.
- B34. In the event that any native fauna is found during tree removal works, all works in the immediate vicinity of the animal(s) must cease. Work in the immediate vicinity of the animal(s) must not recommence until a trained wildlife handler attends the site to remove the animal or the animal relocates itself.

LANDSCAPING

- B35. Prior to the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the development's landscaping works to the satisfaction of the Planning Secretary. The LMP must:
- (a) be consistent with the tree replacement planting as demonstrated within the Landscape Plans prepared by Geoscapes, revision I, dated 28 March 2025 (see Appendix C2 of the RTS);
 - (b) be consistent with the tree species, pot size and diversity/number of replacements within the Indicative Planting Schedule included within the Landscape Plans prepared by Geoscapes, revision I, dated 28 March 2025 (see Appendix C2 of the RTS);
 - (c) be consistent with:
 - (i) conditions B32 to B33, inclusive;
 - (ii) the Applicant's Management and Mitigation Measures at Appendix 2 of this consent; and
 - (d) describe the ongoing monitoring and maintenance measures which will be implemented to manage the landscaping works.

- B36. The Applicant must:
- (a) not commence operation until the LMP (see condition B35) is approved by the Planning Secretary;
 - (b) implement the most recent version of the LMP approved by the Planning Secretary; and
 - (c) maintain all on-site landscaping in accordance with the approved LMP for the life of the development.

HAZARDS AND RISK

Emergency Response

- B37. Prior to the construction of the development, the Applicant must prepare a comprehensive Fire Safety Study for the site in accordance with the Department's Hazardous Industry Planning Advisory Paper (HIPAP) No.2.
- B38. Prior to the commencement of operation of the development, the Applicant must prepare the following documents:
- (a) a comprehensive Emergency Plan for the site in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*; and
 - (b) an Emergency Services Information Package, developed in accordance with the *FRNSW Fire Safety Guideline – Emergency Services Information Package* and Tactical Fire Plans.
- B39. The Applicant must implement the Emergency Response Plan and Emergency Services Information Package required under condition B38 for the life of the development.
- B40. The Applicant must ensure that adequate emergency vehicle access is incorporated into the development's site design in line with *FRNSW Fire Safety Guideline - Access for Fire Brigade Vehicles and Firefighters*.

Dangerous Goods

- B41. At least one month prior to the commencement of construction of the development, or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit for the approval of the Planning Secretary a Report verifying the development meets the design requirements for the storage of dangerous goods in accordance with:
- (a) Australian Standard: *AS 1940:2017 The storage and handling of flammable and combustible liquids* (Standards Australia 2017); and
 - (b) Australian Standard *AS 3780:2023 The storage and handling of corrosive substances* (Standards Australia 2023)

REMEDIATION

Site Auditor

- B42. Prior to the commencement of any earthworks or remediation works, the Applicant must engage a Site Auditor accredited under the *Contaminated Lands Management Act 1997* (CLM Act) NSW Site Auditor Scheme.

Remediation Works

- B43. The site is to be remediated in accordance with the Remedial Action Plan (RAP), the CEMP and any relevant guidelines produced or approved under the CLM Act. If any amendments are required to the RAP, they must be reviewed and approved by the Site Auditor in the form of an Interim Audit Advice.
- B44. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced contractor(s).

Validation Report

- B45. Within three months of the completion of the remediation works required under condition B43 B44, or as otherwise agreed with the Planning Secretary, the Applicant must submit a Validation Report to the Site Auditor and Planning Secretary which demonstrates the remediation works have been completed in accordance with the RAP and the CEMP. The validation report must include:
- (a) details of the remediation works undertaken;
 - (b) details of any unexpected contamination find(s) (see condition B49B49);
 - (c) validation of any imported fill used during the remediation works (see condition B43B17); and
 - (d) information confirming that the objectives of the RAP have been achieved.

Site Audit Statement

- B46. Prior to the commencement of operation, or as otherwise agreed with the Planning Secretary, the Applicant must obtain a Site Audit Statement from the Site Auditor to confirm:
- (a) the remedial works approved under this consent have been completed in accordance with the remediation objectives listed in the RAP; and
 - (b) the site is suitable for its intended industrial and commercial uses, subject to the implementation of the Long Term Environmental Management plan (LTEMP) (see condition B47B47).

A copy of the final Site Audit Report and Site Audit Statement must be provided to the Planning Secretary.

Long Term Environmental Management Plan

- B47. Prior to the finalisation of the Site Audit Statement, the Applicant must prepare a Long Term Environmental Management Plan (LTEMP) for the ongoing management of contaminated soil for the site in accordance with the Remedial Action Plan (prepared by Senversa Pty Ltd, Rev 2, dated 28 October 2024) (see Appendix 36 of the EIS). The LTEMP is to be approved by the Site Auditor and a copy of the approved LTEMP must be provided to the Planning Secretary.
- B48. Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:
- (a) implement the approved LTEMP for the life of the development (see condition B47B47); and
 - (b) provide evidence to the Planning Secretary the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the EP&A Act, for the development.

CONTAMINATION

Unexpected Contaminated Finds Procedure

- B49. Prior to the commencement of earthworks, the Applicant must prepare a contaminated finds procedure to ensure that known or potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any surplus material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B50. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) Heritage NSW must be contacted immediately.
- B51. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

NON-ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B52. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
 - (b) Heritage NSW must be contacted immediately; and
 - (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.
- B53. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

WASTE MANAGEMENT

- B54. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).

- B55. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B56. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.
- B57. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

Pests, Vermin and Priority Weed Management

- B58. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
 - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

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

VISUAL AMENITY

Lighting

- B59. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

- B60. All signage and fencing must be erected within the development site in accordance with the development plans included in the RTS.

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

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B1B1);
 - (b) Construction Noise and Vibration Management Plan (see condition B13);
 - (c) Erosion and Sediment Control Plan (see condition B18B18);
 - (d) Construction Flood Emergency Response Plan (see condition B24);
 - (e) a copy of the development's Unexpected Contamination Finds Procedure (see condition B49B49); and
 - (f) details of the community consultation and complaints handling procedure to be implemented during construction.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP required under condition C2 of this consent is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL COMPLAINTS HANDLING PROTOCOL

- C5. Prior to the commencement of operation, the Applicant must prepare an Operational Complaints Handling Protocol (OCHP) for the development. The OCHP must:
- (a) detail how complaints would be received by the Applicant;

- (b) detail how the contact details for receiving complaints would be communicated to surrounding businesses and/or residential receivers; and
- (c) include a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint.

A copy of the complaints register must be provided to the Planning Secretary upon request.

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

C6. The Applicant must:

- (a) not commence operation until the OCHP under condition C5C5 is submitted to the Planning Secretary; and
- (b) implement the most recent version of the OCHP submitted to the Planning Secretary for the duration of the development.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C7. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C9;
 - (b) the approval of any modification of the conditions of this consent; or
 - (c) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

- C8. If identified as part of the review process (see condition C7C7C7), or considered necessary to improve the environmental performance of the development, the Applicant must ensure the strategies, plans and/or programs required under this consent are revised, to the satisfaction of the Planning Secretary.

Where revisions are required, the revised document(s) must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C7C7, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

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

Non-Compliance Notification

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

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

Monitoring and Environmental Audits

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

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

ACCESS TO INFORMATION

- C14. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed to by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent (with the exception of any hazard and risk related studies);
 - (iv) a summary of the current stage and progress of the development;
 - (v) contact details to enquire about the development or to make a complaint;
 - (vi) a complaints register, updated quarterly (see conditions C3(f) and C5(c));
 - (vii) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

Drawing Number	Drawing Title	Drawing Issue	Date
Architectural Drawings prepared by Watch This Space Design Pty Ltd			
TP05	SITE PLAN	B	09.05.2025
TP102	PROPOSED PRODUCTION & WAREHOUSE GROUND FLOOR	B	09.05.2025
TP103	OPERATIONS OFFICE & TECHNICAL CENTRE OTC GROUND FLOOR	B	09.05.2025
TP104	OPERATIONS OFFICE & TECHNICAL CENTRE OTC FIRST FLOOR & SECOND FLOOR	B	09.05.2025
TP105	NEW YARD	B	09.05.2025
TP106	ROOFS PLAN	B	09.05.2025
TP200	OVERALL MASTER ELEVATIONS	B	09.05.2025
TP203	PROPOSED PRODUCTION & WAREHOUSE ELEVATIONS	B	09.05.2025
TP204	OPERATIONS OFFICE & TECHNICAL CENTRE OTC ELEVATIONS	B	09.05.2025
TP302	PROPOSED PRODUCTION & WAREHOUSE SECTIONS	B	09.05.2025
TP501	EXTERNAL FINISHES	B	09.05.2025
Civil Drawings prepared by Northrop			
CO14984.00-SSDA 100	DRAWING LIST & GENERAL NOTES	C	28.10.24
CO14984.00-SSDA 200	EROSION AND SEDIMENT CONTROL KEY PLAN	C	28.10.24
CO14984.00-SSDA 251	EROSION AND SEDIMENT CONTROL DETAILS – SHEET 1	A	06.09.24
CO14984.00-SSDA 252	EROSION AND SEDIMENT CONTROL DETAILS – SHEET 2	A	06.09.24
CO14984.00-SSDA 300	BULK EARTHWORKS PLAN	B	28.10.24
CO14984.00-SSDA 301	CUT & FILL PLAN	A	XX.XX.24
CO14984.00-SSDA 350	BULK EARTHWORKS SECTIONS	A	19.09.24
CO14984.00-SSDA 400	STORMWATER DRAINAGE KEY PLAN	E	28.10.24
CO14984.00-SSDA 410	PRE/POST DEVELOPMENT CATCHMENT PLAN	B	28.10.24
CO14984.00-SSDA 451	STORMWATER DRAINAGE DETAILS – SHEET 1	A	06.09.24
CO14984.00-SSDA 452	STORMWATER DRAINAGE DETAILS – SHEET 2	A	06.09.24
CO14984.00-SSDA 500	FINISHED LEVELS KEY PLAN	B	28.10.24
Landscape Plans prepared by Geoscapes			
SSD-00	Landscape Cover Sheet	I	28.03.25
SSD-01	Landscape Master Plan	I	28.03.25
SSD-02	Landscape Detail Plan 1	I	28.03.25
SSD-03	Landscape Section AA & BB	I	28.03.25
SSD-04	Specification & Details	I	28.03.25
SSD-05	Planting Schedule & Imagery	I	28.03.25

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
Administrative Commitments		
A1	Commitment to Minimise Harm to the Environment Selleys will commit to implement all reasonable and feasible measures, to prevent and/or minimise any harm to the environment, that may result from the construction or operation of the proposed development	Prior to construction, during construction, and during operation.
A2	Terms of Approval Selleys will carry out the project generally in accordance with the: (a) Environmental Impact Statement; (b) Drawings; (c) Management and Mitigation Measures; (d) Any Conditions of Approval. If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.	Prior to construction, during construction, and during operation.
A3	Occupation Certificate Selleys will ensure that Occupation Certificates are obtained prior to the occupation of the facilities.	Prior to operation.
A4	Compliance Selleys will ensure compliance with any reasonable requirement(s) of the Secretary of the NSW DPE arising from the assessment of: (a) Any reports, plans, programs, strategies or correspondence that are submitted in relation to this Approval; and (b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.	Prior to construction, during construction, and during operation.
A5	Structural Adequacy Selleys will ensure that all new buildings and structures on the Subject Site are constructed in accordance with the relevant requirements of the National Construction Code.	During construction.
A6	Construction Environmental Management Plan Prior to the commencement of construction, Selleys would prepare a Construction Environmental Management Plan (CEMP) that addresses the following: (a) Air Quality; (b) Noise and Vibration; (c) Waste Classification; (d) Erosion and Sediment Control; (e) Materials Management Plan;	Prior to construction.

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
	(f) Remediation (g) Acid Sulfate Soils and Salinity; and (h) Community Consultation and Complaints Handling.	
A7	Site Induction All staff employed on the site by the construction contractor will be required to undergo a site induction.	Prior to construction.
A8	Operation of Plant and Equipment Selleys will ensure that all plant and equipment used on-site, is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards.	During operation.
A9	Monitoring the State of Roadways Selleys will monitor the state of roadways leading to and from the subject site, during construction, and will take all necessary steps to clean up any adversely impacted road pavements as directed by the Canterbury-Bankstown Council.	During construction.
A10	Waste Receipts Selleys will ensure that a permanent record of receipts, for the removal of both liquid and solid waste from the Subject Site, be kept and maintained up to date at all times. Such records will be made available to authorised person upon request.	During construction and operation.
A11	Complaints Handling Selleys will prepare an Operational Complaints Handling Protocol for the development, prior to the commencement of operations.	Prior to operation.
A12	Soil and Water Management A Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP), or equivalent, will be implemented for the construction of the proposed development.	Prior to and during construction.
Specific Environmental Commitments		
Tree Management		
TM1	Selleys will implement all necessary tree protection measures.	Prior to and during construction.
Traffic and Transport		
TT1	Selleys will finalise and implement the Construction Traffic Management Plan (CTMP).	Prior to and during construction.
TT2	Ason Group will finalise and implement the Green Travel Plan (GTP).	Prior to and during operation
Noise and Vibration		

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
NV1	Noise and vibration management and monitoring will form part of the CEMP, to be prepared for the project, as outlined in A6 .	Prior to and during construction and operation
Hazards & Risks		
HR1	Multiple spill kits will be provided around the DG storage areas to ensure spills can be cleaned up immediately following identification.	During operation.
HR2	Aerosols shall be stored in a dedicated storage area which prevents rocketing cans from escalating the incident (i.e. storage in an aerosol cage, separate storage area, or in palletised aerosol cages).	During operation.
HR3	The Subject site shall be designed to contain any spills or contaminated water from a fire incident within the boundaries of the site.	Prior to construction.
HR4	Acid Sulfate Soil and Salinity management will form part of the CEMP, to be prepared for the project, as outlined in A6 .	Prior to construction.
HR5	Adopt a construction stormwater management plan and associated erosion and sediment control measures in accordance with Landcom Blue Book and Council requirements.	Prior to construction.
HR6	An occupational hygienist shall provide a clearance certificate for the Subject Site following the demolition of existing buildings and removal of all slabs etc from the Subject Site. Once the hygienist has provided a clearance, a geo-environmental consultant shall undertake validation testing to confirm that remnant contaminants are not present at the Subject Site, prior to excavation, detailed waste classification (as required) and removal of soils for off-site disposal.	Following demolition
HR7	Appropriate inspections shall be undertaken during site works, such as inspection during stripping of the upper fill/topsoil for potential HBM including asbestos. The works shall be undertaken in accordance with an unexpected finds protocol (UFP).	During construction
HR8	Bulk excavation shall be undertaken with reference to strategic segregation and stockpiling of upper soils and other fill layers from underlying natural soils, and also segregation of carbonaceous natural soils from other natural soils, to maximise the beneficial re-use of excavated soils and minimise soils requiring disposal to landfill.	During construction
HR9	All existing wells/mine subsidence bores and any future bores that intersect the coal seams/workings shall be grouted to the surface as a precautionary measure in order to remove the possible gas migration pathway between the workings/seams to the surface or underside of the proposed basement slab.	During construction

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
HR10	Remediation of the Subject Site is to be undertaken in accordance with the Remedial Action Plan	During construction
Cultural Heritage		
H1	An Unexpected Finds Policy will be developed, in the unlikely event that relics are identified during ground disturbing works.	Prior to construction.
H2	Unexpected Aboriginal objects remain protected by the <i>National Parks and Wildlife Act 1974</i> . If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity will cease immediately. A qualified archaeologist would be contacted to assess the find and Heritage NSW and Metropolitan Local Aboriginal Land Council would be notified.	During construction.
H3	If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity will cease, the site would be secured, and the NSW Police and Heritage NSW would be notified	During construction.
H4	All relevant staff, contractors and subcontractors will be made aware of their statutory obligations for heritage under the <i>NSW Heritage Act 1977</i> and best practice as outlined in <i>The Burra Charter 2013</i> , during site inductions.	Prior to construction.
Socio-Economic		
SE1	Selleys will notify surrounding businesses and residents one (1) week before commencement of construction activities. Notices should include: <ul style="list-style-type: none"> ▪ Details of the proposal, including contact details of management team ▪ Hours and expected period of construction ▪ Details regarding process should businesses or residents have concerns, questions or complaints 	Prior to construction.
SE2	Selleys will set up a feedback process to manage and respond to stakeholder concerns, questions, or complaints. Selleys will ensure that this process is clear and accessible to stakeholders such as surrounding businesses and residents.	Prior to and during construction.
SE3	Selleys will prioritise engaging with local businesses, where practicable, e.g. site induction for visiting workers to include profile of surrounding food and beverage retailer.	During construction.
Waste Management		
WM1	Effective management of construction materials and construction and demolition waste, including options for reuse and recycling where applicable and practicable, would be conducted. Only wastes that cannot be cost effectively reused or recycled will be sent to landfill or appropriate disposal facilities.	During construction.

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
WM2	Waste materials produced from the Subject Site preparation and construction activities will be separated at the source and stored separately on-site.	During construction.
WM3	<p>The Site Manager or equivalent role will:</p> <ul style="list-style-type: none"> ▪ Arrange for suitable waste collection contractors to remove any construction waste from site ▪ Ensure waste bins are not filled beyond recommended filling levels ▪ Ensure that all bins and loads of waste materials leaving site are covered ▪ Maintain waste disposal documentation detailing, at a minimum: <ul style="list-style-type: none"> ○ Descriptions and estimated amounts of all waste materials removed from site ○ Details of the waste and recycling collection contractors and facilities receiving the waste and recyclables ○ Records of waste and recycling collection vehicle movements, for example, date and time of loads removed, licence plate of collection vehicles, tip dockets from receiving facility, and ○ Waste classification documentation for materials disposed to off-site recycling or landfill facilities. ▪ Ensure lawful waste disposal records are readily accessible for inspection by regulatory authorities such as Blacktown City Council, SafeWork NSW or NSW EPA, and ▪ Remove waste during hours approved by Council. 	During construction and during operation
WM4	<p>Site inductions, as required under A7 will ensure the following training is covered:</p> <ul style="list-style-type: none"> ▪ Legal obligations and targets ▪ Emergency response procedures on-site ▪ Waste priorities and opportunities for reduction, reuse, and recycling ▪ Waste storage locations and separation of waste ▪ Procedures for suspected contaminated and hazardous wastes ▪ Waste related signage ▪ The implications of poor waste management practices, and ▪ Responsibilities and reporting, including identification of personnel responsible for waste management and individual responsibilities. 	Prior to construction.
Air Quality		

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213		
ID	Management / Mitigation Measure	Timing
AQ1	Selleys will finalise and implement an odour management plan / complaint procedure to record and action verified odour complaints in a systemic, auditable and pro-active manner	Prior to and during operation
Flooding		
F1	Selleys will finalise and implement the Flood Safety and Evacuation Strategy	Prior to and during operation

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C9 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C9), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

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