



**Oakdale West Industrial Estate Stage 2:
SSD 10397**

**Operational Compliance Report
FEB 2023**

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Document control

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Document title	Oakdale West Industrial Estate Stage 2 Operational Compliance Report		
Document reference	Date	Prepared by	For
19007-WARATAH-RPT-OCMR -0-230206	06/02/23	Carl Vincent	For submission

	Name of Person making declaration in Appendix A
Accepted for Goodman Properties	Ben Milner
	Senior Project Manager

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Acronym Glossary

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

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

1 Executive Summary

This Construction Compliance Report is written in accordance with the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

2 Introduction

The following information is taken from the Development Consent for SSD 10397.

2.1 Project Name and Application Number

Project Name: Oakdale West Industrial Estate
Application Number: SSD 10397
Date of Approval: 9 April 2020

2.2 Modifications to SSD 10397

Modification 1 (MOD 1) to SSD10397 was issued 23 SEPT 20. This modification is described as;

Minor design changes to approved plans, including addition of fire stairs on northern elevation

Appendix B has been updated to reflect the following changes required by MOD 1 to the Conditions of Approval issued 9 April 2020.

In Part A: Administrative Conditions

2. Renumber existing conditions A2(d) and A2(e) as conditions A2(e) and A2(f)

3. Insert new Condition A2(d) immediately after Condition A2(c)

(d) in accordance with MOD 1;

A formal variation to construction hours was issued by the DPIE to GPSA on 15 September 2020 in accordance with the following;

In accordance with Condition B21, fit out works internal to the building only, as outlined in your request and the supporting noise assessment, may be undertaken from 6 am to 2 am, Monday to Sunday.

The internal works during the above extended hours can only commence once the warehouse structure is fully enclosed, including roof, windows and wall cladding. The western site boundary noise barrier, required under Condition D75A of SSD-7348, is also to be completed prior to these works commencing, as identified in the noise assessment.

This variation has been included following Condition B21 within the compliance report at Appendix B.

2.3 Purpose of this Report

This report is the **Construction Compliance Report** as required by Section 2.1 Compliance Monitoring and Reporting Schedule within the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

This report has been prepared and structured to address the relevant Conditions of Consent (CoCs) for the Oakdale West Industrial Estate SSD 10397 planning approval.

Table 1 cross-references sections in this report that address the applicable planning approval requirements

Table 1 Planning Approval Requirements

D14	Compliance Reports of the Development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
D15	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

2.4 Project address

The Project is located at 2 Aldington Road Kemp's Creek NSW and is comprised of Lot 26 DP 1269741.

2.5 Description of Project

The concept proposal for SSD 10397 is described as;

Oakdale West Estate Stage 2 Development including construction, subdivision, fitout, operation and use of a four level automated warehouse, associated office space, internal roads and parking.

2.6 Compliance Reporting Schedule

This Report is for the **Fourth Quarter (QTR4)** Compliance Report of the construction phase of the development. Table 2 gives the proposed schedule for compliance reporting.

Table 2 – Compliance Reporting Schedule

Compliance Report	Phase	Timing
Pre-Construction Compliance Report	Pre-Construction	Submitted 1 JUNE 2020
Notes:	Construction commenced 2 JUNE 2020	
	First post construction commencement EC Monthly report submitted (14 JULY 2020)	

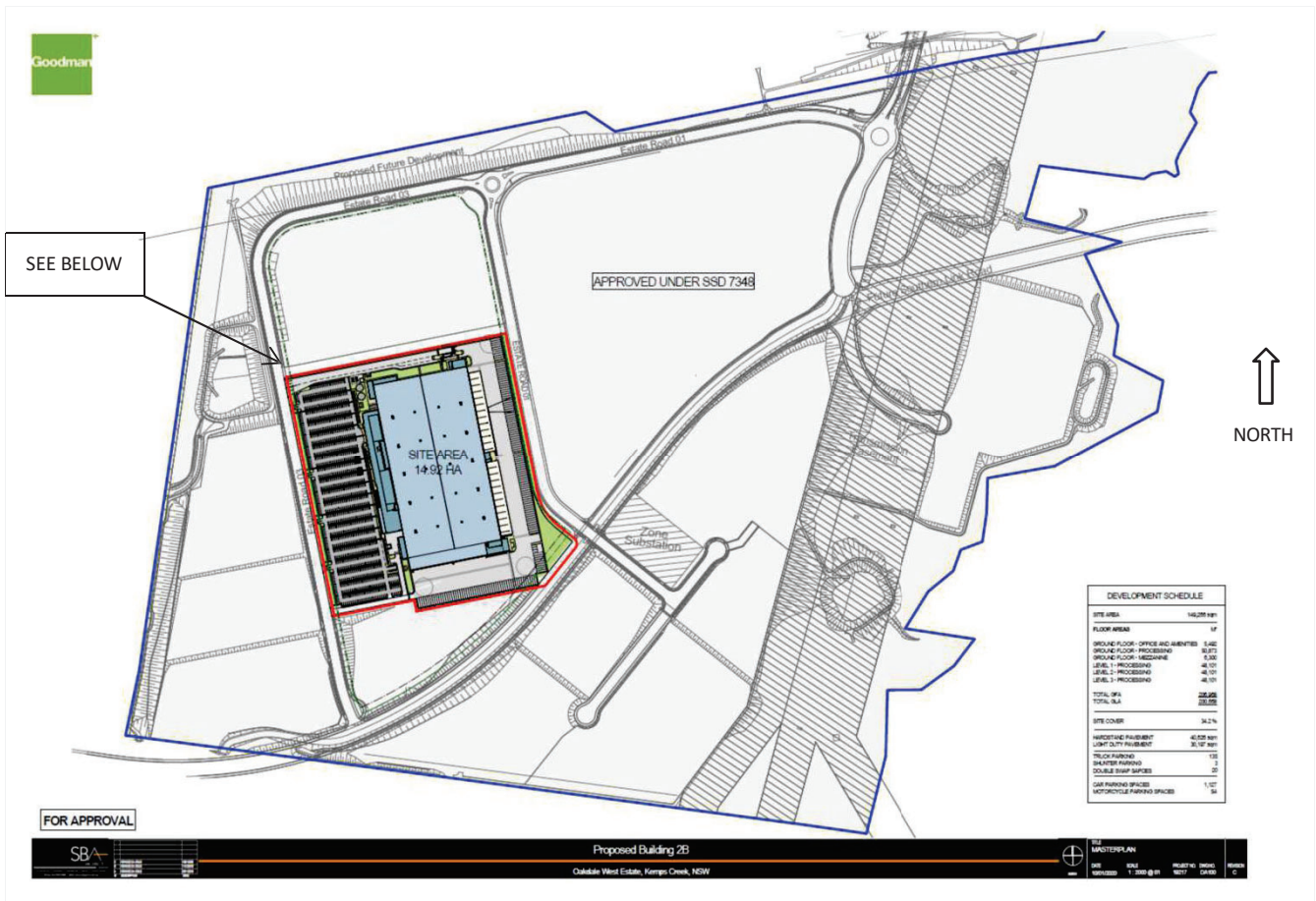
Construction Compliance Report QTR 1	Construction	Submitted 30 SEPT 2020
Construction Compliance Report QTR 2	Construction	Submitted 23 DEC 2020
Construction Compliance Report QTR 3	Construction	Submitted 02 MAR 2121
Construction Compliance Report QTR 4	Construction	Submitted 14 AUG 2021
Construction Compliance Report QTR 5 (for period AUG-OCT 2021)	Construction	Submitted FEB 2022 See note below.
Construction Compliance Report FINAL (this document)	Construction	FEB 2022
Pre Operations Compliance Report (this document)	Pre-Operation	FEB 2022
Operation Compliance Report 1	Operation	FEB 2023
Post-Decommissioning Compliance Report	Decommissioning	TBA

2.7 Project Activity Summary

Works at the development were finalised February 2022

2.8 Project /Development location and General Arrangement

Figure 1 below gives the General Arrangement for the development under SSD 10397



2.9 Key Project Personnel

Table 3 Key Project Personnel

Role	Name	Company	Contact Details
Snr Project Manager	Ben Milner	Goodman	0410 557 543 ben.milner@goodman.com
Environmental Consultant (EC)	Carl Vincent	ERSED	0424 203 046 carl.vincent@ersed.com.au
Communications and Community			
Communications and Community Liaison Representative	Dan Thompson	SLR	0428 060 995 dthompson@slrconsulting.com
Principal Contractor Details			

2.10 Performance against Operational Management Plan

An Operational Management Plan (OEMP) was prepared by GPSA for the development.

This OEMP was approved by the Planning Secretary (16/12/21).

Adherence to the approved OEMP forms part of the tenancy agreement between GPSA and THE TENANT with compliance requirements highlighted within the OEMP.

Construction activities as part of the Oakdale West Industrial Estate (SSD 7348) are continuing.

Surveillance and compliance management as part of this development are continuing including regular site inspections by the Environmental Representative approved by the Planning Secretary.

These inspections include external areas to SSD 10397.

3 Compliance Status Summary

The compliance table provided as **Appendix B** demonstrates the compliance with conditions of consent for SSD 10397

The terminology within **Table 4** has been used to describe compliance status within the Compliance Report Provided at Appendix B. Only these terms are used to describe the compliance status.

Table 4 Compliance Status Descriptors

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

Construction Compliance Reports will be issued quarterly from the date of Construction commencement. A schedule for these reports will be confirmed within the first Construction Compliance Report.

Other compliance reports will be issued in accordance with Sec. 2.1 of the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

3.1 Non Compliances

NIL

3.2 Recommended Actions

Recommended actions identified associated with Non-Compliances are included within Section 3.1 above. Identified areas of improvement which do not constitute non compliances are detailed at 3.2.1 following.

3.2.1 Identified Areas of Improvement

NIL

4 Previous Report Actions

NIL

5 Incidents

5.1 Incidents

An incident is defined by the Conditions of Consent as;

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

Material Harm is defined as 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)

There have been no incidents during this reporting period.

6 Complaints

There have been no complaints raised this reporting period raised referable to the project

Appendix A

Compliance Report Declaration Form

Project Name : Oakdale West Industrial Estate

Project Application Number : SSD 10397

Description of Project :

The concept proposal is described as Oakdale West Estate Stage 2 Development including;

- construction, subdivision, fitout, operation and
- use of a four level automated warehouse, associated office space, internal roads and parking.

Project Address: 2 Aldington Road, Kemps Creek NSW

Proponent: Goodman Property Services (Aust) Pty Ltd

Title of Compliance Report: Pre-Construction Compliance Report

Date:

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

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

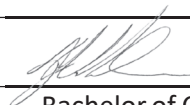
Notes:

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

Name of Authorised Reporting Officer Ben Milner

Title Mr

Signature



Qualification Bachelor of Construction Management

Company GOODMAN PROPERTY SERVICES (AUS) PTY LTD

Company Address The Hayesbery, 1-11 Hayes Road
Rosebery NSW 2018, Australia

Appendix B

Compliance Report

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

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	At all times	Ongoing and regular inspections by Principals Snr Project Managers Delegate and Environmental Consultant Ongoing confirmation of application of Environmental Management Plans Tennant adherence to the approved Operational Management Plan.	Regular EC inspections and Audits See Section 2.10 within main document.	COMPLIANT
TERMS OF CONSENT					
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS and RTS; (d) in accordance with MOD 1; (e) the Development Layout in Appendix 1 ; and (f) in accordance with the management and mitigation measures in Appendix 3 .	At all times	Ongoing and regular inspections by Principals Contract Snr Project Managers Delegate and Environmental Consultant. Ongoing confirmation of application of Environmental Management Plans	See Sec. 3.0 for details of non-compliances - no non compliances this period Non-compliances have been reported within previous quarterly CCMR	NON-COMPLIANT
A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3.	At all times			NOT TRIGGERED
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 (c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition (c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At all times			NOT TRIGGERED

LIMITS OF CONSENT																															
Lapsing																															
A5.	This consent lapses five (5) 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.				NOT TRIGGERED																										
A6.	The total area of warehousing and office space at the development must not exceed a maximum gross lettable area of 200,700 square metres.	At all times	Confirmation by Construction Certifier to be sighted.	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)																										
A7.	The Applicant must ensure construction of the development does not generate more than 935 vehicle trips (1,870 total vehicle movements) during the day, evening and night, on the public road network. <i>Note: This condition does not apply to construction vehicles using the West-North-South Link Road.</i>	At all times	Vehicle movements to be monitored and reported in accordance with the requirements of the project CTMP	Access to the site is now only via Compass Drive/WNSLR	COMPLIANT																										
A8.	The Applicant must keep accurate records of the number of vehicles entering or leaving the site, for the duration of construction and provide these records to the Planning Secretary on request.	During Construction	Vehicle movements to be monitored and reported in accordance with the requirements of the project CTMP	EC sighted Qanstruct Car Truck Register at various stages of project	COMPLIANT																										
A9.	The development must be consistent with the development controls in the OWE, as shown in Table 1 .	Applicable to design	Confirmation by Construction Certifier to be sighted.	Sighted Confirmation letter from SBA Architects 12 MAY 2020	COMPLIANT (and closed)																										
<table border="1"> <thead> <tr> <th>Development Aspect</th> <th>Control</th> </tr> </thead> <tbody> <tr> <td>Minimum building setbacks from:</td> <td></td> </tr> <tr> <td>• Southern Link Road</td> <td>20 m</td> </tr> <tr> <td>• Western North-South Link Road</td> <td>20 m</td> </tr> <tr> <td>• Local estate Roads</td> <td>7.5m</td> </tr> <tr> <td>• Western site boundary</td> <td>40 m</td> </tr> <tr> <td>• Southern site boundary</td> <td>20 m (excluding parking areas)</td> </tr> <tr> <td>Rear boundary setbacks within the estate</td> <td>5 m</td> </tr> <tr> <td>Side boundary setbacks within the estate</td> <td>0 m, subject to compliance with fire rating requirements</td> </tr> <tr> <td>Building height – Building 2B</td> <td>28 m</td> </tr> <tr> <td>Minimum lot size</td> <td>5,000 m²</td> </tr> <tr> <td>Minimum frontage</td> <td>40 m (excluding cul-de-sacs)</td> </tr> <tr> <td></td> <td>35 m minimum lot width at the building line</td> </tr> </tbody> </table>						Development Aspect	Control	Minimum building setbacks from:		• Southern Link Road	20 m	• Western North-South Link Road	20 m	• Local estate Roads	7.5m	• Western site boundary	40 m	• Southern site boundary	20 m (excluding parking areas)	Rear boundary setbacks within the estate	5 m	Side boundary setbacks within the estate	0 m, subject to compliance with fire rating requirements	Building height – Building 2B	28 m	Minimum lot size	5,000 m ²	Minimum frontage	40 m (excluding cul-de-sacs)		35 m minimum lot width at the building line
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	35 m minimum lot width at the building line																														

Site coverage		Maximum of 65 per cent (excluding awnings)				
NOTIFICATION OF COMMENCEMENT						
A10.	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (a) construction, excluding any early pre-construction works, such as installation of erosion and sediment controls or laydown of construction materials; and (b) operation.	One month prior to commencement of construction	One month prior to commencement of Operations	One month prior to commencement of construction or operation	Sighted email GPSA to DPIE, 6 APRIL 2020 Letter GPSA to DPIE 15 AUG 21 notifying commencement of operations 12 Oct 21 Scheduled start of operations confirmed as 2 JAN 2022 Staging of development not proposed	COMPLIANT (and closed) COMPLIANT (and closed) NOT TRIGGERED
A11.	If the construction or operation or decommissioning of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.					
EVIDENCE OF CONSULTATION						
A12	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.	As required by relevant condition	As required by relevant condition	As required by relevant condition	See relevant consent condition See relevant consent condition	COMPLIANT COMPLIANT
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS						
A13.	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	At all times			Staging of development not proposed	NOT TRIGGERED

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	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).						
A14.	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At all times				Staging of development not proposed	NOT TRIGGERED
A15.	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times					NOT TRIGGERED
A16.	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of Aldington Road and Abbots Road (between the site and Mamre Road), including roads, gutters and footpaths; and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Prior to commencement of construction				Sighted letter from GPSA to PCA confirming no existing utility services at premises	COMPLIANT (and closed)
		Prior to commencement of construction				Sighted dilapidation report James Townsend Dilapidation Surveys Pty Ltd 4 APRIL 2020	COMPLIANT (and closed)
		Prior to commencement of construction				Sighted email link to transfer to PCC 9 APRIL 2020	COMPLIANT (and closed)
A17.	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, including but not limited to, Bakers Lane, Aldington Road and Abbots Road; 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, including but not limited to, Bakers Lane, Aldington Road and Abbots Road.	At all times				Repairs to Bakers Lane have been undertaken as and when required.	COMPLIANT
STRUCTURAL ADEQUACY							
A18.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the National Construction Code (NCC). Note: ☐ Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.	During construction				Sighted Structural Design Certification –Costin Roe Consulting to QANSTRUCT 16 APRIL 2020	COMPLIANT (and closed)
						Certification by design architect	

	<input checked="" type="checkbox"/> Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.				
COMPLIANCE					
A19.	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.	During Construction	Environment Consultant to sight and confirm staff and contractor inductions in accordance with the approved CEMP	EC undertook full induction to confirm in accordance with CEMP (27 JULY 20) Audit of CEMP and sub plans 10&23 March confirms compliance	COMPLIANT
OPERATION OF PLANT AND EQUIPMENT					
A.20	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.	During Construction	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
EXTERNAL WALLS AND CLADDING					
A21.	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.	Applicable to design	EC to sight confirmation letter from design Architect to PCA	Sighted Confirmation letter from SBA Architects 27 MAY 2020	COMPLIANT (and closed)
A22.	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority 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 NCC.	Prior to construction Prior to issue of a Construction Certificate	EC to sight confirmation letter from design Architect to PCA	Sighted Confirmation letter from SBA Architects 27 MAY 2020	COMPLIANT
A23.	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Prior to Construction	EC to sight submission to Planning Secretary and CA acceptance	Uploaded to DPIE 02/06/20	COMPLIANT
UTILITIES AND SERVICES					
A24.	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Prior to Construction of Utility works		Sighted letter Endeavour Energy to JDG Consulting U1L5802 – 2019/02200/001 27 APRIL 2020 Sighted Works Deed – Sydney Water (Case no 182879) Sighted NBN Current Design Drawing	COMPLIANT (and closed)

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						Sighted High Voltage Reticulation approval – Endeavour Energy Ref: UI15802 – 2019/02200/001	
A25.	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> (NSW).	Prior to Operation	EC to sight compliance Certificate under sec 73 of the Sydney Water Act 1994	S.73 Certificate issued 10 Aug 21	COMPLIANT (and closed)		
A26.	Before the issue of a Subdivision or Construction Certificate for the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for the provision of communication facilities to the development.	Prior to issue of the Construction Certificate		NBN Current Design Drawing submitted to PCA and CC issued 28 MAY 2020	COMPLIANT (and closed)		
A27.	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Prior to Operation	EC to sight written confirmation	NBN PC certificate	COMPLIANT (and closed)		
A28.	The Applicant must comply with the requirements of Endeavour Energy for the location and design of the pad mounted substations for the development. The Applicant must submit evidence of compliance prepared by a Level 3 Accredited Service Provider to the satisfaction of Endeavour Energy, prior to the commencement of construction.	At all times		Sighted letter Endeavour Energy to JDG Consulting UI15802 – 2019/02200/001 27 APRIL 2020	COMPLIANT (and closed)		
A29.	The Applicant must obtain any other relevant approvals from Endeavour Energy, prior to the commencement of construction.	Prior to Construction		Sighted letter Endeavour Energy to JDG Consulting UI15802 – 2019/02200/001 27 APRIL 2020	COMPLIANT (and closed)		
SUBDIVISION							
A30.	The Applicant shall subdivide the site generally in accordance with the subdivision plan included in the EIS.	At all times	EC to review and cite certifications and correspondence from PCA confirming Subdivision in accordance with the Sub division plan	Sighted CC issued 28 MAY 2020 (subdivision as part of OWE to be confirmed at OC once Sec 73 is issued – see A25 above) OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)		
WORKS AS EXECUTED PLANS							
A31.	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.	Prior to issue of the final Occupation Certificate	EC to sight submission of WAE to PCA		NOT TRIGGERED		

APPLICABILITY OF GUIDELINES					
A32.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	At all times			NOT TRIGGERED
A33.	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.	At all times			NOT TRIGGERED
ADVISORY NOTES					
AN1.	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At all times		This OCMR	COMPLIANT
SCHEDULE B – ENVIRONMENTAL PERFORMANCE CONDITIONS					
VISUAL AMENITY					
Building Design					
B1.	The Applicant must construct Building 2B in accordance with the EIS and RTS and as shown on the figures in Appendix 1 .	Prior to Commencement of Construction	EC to sight written confirmation by design Architect	Sighted Confirmation letter from SBA Architects 12 MAY 2020 Further certification from Building Certifier prior to issue of OC.	COMPLIANT (and closed)
Landscape Plan					
B2.	Prior to the commencement of construction of Building 2B, the Applicant must prepare a detailed Landscape Plan in consultation with Council and to the satisfaction of the Planning Secretary. The Landscape Plan must: (a) detail the plant species and layouts for all areas of the development; (b) include a diverse mix of species to provide canopy trees and understory planting, to assist in achieving the objectives of Council’s Cooling the City Strategy; (c) detail monitoring and maintenance procedures, including irrigation requirements.	Prior to Commencement of Construction	EC to sight Project LMP and Approval / Acceptance by Planning Secretary	Sighted LMP – SCAPE R2 23 APRIL 2020 & Confirmation of acceptance by DPIE 7 MAY 2020	COMPLIANT (and closed)

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B3.	<p>The Applicant must:</p> <p>(a) not commence construction of Building 2B until the Landscape Plan is approved by the Planning Secretary.</p> <p>(b) must implement the most recent version of the Landscape Plan approved by the Planning Secretary; and</p> <p>(c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Plan for the life of the development. If the monitoring carried out as part of condition B2 indicates that any aspect of the landscaping has not been successful, the Applicant must undertake replanting and rehabilitation works, as reasonably practicable.</p>	<p>Prior to Commencement of Construction</p> <p>At all times</p> <p>At all times</p>	<p>EC to monitor implementation of LMP during construction period. (an installation certificate will be issued by the Landscaping contractor prior to issue of the OC)</p> <p>EC to monitor implementation of LMP during construction period.</p>	<p>Confirmation of acceptance by DPIE 7 MAY 2020</p> <p>Sighted LMP – SCAPE R2 23 APRIL 2020 as most current</p> <p>Operational Management plan includes regular review and confirmation of landscape works.</p> <p>GPSA maintains comprehensive Landscape Maintenance Specification</p> <p>See Section 2.10 within main document.</p>	<p>COMPLIANT (and closed)</p> <p>COMPLIANT (and closed)</p> <p>COMPLIANT</p>
Reflectivity					
B4.	<p>The visible light reflectivity from building materials used in the façades and roof of the warehouse building must be designed to minimise glare. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.</p>		<p>EC to sight confirmation letter from design Architect to PCA</p>	<p>Sighted Confirmation letter from SBA Architects 27 MAY 2020</p>	<p>COMPLIANT (and closed)</p>
Lighting and Security Cameras					
B5.	<p>The Applicant must ensure the lighting associated with the development:</p> <p>(a) complies with the latest version of AS 4282-1997 – <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and</p> <p>(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.</p>	<p>At all times</p>	<p>This item will be confirmed as part of the issue of the Occupational Certificate</p>	<p>OC-21139 issued by Blackett Maguire Goldsmith 20/12/21</p>	<p>COMPLIANT</p>
B6.	<p>The Applicant must ensure any security cameras or illuminated signage installed as part of the development are directed away from adjacent private properties.</p>	<p>At all times</p>	<p>This item will be confirmed as part of the issue of the Occupational Certificate</p>	<p>OC-21139 issued by Blackett Maguire Goldsmith 20/12/21</p>	<p>COMPLIANT</p>
Signage and Fencing					

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B7.	All signage and fencing must be erected in accordance with the development plans included in the EIS and RTS. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>	Prior to Operation	Qanstruct to issue certification to the Certifier as part of the preparation of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
B8.	All fencing along building frontages must be located behind the landscape setbacks and not along the front boundary. The fencing must be a maximum height of 2.1 metre and be an open style.	Prior to Operation	Qanstruct to issue certification to the Certifier as part of the preparation of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
TRAFFIC, ACCESS AND PARKING					
Roadworks					
B9.	Prior to any use of Aldington Road and Abbots Road for construction traffic, the Applicant must submit a Construction Traffic Management Plan (CTMP) to the satisfaction of Council. The CTMP shall be: (a) prepared in accordance with Council's Engineering Construction Specification for Civil Works (b) be prepared by a suitably qualified consultant with appropriate training and certification from TfNSW; (c) be approved by Council, prior to any construction traffic using Aldington Road and Abbots Road; (d) include but not be limited to: (i) swept path analysis at critical points (bends and intersections) along the entire Aldington Road / Abbots Road route for the largest proposed vehicle to use this route; (ii) a detailed road safety audit of the Aldington Road / Abbots Road route that factors the increase in traffic volumes (both in light & heavy vehicles), and proposes measures such that the road can safely accommodate this increase (including upgrades to road infrastructure, signage and line marking treatments, vehicle length restrictions and temporary traffic control measures during the construction period); (iii) left-in, left-out restrictions at the intersection with Mamre Road for construction vehicles.	Prior to use of Aldington Road or Abbots Road	EC to sight submission of CTMP to Council and Acceptance prior to authority given to contractor to use Aldington Rd and Abbots Rd	Letter DPIE to GPA 29 June Confirming review and acceptance of <ul style="list-style-type: none"> • CTMP (ref Cond.B9) • Council & LTC Approval of CTMP (ref Cond. B10) • Sec 138 of Roads Act Approval (ref Cond. B11) • Confirmation of Completion to satisfaction of Council (ref Cond. B12) 	COMPLIANT (and closed)
B10.	The CTMP and any proposed measures must be to the satisfaction of Council and will be subject to Local Traffic Committee and Council approval.	At all times	EC to sight submission of CTMP to Council and Acceptance prior to authority given to contractor to use Aldington Rd and Abbots Rd		COMPLIANT (and closed)

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B11.	Prior to any works (infrastructure, signage and line marking) that are on or affect a local road, a Section 138 Roads Act, 1993 application shall be lodged and approved by Council. All works shall be carried out in accordance with the Roads Act approval, and Council's specification, guidelines and best engineering practice.	Prior to works on local Roads			COMPLIANT (and closed)
B12.	The Applicant must provide written evidence to the satisfaction of the Planning Secretary, demonstrating the roadworks required by condition B9 and B10 have been completed to the satisfaction of Council, prior to using Abbotts Road and Aldington Road for construction access.	Prior to use of Aldington Road or Abbotts Road			COMPLIANT (and closed)
Construction Access					
B13.	The Applicant must ensure: (a) no fill material is transported to the site via Bakers Lane or Aldington Road; (b) construction traffic does not use Bakers Lane during the hours of 8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday when schools are in use, to avoid conflict with peak school traffic on Bakers Lane; (c) construction traffic only uses Abbotts Road and Aldington Road to access the site during the hours of 8 am – 9.30 am and 2.30 pm – 4pm, Monday to Friday, when schools are in use, subject to Conditions B9 and B12; and (d) all construction traffic associated with the development ceases to use Bakers Lane and Aldington Road when the Western North-South Link Road opens to traffic.	During Construction	EC to review application, Monitoring and reports in accordance with the approved CTMP	Regular and ongoing inspection and audit of documentation by EC No Non-compliances this period. WNSLR /Compass Drive open to project use January 2021	COMPLIANT (and closed)
Operational Access					
B14.	The Applicant must ensure all traffic associated with operation of the development accesses the site from the Western North-South Link Road, and the future Southern Link Road, and does not use Bakers Lane or Aldington Road.	During Operation	EC to review application, Monitoring and reports in accordance with the approved CTMP	Access from Aldington road is no longer possible. All access is via Compass Drive	COMPLIANT (and closed)
Construction Traffic Management Plan					
B15.	Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council, TfNSW, Miamre Anglican School, Emmaus Catholic College, Emmaus Catholic Care Village and Trinity	Prior to Construction	EC to sight DPIE Approval of CTMP	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CTMP 22 MAY 2020	COMPLIANT (and closed)

	<p>Catholic Primary School;</p> <p>(c) detail specific measures to manage construction traffic to avoid school drop-off and pick-up times (8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday), when the schools are in use, and Higher School Certificate exam periods, including any temporary infrastructure arrangements and traffic safety measures;</p> <p>(d) detail the measures to be implemented to ensure road safety and network efficiency during construction, including scheduling deliveries of heavy plant and equipment outside of peak periods, or during school holidays where possible;</p> <p>(e) detail heavy vehicle routes, access and parking arrangements;</p> <p>(f) include a Driver Code of Conduct to:</p> <p>(i) minimise the impacts of construction on the local and regional road network;</p> <p>(ii) minimise conflicts with other road users;</p> <p>(iii) minimise road traffic noise, particularly during night-time periods; and</p> <p>(iv) ensure truck drivers use specified routes;</p> <p>(g) include a program to monitor the effectiveness of these measures; and</p> <p>(h) detail procedures for early notification for residents and the community (including local schools), of any potential disruptions to routes.</p>				
B16.	<p>The Applicant must:</p> <p>(a) not commence construction of the development until the CTMP required by condition B15 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.</p>	Prior to Construction	EC to sight DPIE Approval of CTMP	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CTMP 22 MAY 2020	COMPLIANT (and closed)
Operational Traffic Management Plan					
B17.	<p>The Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development. The OTMP must form part of the OEMP required by condition C5 and must:</p> <p>(a) be prepared by a suitably qualified and experienced expert, in consultation with Council and TfNSW;</p> <p>(b) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;</p> <p>(c) include measures to maintain road safety and network efficiency;</p> <p>(d) detail measures to minimise noise from development related traffic, including, procedures for receiving and addressing complaints from the community about development related traffic and noise;</p> <p>(e) include a Driver's Code of Conduct that addresses:</p> <p>(i) designated routes, ensuring no use of Bakers Lane or Aldington Road for operational access;</p>	During Operations		OTMP forms part of the OEMP approved by the Planning Secretary 16/12/21.	Compliant (and closed)

	(ii) travelling speeds and adherence to site-specific speed limits; (iii) procedures to ensure drivers adhere to designated heavy vehicle routes; and (iv) procedures to ensure drivers implement safe driving practices.				
B18.	The Applicant must: (a) not commence operation of the development until the OTMP required by condition B17 is approved by the Planning Secretary; and (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation.	During Operations			Compliant (and closed)
Operating Conditions					
B19.	The Applicant must ensure: (a) all access points, internal driveways, turning areas and parking are designed and constructed in accordance with the latest version of AS 2890.1:2004 <i>Parking facilities off-street car parking</i> (Standards Australia, 2004) and AS 2890.2:2002 <i>Parking facilities Off-street commercial vehicle facilities</i> (Standards Australia, 2002); (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant Austroads guidelines; (c) the development does not result in any vehicles queuing on the public road network; (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site; (e) all vehicles are wholly contained on site before being required to stop; (f) all loading and unloading of materials is carried out on site; (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	During Operations		OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
Parking					
B20.	The Applicant must provide sufficient parking facilities on site 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.	During Operations		OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT
NOISE					
HOURS OF WORK					

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B21.	<p>The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the Planning Secretary.</p> <p>Table 2 Hours of Work</p> <table border="1" data-bbox="279 257 486 683"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>Monday – Sunday</td> <td>6 am to 10 pm</td> </tr> <tr> <td>Concrete works (internal to building only)</td> <td>Monday – Sunday</td> <td>3 am to 10 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday (including public holidays)</td> <td>24 hours</td> </tr> </tbody> </table> <p><i>Note: Concrete works (internal to building only) include concrete pours inside Building 2B, following the installation of all building walls and the building roof.</i></p>	Activity	Day	Time	Construction	Monday – Sunday	6 am to 10 pm	Concrete works (internal to building only)	Monday – Sunday	3 am to 10 pm	Operation	Monday – Sunday (including public holidays)	24 hours	During Construction	EC to monitor works against requirements of the approved CEMP	Access is controlled by Gate Pass-Key Security. Gates are closed and notifications out of ours confirm no entry possible. Access to site currently <ul style="list-style-type: none"> 5am to 2am Monday to Saturday with nil Sunday External works do not commence until 6am in accordance with Condition B21. Nil access on Sunday Contractor is working extended hours as approved by DPIE; Contractor is working extended hours as approved by DPIE;	COMPLIANT
Activity	Day	Time															
Construction	Monday – Sunday	6 am to 10 pm															
Concrete works (internal to building only)	Monday – Sunday	3 am to 10 pm															
Operation	Monday – Sunday (including public holidays)	24 hours															
B22.	<p>NOTE: DPIE Approval Letter to Goodman Property Services Australia Pty Ltd (15/09/20)</p> <p><i>In accordance with Condition B21, fit out works internal to the building only, as outlined in your request and the supporting noise assessment, may be undertaken from 6 am to 2 am, Monday to Sunday.</i></p> <p><i>The internal works during the above extended hours can only commence once the warehouse structure is fully enclosed, including roof, windows and wall cladding. The western site boundary noise barrier, required under Condition D75A of SSD-7348, is also to be completed prior to these works commencing, as identified in the noise assessment.</i></p>	During Construction	EC to monitor works against requirements of the approved CEMP	Nil Out of Hours Works Confirmed 22/07/21	NOT TRIGGERED												
	<p>Works outside of the hours identified in condition B21 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>	During Construction	EC to monitor works against requirements of the approved CEMP														

Operational Noise Limits																																																												
B23.	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits for the OWE, as shown in Table 3.</p> <p>Table 3 Noise Limits dB(A)</p> <table border="1" data-bbox="416 1294 767 2007"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="3">Day</th> <th colspan="3">Night</th> </tr> <tr> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LA_{Max}</th> </tr> </thead> <tbody> <tr> <td>N1 N1 Emmaus Village Residential</td> <td>44</td> <td>43</td> <td>41</td> <td>52</td> <td></td> <td></td> </tr> <tr> <td>N3 Emmaus Village Residential</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>N3 Kemps Creek – nearest residential property</td> <td>39</td> <td>39</td> <td>37</td> <td>52</td> <td></td> <td></td> </tr> <tr> <td>N4 & N5 Kemps Creek – other residences</td> <td>39</td> <td>39</td> <td>37</td> <td>52</td> <td></td> <td></td> </tr> <tr> <td>All other non-associated residences</td> <td>402</td> <td>352</td> <td>352</td> <td>52</td> <td></td> <td></td> </tr> <tr> <td>N2 Emmaus Catholic College (school)</td> <td colspan="6">When in use: 45 Leq(1h)</td> </tr> </tbody> </table> <p>Notes:</p> <ol style="list-style-type: none"> Noise generated by the development is to be measured in accordance with the relevant procedures and modifications, including certain meteorological conditions, of the Noise Policy for Industry (EPA, 2017). Refer to the plan in Appendix 2 for the location of residential sensitive receivers. or background + 5 dB, whichever is higher. 	Location	Day			Night			LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LA _{Max}	N1 N1 Emmaus Village Residential	44	43	41	52			N3 Emmaus Village Residential							N3 Kemps Creek – nearest residential property	39	39	37	52			N4 & N5 Kemps Creek – other residences	39	39	37	52			All other non-associated residences	402	352	352	52			N2 Emmaus Catholic College (school)	When in use: 45 Leq(1h)						During Operation	Tennant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
Location	Day			Night																																																								
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B24.	<p>The noise limits in Table 3 do not apply to receivers N3, N4 & N5 if the Applicant has Noise Agreement/s with the relevant landowner/s to exceed the noise limits, and the Applicant has provided written evidence to the Planning Secretary that agreement/s are in place.</p>	During Operation			NOT TRIGGERED																																																							
Design and Validation																																																												
B25.	<p>The Applicant shall design and install all rooftop mechanical plant and services to ensure cumulative noise levels do not exceed 37 dB(A) at the western site boundary or 41 dB(A) at the southern site boundary. The Applicant shall provide written evidence to the satisfaction of the Planning Secretary, prior to the commencement of operation, confirming that rooftop mechanical plant and services have been installed to achieve these noise levels.</p>	Prior to Commencement of Operation		GPSA to provide an installation certificate as part of OC requirements. OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)																																																							

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B26.	<p>Within 6 months of the commencement of operation, the Applicant must undertake noise validation monitoring to confirm the rooftop mechanical plant and services comply with the predictions in the EIS, to the satisfaction of the Planning Secretary.</p> <p>If the results of monitoring show that noise from the development is exceeding the noise limits in Condition B23, the Applicant must investigate and implement all reasonable and feasible noise mitigation measures to achieve compliance.</p>	Within 6 Month of Commencement of Operation		Operational Noise Compliance Monitoring Assessment, ACA (01/08/22) Submitted 02/08/22	COMPLIANT (and closed)
Construction Noise					
B27.	<p>The Applicant must implement all feasible and reasonable noise mitigation measures to minimise construction noise from the development. Any activities that could exceed the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009), must be identified and managed in accordance with the Construction Noise Management Plan required by condition B30.</p>	During Construction	EC to review application, Monitoring and reports in accordance with the approved CNMP	EC (SSD 10397) Regular site inspections and reviews of noise monitoring data at western boundary ER (SSD 7348) Site inspection confirm noise mitigation measures in place at project boundaries	COMPLIANT (and closed)
B28	<p>The Applicant must maintain the temporary noise curtain installed adjacent to Emmaus Catholic Care Village for the duration of construction, unless otherwise agreed with the Planning Secretary, or until such time as the permanent noise wall shown in Appendix 2 is completed.</p>	During Construction	EC to confirm installation of Temporary Noise Curtain	Permanent wall confirmed as completed 30/10/20. Temporary curtain has been removed	COMPLIANT (and closed)
B29.	<p>The Applicant must maintain a real-time noise monitor at the western boundary of the site for the duration of construction. Where monitoring identifies any exceedance of the construction noise management levels, the Applicant must implement further feasible and reasonable mitigation measures to reduce construction noise levels. The environmental representative for the OWE must review and provide the results of noise monitoring to the Planning Secretary on request, including details of the measures taken to minimise noise to ensure compliance with the noise goals.</p>	During Construction	ER from SSD 7348 to confirm installation & maintenance of real time noise monitor ER from SSD7348 to track and maintain results of noise monitoring provided by principal or their contractors	EC (SSD 10397) Monthly reviews of noise monitoring data at western boundary. Monthly data retained by EC	COMPLIANT (and closed)
Construction Noise Management Plan					
B30.	<p>The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The CNMP must form part of the CEMP in accordance with condition C2</p>	Prior to Construction	EC to sight preparation of CNMP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CNMP	COMPLIANT (and closed)

	<p>and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; (b) be approved by the Planning Secretary prior to the commencement of construction; (c) describe procedures for achieving the noise management levels in EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009), as may be updated or replaced from time to time; (d) describe the measures to be implemented to manage noise generating activities during sensitive periods, including evenings, night-time and on Sundays, including but not limited to: <ul style="list-style-type: none"> (i) maintenance of the temporary noise curtain along the western boundary of the Emmaus Catholic Care Village for the duration of construction; (ii) minimising coinciding use of multiple high noise generating equipment; (iii) orienting noisy equipment away from the sensitive receivers on the western boundary; (iv) ensuring concrete trucks for internal concreting works (between 3 am and 6 am) are located to the east of Building 2B to maximise noise shielding for the Emmaus Catholic Care Village; (v) ensuring all equipment has non-tonal reversing alarms; (vi) regular maintenance and compliance checks of plant and equipment; (vii) consultation with adjacent sensitive receivers prior to and during construction; (e) include measures to minimise noise from construction vehicles on the public road network and on site, including but not limited to, a Driver Code of Conduct and induction training for drivers to minimise road traffic noise; (f) include a monitoring program that: <ul style="list-style-type: none"> (i) includes quarterly attended noise monitoring at the nearest sensitive receivers to determine compliance with the construction noise management levels in the <i>Interim Construction Noise Guideline</i>; (ii) evaluates and reports on the effectiveness of the noise management measures; (iii) includes procedures to relocate, modify, mitigate or stop work to ensure compliance with the construction noise management levels; and (g) include procedures for recording and responding to complaints. 		<p>22 MAY 2020</p>	
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B31.	The Applicant must: (a) not commence construction of the development until the CNMP required by condition B30 is approved by the Planning Secretary; and (b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.	Prior to Construction	EC to sight preparation of CNMP and submission to Planning Secretary EC to review application, Monitoring and reports in accordance with the approved CNMP EC to review and confirm most recent version of CNMP is being implemented	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CNMP 22 MAY 2020 Current CNVP Version 1.3 (06/5/20)	COMPLIANT (and closed)
SOIL AND WATER					
Discharge Limits					
B32.	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.	At all times	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
Erosion and Sediment Control					
B33.	The Applicant must prepare an Erosion and Sediment Control Plan (ESCP) for the development to the satisfaction of the Planning Secretary. The ESCP must from part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be generally consistent with the Erosion and Sediment Control Plan(s) for the OWE; (c) include detailed erosion and sediment controls developed in accordance with the relevant requirements of <i>Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book</i> (Landcom, 2014) guideline; and (d) include procedures for maintaining erosion and sediment controls in	Prior to Construction	EC to sight preparation of ESCP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including ESCP 22 MAY 2020	COMPLIANT (and closed)

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	efficient working order for the duration of construction, to ensure the development complies with condition B32.	Prior to Construction				
B34.	The Applicant must: (a) not commence construction of the development until the ESCP required by condition B33 is approved by the Planning Secretary; and (b) implement the most recent version of the ESCP approved by the Planning Secretary for the duration of construction.	During Construction	EC to review application, Monitoring and reports in accordance with the approved ESCP. EC to review and confirm most recent version of ESCP is being implemented	EC to sight preparation of ESCP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including ESCP 22 MAY 2020 Regular and ongoing site inspections by EC	COMPLIANT (and closed)
B35.	The Applicant must install the erosion and sediment control measures approved in accordance with Condition B34, prior to the commencement of construction.	During Construction	EC to review application, Monitoring and reports in accordance with the approved ESCP		Inspection by EC Prior to construction commencement Ongoing inspections by EC and contractor CPESC	COMPLIANT (and closed)
Stormwater Management System						
B36.	The Applicant must install and operate a stormwater management system for the development, to the satisfaction of the Planning Secretary. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally consistent with the <i>Civil, Stormwater and Infrastructure Services Report</i> , prepared by AT&L, dated January 2020; (c) be in accordance with applicable Australian Standards and Penrith City Council's <i>Design Guidelines for Engineering Works, Water Sensitive Urban Design Policy December 2013</i> and <i>Water Management Development Control Plan</i> ; (d) ensure peak stormwater flows from the site do not exceed pre-development flows in any downstream areas for all rainfall events up to and including the 1 in 100-year average recurrence interval; (e) ensure peak stormwater flows from the site do not exceed existing flows in the Water NSW drainage lines and water pipelines corridor; and (f) incorporate rainwater harvesting measures to supplement non-potable water demand for the development.	Prior to Operation	EC to sight certification of stormwater design engineer Tennant adherence to the approved Operational Management Plan.		Installation certificate to be provided by Constructs design engineer prior to OC OC-21139 issued by Blackett Maguire Goldsmith 20/12/21 See Section 2.10 within main document.	COMPLIANT

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B37.	All stormwater drainage infrastructure on the site, including bio-retention basins, shall remain under the care, control and ownership of the registered proprietor of the lots.	Operations			NOT TRIGGERED
AIR QUALITY					
Dust Minimisation					
B38.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	During Construction	EC to monitor application and reporting as per the approved CAQMP & CEMP	Regular and ongoing site inspections by EC	COMPLIANT (and closed)
B39.	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; and (d) public roads used by these trucks are kept clean.	During Construction	EC to monitor application and reporting as per the approved CAQMP ESCP & CEMP	Regular and ongoing site inspections by EC. An ongoing issue has been identified in respect to management of tracking to Compass Drive. This will continue to be actively managed by GPSA	COMPLIANT (and closed)
Construction Air Quality Management Plan					
B40.	Prior to the commencement of construction, the Applicant must update the Construction Air Quality Management Plan (CAQMP) for the OWE, to include the development. The updated CAQMP must: (a) be prepared by a suitably qualified and experienced person(s); (b) identify the control measures to be implemented to minimise emissions from all construction sources; (c) detail procedures for measuring the performance of the control measures and triggers for implementing additional reasonable and feasible measures, if required, to minimise emissions; and (d) include procedures for complaints handling and response.	Prior to Construction	EC to sight CAQMP and acceptance by the Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CAQMP 22 MAY 2020	COMPLIANT (and closed)
B41.	The Applicant must: (a) not commence construction of the development until the updated CAQMP required by condition B40 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.	Prior to Construction	EC to sight CAQMP and acceptance by the Planning Secretary EC to review and confirm revision of CAQMP implemented	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CAQMP 22 MAY 2020	COMPLIANT (and closed)

WASTE MANAGEMENT					
Waste Storage					
B42.	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	At all times	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
Waste Management Plan					
B43.	The Applicant must implement the Waste Management Plan (WMP) in the EIS for the duration of construction and operation of the development.	During Construction & Operation	Tenant adherence to the approved Operational Management Plan.	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including WMP 22 MAY 2020 See Section 2.10 within main document.	COMPLIANT (and closed)
Statutory Requirements					
B44.	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 (EPA, 2014)</i> and dispose of all wastes to a facility that may lawfully accept the waste.	During Construction & Operation	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
B45.	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	During Construction	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
BUSHFIRE PROTECTION					
B46.	The Applicant shall ensure the development complies with: (a) the relevant provisions of <i>Planning for Bushfire Protection 2006</i> ; (b) the construction standards and asset protection zone requirements recommended in the Oakdale Industrial Estate - West Bushfire Protection Assessment, prepared by Australian Bushfire Protection Planners Pty Ltd, dated September 2016 and updated 13 January 2020; and (c) <i>AS2419.1 – 2005 Fire Hydrant Installations</i> for firefighting water supply.	Operations	This item will be confirmed as part of the issue of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT
HAZARDS AND RISK					

Dangerous Goods					
B47.	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.	Operations	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	NOT TRIGGERED
Bundling					
B48.	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).	At all times	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document	COMPLIANT
HERITAGE					
Unexpected Finds Protocol					
B49	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) the Biodiversity and Conservation Division of the Department must be contacted immediately.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP		NOT TRIGGERED
B50.	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> (NSW).	During Construction	EC to regularly inspect and monitor site activities against approved CEMP		NOT TRIGGERED
B51.	If any archaeological relics are uncovered during construction of the development, then all works in the immediate vicinity of the relic must cease immediately. Unexpected finds must be evaluated and recorded in accordance the requirements of Department of Premier and Cabinet, Heritage Division.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP		NOT TRIGGERED
COMMUNITY ENGAGEMENT					

B52.	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders. Community engagement shall be undertaken in accordance with the Community Communication Strategy for the OWE.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP including CCS	Regular agency and community stakeholder meetings. ER Monthly reports include consultation records.	COMPLIANT (and closed)
PART C - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
ENVIRONMENTAL MANAGEMENT					
Management Plan Requirements					
C1.	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none"> (a) details of: <ul style="list-style-type: none"> (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; (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (c) a program to monitor and report on the: <ul style="list-style-type: none"> (i) impacts and environmental performance of the development; and (ii) effectiveness of the management measures set out pursuant to paragraph (c) above; (d) 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; (e) a program to investigate and implement ways to improve the environmental performance of the development over time; (f) a protocol for managing and reporting any: <ul style="list-style-type: none"> (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 	Prior to Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. EC to review all management plans prior to submission to the Planning Secretary.	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)

	(g) a protocol for periodic review of the plan. <i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i>				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN					
C2.	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary. The CEMP must be reviewed by the Environmental Representative for the OWE to ensure it is consistent with the requirements of this consent and the relevant requirements of the OWE consent.	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)
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 B15); (b) Construction Noise Management Plan (see Condition B30); (c) Erosion and Sediment Control Plan (see Condition B33); (d) Construction Air Quality Management Plan (see Condition B40) (e) Community Consultation and Complaints Handling.	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)
C4.	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN					
C5.	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Prior to Operations		Operational Management Plan (OEMP) R7 – Prepared 30 NOV 2021 and available on Portal OEMP accepted by DPIE (Letter to GPSA 06/12/21)	COMPLIANT (and closed)
C6.	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) describe the procedures that would be implemented to:	Prior to Operations		OEMP accepted by DPIE (Letter to GPSA 06/12/21)	COMPLIANT (and closed)

	<p>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: (i) Operational Traffic Management Plan (see Condition B17); and (ii) Noise Validation Monitoring (see Condition B26).</p>				
C7.	<p>The Applicant must: (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).</p>	<p>Prior to Operations During Operations</p>	<p>Tenant adherence to the approved Operational Management Plan.</p>	<p>OEMP accepted by DPIE (Letter to GPSA 06/12/21) See Section 2.10 within main document</p>	<p>COMPLIANT (and closed) COMPLIANT</p>
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
C8.	<p>Within three months of: (a) the submission of a Compliance Report under condition C15; (b) the submission of an incident report under condition C10; © the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition (a) which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>	<p>During construction</p>	<p>All Strategies, Plans And Programs to be reviewed within three months and cited by EC</p>	<p>Sighted Qanstruct internal Audit 30th July 2020 of Management Systems Plus review of procedures following non-compliances relating to TMP and access. Sighted correspondence re contractor review of implementation CEMP and sub plans NOV-DEC 2020 – Sighted independent audit of CEMP /Sub plans implementation 17 DEC 20</p>	<p>COMPLIANT (and closed)</p>
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. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>During construction</p>	<p>All Strategies, Plans And Programs to be reviewed and submitted to the Planning Secretary within six weeks (if required) and cited by EC.</p>	<p>Revision of CEMP sent to DPIE 21/05/21</p>	<p>COMPLIANT (and closed)</p>

REPORTING AND AUDITING					
Incident Notification, Reporting and Response					
C10.	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au 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 4.	At all times	Written notification provided immediately and cited by EC.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 See details of incidents and notification Section 5 this Report. See non-compliance details within Section 3 of this report.	COMPLIANT
Non-Compliance Notification					
C11.	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	At all times	Written notification provided within seven days and cited by EC.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Conditions See Section 3: Non Compliances	COMPLIANT
C12.	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	Written notification provided within seven days and cited by EC.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Condition See Section 3: Non Compliances	COMPLIANT
C13.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	EC to confirm non-compliance reporting is in accordance with Incident Management Procedure within CEMP.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Conditions	COMPLIANT

SSD 10397 Operation Compliance Report

					See Section 3: Non Compliances	
Compliance Reporting						
C14.	No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary.	6 Weeks prior to Commencement of Operations	EC to include requirement for Pre Operations Compliance Monitoring Report within Compliance Monitoring Schedule	Compliance Monitoring Schedule Sec 2.6 provided within this document		COMPLIANT
C15.	Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	At all times	EC to prepare compliance monitoring reports	This CCMR		COMPLIANT
C16.	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	At all times	EC to sight report on website and written notification	Email confirmation that QTR4 CCMR (13/08/21) submitted to the Planning Secretary QTR 4 CCMR uploaded to website (24/08/21) See note Section 2.6 in regard to QTR 5 CCMR		COMPLIANT
Monitoring and Environmental Audits						
C17.	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. <i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>	At all times	EC to review all monitoring or environmental audits. Tennant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.		COMPLIANT
ACCESS TO INFORMATION						
C18.	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and	Prior to commencing construction and then	Updates to website by Goodman.	All documents available at		COMPLIANT

SSD 10397 Operation Compliance Report

	<p>remediation, the Applicant must:</p> <ul style="list-style-type: none"> (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (v) minutes of CCC meetings; (vi) 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; (vii) 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; (viii) a summary of the current stage and progress of the development; (ix) contact details to enquire about the development or to make a complaint; (x) a complaints register, updated monthly; (xi) the Compliance Report of the development; (xii) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (xiii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary. 	<p>at all times</p>	<p>EC to cite the latest information required by the condition is on website.</p>	<p>https://au.goodman.com/oakdale-industrial-estate/oakdale-west-planning</p> <p>Confirmed as complete and current 06/02/23</p>	
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Annexure B



26 JUNE 2024
ErSed Ref: 19007

Re: SSD10397 Operational Compliance Report 1 (for period February 2022-February 2023)

This letter confirms that ErSed Environmental Pty Ltd prepared and issued the completed the above document to Goodman for their revision, comment and if appropriate upload to the Department Portal.

The date of this issue is 06 Feb 2023

Please feel free to contact me if you wish to discuss further.

Sincerely

A handwritten signature in blue ink, appearing to read "Carl Vincent".

Carl Vincent
Environmental Consultant for SSD10397
ErSed Environmental Pty Ltd

CC. Luke Ridley (Luke.Ridley@goodman.com)



Annexure C



**Oakdale West Industrial Estate Stage 2:
SSD 10397**

**Operational Compliance Report
APRIL 2024**

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Document control

Application Number :	SSD 10397		
File Name	19007-WARATAH-RPT-OCMR-230206		
Document title	Oakdale West Industrial Estate Stage 2 Operational Compliance Report(2024)		
Document reference	Date	Prepared by	For
19007-WARATAH-RPT-OCMR -0-240417	17/04/24	Carl Vincent	For submission

	Name of Person making declaration in Appendix A
Accepted for Goodman Properties	Luke Ridley
	Development Manager

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Acronym Glossary

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

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

1 Executive Summary

This Construction Compliance Report is written in accordance with the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

2 Introduction

The following information is taken from the Development Consent for SSD 10397.

2.1 Project Name and Application Number

Project Name: Oakdale West Industrial Estate
Application Number: SSD 10397
Date of Approval: 9 April 2020

2.2 Modifications to SSD 10397

Modification 1 (MOD 1) to SSD10397 was issued 23 SEPT 20. This modification is described as;

Minor design changes to approved plans, including addition of fire stairs on northern elevation

Appendix B has been updated to reflect the following changes required by MOD 1 to the Conditions of Approval issued 9 April 2020.

In Part A: Administrative Conditions

2. Renumber existing conditions A2(d) and A2(e) as conditions A2(e) and A2(f)

3. Insert new Condition A2(d) immediately after Condition A2(c)

(d) in accordance with MOD 1;

A formal variation to construction hours was issued by the DPIE to GPSA on 15 September 2020 in accordance with the following;

In accordance with Condition B21, fit out works internal to the building only, as outlined in your request and the supporting noise assessment, may be undertaken from 6 am to 2 am, Monday to Sunday.

The internal works during the above extended hours can only commence once the warehouse structure is fully enclosed, including roof, windows and wall cladding. The western site boundary noise barrier, required under Condition D75A of SSD-7348, is also to be completed prior to these works commencing, as identified in the noise assessment.

This variation has been included following Condition B21 within the compliance report at Appendix B.

2.3 Purpose of this Report

This report is the **Construction Compliance Report** as required by Section 2.1 Compliance Monitoring and Reporting Schedule within the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

The period covered by this report is: 06 FEB 2023-06 FEB 2024.

This report has been prepared and structured to address the relevant Conditions of Consent (CoCs) for the Oakdale West Industrial Estate SSD 10397 planning approval.

Table 1 cross-references sections in this report that address the applicable planning approval requirements

Table 1 Planning Approval Requirements

D14	Compliance Reports of the Development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
D15	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

This report will be made publicly available on the development website 7 days from lodgement, as per condition D15.

2.4 Project address

The Project is located at Emporium Avenue Kempas Creek NSW, and is comprised of Lot 106 DP 1262310. ([SIX Maps \(nsw.gov.au\)](https://www.nsw.gov.au/sixmaps)).

2.5 Description of Development

Warehouse and Distribution Centre.

2.6 Compliance Reporting Schedule

This Report is for the **Fourth Quarter (QTR4)** Compliance Report of the construction phase of the development. Table 2 gives the proposed schedule for compliance reporting.

Table 2 – Compliance Reporting Schedule

Compliance Report	Phase	Timing
-------------------	-------	--------

Pre-Construction Compliance Report	Pre-Construction	Submitted 1 JUNE 2020
Notes:	Construction commenced 2 JUNE 2020 First post construction commencement EC Monthly report submitted (14 JULY 2020)	
Construction Compliance Report QTR 1	Construction	Submitted 30 SEPT 2020
Construction Compliance Report QTR 2	Construction	Submitted 23 DEC 2020
Construction Compliance Report QTR 3	Construction	Submitted 02 MAR 2121
Construction Compliance Report QTR 4	Construction	Submitted 14 AUG 2021
Construction Compliance Report QTR 5 (for period AUG-OCT 2021)	Construction	Submitted FEB 2022 See note below.
Construction Compliance Report FINAL (this document)	Construction	FEB 2022
Pre Operations Compliance Report	Pre-Operation	FEB 2022
Operation Compliance Report 1	Operation	FEB 2023
Operation Compliance Report 22 (this document)	Operation	MAY 2024
Post-Decommissioning Compliance Report	Decommissioning	TBA

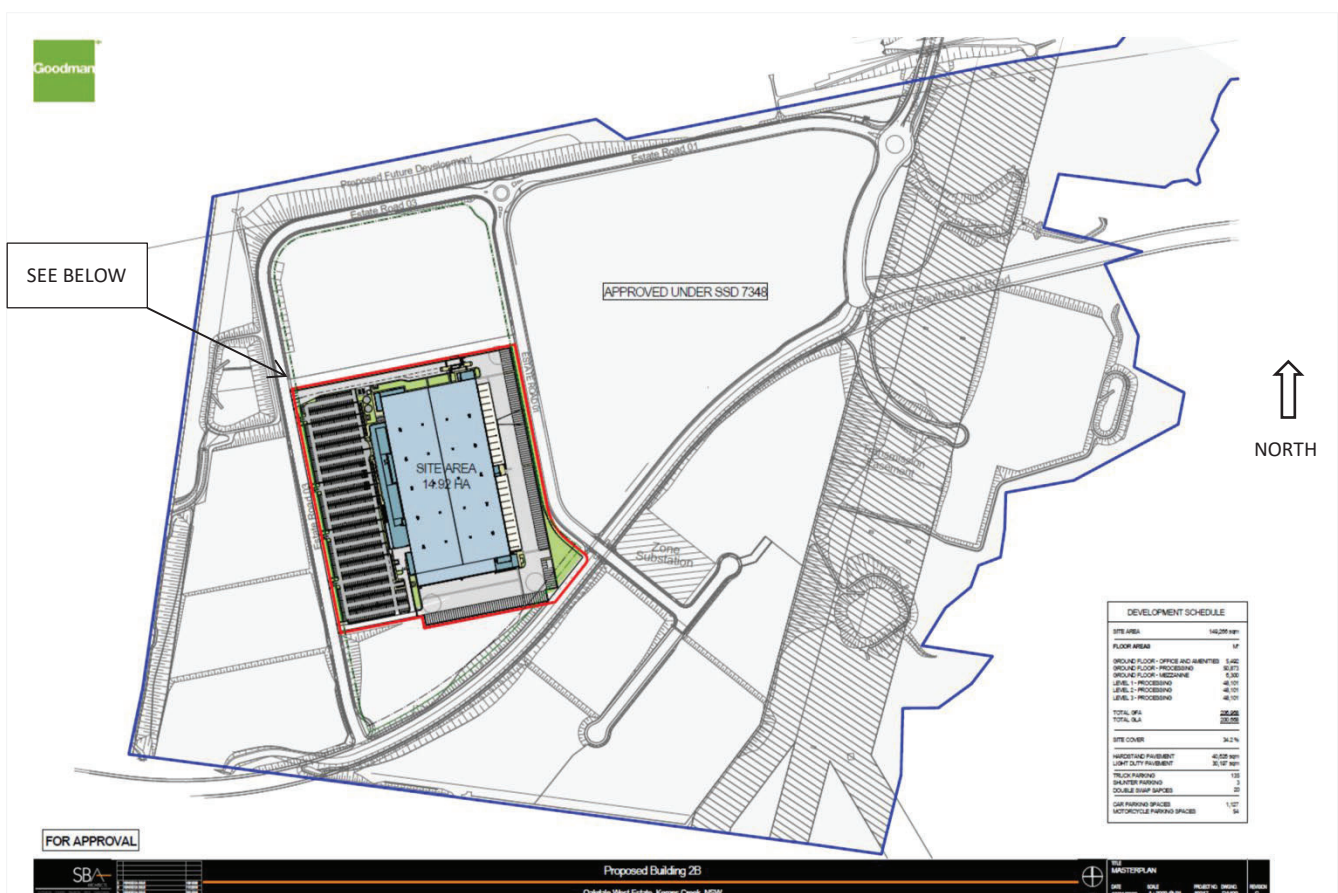
2.7 Development Activity Summary

Works at the development were finalised February 2022.

Operations at the development commenced February 2022.

2.8 Project /Development location and General Arrangement

Figure 1 below gives the General Arrangement for the development under SSD 10397



2.9 Key Personnel

Table 3 Key Project Personnel

Role	Name	Company	Contact Details
Snr Project Manager	Ben Milner	Goodman	0410 557 543 ben.milner@goodman.com
Development Manager	Luke Ridley	Goodman	0413 435 020 Luke.ridley@goodman.com
Environmental Consultant (EC)	Carl Vincent	ERSED	0424 203 046 carl.vincent@ersed.com.au

2.10 Performance against Operational Management Plan

An Operational Management Plan (OEMP) was prepared by GPSA for the development.

This OEMP was approved by the Planning Secretary (16/12/21).

Adherence to the approved OEMP forms part of the tenancy agreement between GPSA and THE TENANT with compliance requirements highlighted within the OEMP.

Construction activities as part of the Oakdale West Industrial Estate (SSD 7348) are continuing. Surveillance and compliance management as part of this development are continuing including regular site inspections by the Environmental Representative approved by the Planning Secretary.

These inspections include external areas to SSD 10397.

3 Compliance Status Summary

The compliance table provided as **Appendix B** demonstrates the compliance with conditions of consent for SSD 10397

The terminology within **Table 4** has been used to describe compliance status within the Compliance Report Provided at Appendix B. Only these terms are used to describe the compliance status.

Table 4 Compliance Status Descriptors

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

Construction Compliance Reports will be issued quarterly from the date of Construction commencement. A schedule for these reports will be confirmed within the first Construction Compliance Report.

Other compliance reports will be issued in accordance with Sec. 2.1 of the Compliance Reporting Post Approval Requirements (Department of Planning and Environment 2018).

3.1 Non Compliances

NIL

3.2 Recommended Actions

Recommended actions identified associated with Non-Compliances are included within Section 3.1 above. Identified areas of improvement which do not constitute non compliances are detailed at 3.2.1 following.

3.2.1 Identified Areas of Improvement

NIL

4 Previous Report Actions

NIL

5 Incidents

5.1 Incidents

An incident is defined by the Conditions of Consent as;

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

Material Harm is defined as 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)

There have been no incidents during this reporting period.

6 Complaints

There have been no complaints raised this reporting period raised referable to the project

Appendix A

Compliance Report Declaration Form

Project Name : Oakdale West Industrial Estate

Project Application Number : SSD 10397

Description of Project :

The concept proposal is described as Oakdale West Estate Stage 2 Development including;

- construction, subdivision, fitout, operation and
- use of a four level automated warehouse, associated office space, internal roads and parking.

Project Address: 2 Aldington Road, Kemps Creek NSW

Proponent: Goodman Property Services (Aust) Pty Ltd

Title of Compliance Report: Pre-Construction Compliance Report

Date:

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

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

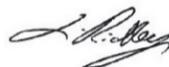
Notes:

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

Name of Authorised Reporting Officer **Luke Ridley**

Title Mr

Signature



Qualification Bachelor of Engineer (Civil)

Company GOODMAN PROPERTY SERVICES (AUS) PTY LTD

Company Address The Hayesbery, 1-11 Hayes Road
Rosebery NSW 2018, Australia

Appendix B

Compliance Report

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

Unique ID	Compliance Requirement / Development Consent Condition	Development Phase	Monitoring Methodology	Comments / Evidence	Compliance Status
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.	At all times	Ongoing and regular inspections by Principals Snr Project Managers Delegate and Environmental Consultant Ongoing confirmation of application of Environmental Management Plans Tennant adherence to the approved Operational Management Plan.	Regular EC inspections and Audits See Section 2.10 within main document.	COMPLIANT
TERMS OF CONSENT					
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS and RTS; (d) in accordance with MOD 1; (e) the Development Layout in Appendix 1 ; and (f) in accordance with the management and mitigation measures in Appendix 3 .	At all times	Ongoing and regular inspections by Principals Contract Snr Project Managers Delegate and Environmental Consultant. Ongoing confirmation of application of Environmental Management Plans	See Sec. 3.0 for details of non-compliances - no non compliances this period Non-compliances have been reported within previous quarterly CCMR	COMPLIANT
A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3.	At all times			NOT TRIGGERED
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 (c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition (c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At all times			NOT TRIGGERED

LIMITS OF CONSENT																															
Lapsing																															
A5.	This consent lapses five (5) 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.				NOT TRIGGERED																										
A6.	The total area of warehousing and office space at the development must not exceed a maximum gross lettable area of 200,700 square metres.	At all times	Confirmation by Construction Certifier to be sighted.	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)																										
A7.	The Applicant must ensure construction of the development does not generate more than 935 vehicle trips (1,870 total vehicle movements) during the day, evening and night, on the public road network. <i>Note: This condition does not apply to construction vehicles using the West-North-South Link Road.</i>	At all times	Vehicle movements to be monitored and reported in accordance with the requirements of the project CTMP	Access to the site is now only via Compass Drive/WNSLR	COMPLIANT																										
A8.	The Applicant must keep accurate records of the number of vehicles entering or leaving the site, for the duration of construction and provide these records to the Planning Secretary on request.	During Construction	Vehicle movements to be monitored and reported in accordance with the requirements of the project CTMP	EC sighted Qanstruct Car Truck Register at various stages of project	COMPLIANT																										
A9.	The development must be consistent with the development controls in the OWE, as shown in Table 1 . Table 1. Development Controls	Applicable to design	Confirmation by Construction Certifier to be sighted.	Sighted Confirmation letter from SBA Architects 12 MAY 2020	COMPLIANT (and closed)																										
<table border="1"> <thead> <tr> <th>Development Aspect</th> <th>Control</th> </tr> </thead> <tbody> <tr> <td>Minimum building setbacks from:</td> <td></td> </tr> <tr> <td>• Southern Link Road</td> <td>20 m</td> </tr> <tr> <td>• Western North-South Link Road</td> <td>20 m</td> </tr> <tr> <td>• Local estate Roads</td> <td>7.5m</td> </tr> <tr> <td>• Western site boundary</td> <td>40 m</td> </tr> <tr> <td>• Southern site boundary</td> <td>20 m (excluding parking areas)</td> </tr> <tr> <td>Rear boundary setbacks within the estate</td> <td>5 m</td> </tr> <tr> <td>Side boundary setbacks within the estate</td> <td>0 m, subject to compliance with fire rating requirements</td> </tr> <tr> <td>Building height – Building 2B</td> <td>28 m</td> </tr> <tr> <td>Minimum lot size</td> <td>5,000 m2</td> </tr> <tr> <td>Minimum frontage</td> <td>40 m (excluding cul-de-sacs)</td> </tr> <tr> <td></td> <td>35 m minimum lot width at the building line</td> </tr> </tbody> </table>						Development Aspect	Control	Minimum building setbacks from:		• Southern Link Road	20 m	• Western North-South Link Road	20 m	• Local estate Roads	7.5m	• Western site boundary	40 m	• Southern site boundary	20 m (excluding parking areas)	Rear boundary setbacks within the estate	5 m	Side boundary setbacks within the estate	0 m, subject to compliance with fire rating requirements	Building height – Building 2B	28 m	Minimum lot size	5,000 m2	Minimum frontage	40 m (excluding cul-de-sacs)		35 m minimum lot width at the building line
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	Site coverage	Maximum of 65 per cent (excluding awnings)			
NOTIFICATION OF COMMENCEMENT					
A10.	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (a) construction, excluding any early pre-construction works, such as installation of erosion and sediment controls or laydown of construction materials; and (b) operation.	One month prior to commencement of construction		Sighted email GPSA to DPIE, 6 APRIL 2020	COMPLIANT (and closed)
A11.	If the construction or operation or decommissioning of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	One month prior to commencement of Operations		Letter GPSA to DPIE 15 AUG 21 notifying commencement of operations 12 Oct 21 Scheduled start of operations confirmed as 2 JAN 2022 Staging of development not proposed	COMPLIANT (and closed) NOT TRIGGERED
EVIDENCE OF CONSULTATION					
A12	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.	As required by relevant condition		See relevant consent condition	COMPLIANT
A13.	STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS 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	As required by relevant condition		See relevant consent condition	COMPLIANT
A13.		At all times		Staging of development not proposed	NOT TRIGGERED

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	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).					
A14.	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At all times			Staging of development not proposed	NOT TRIGGERED
A15.	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At all times				NOT TRIGGERED
A16.	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure; (b) prepare a dilapidation report identifying the condition of Aldington Road and Abbots Road (between the site and Mamre Road), including roads, gutters and footpaths; and (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Prior to commencement of construction			Sighted letter from GPSA to PCA confirming no existing utility services at premises	COMPLIANT (and closed)
		Prior to commencement of construction			Sighted dilapidation report James Townsend Dilapidation Surveys Pty Ltd 4 APRIL 2020	COMPLIANT (and closed)
		Prior to commencement of construction			Sighted email link to transfer to PCC 9 APRIL 2020	COMPLIANT (and closed)
A17.	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, including but not limited to, Bakers Lane, Aldington Road and Abbots Road; 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, including but not limited to, Bakers Lane, Aldington Road and Abbots Road.	At all times			Repairs to Bakers Lane have been undertaken as and when required.	COMPLIANT
STRUCTURAL ADEQUACY						
A18.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the National Construction Code (NCC). Note: <input checked="" type="checkbox"/> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.	During construction			Sighted Structural Design Certification –Costin Roe Consulting to QANSTRUCT 16 APRIL 2020	COMPLIANT (and closed)

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	Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.				
COMPLIANCE					
A19.	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.	During Construction	Environment Consultant to sight and confirm staff and contractor inductions in accordance with the approved CEMP	EC undertook full induction to confirm in accordance with CEMP (27 JULY 20) Audit of CEMP and sub plans 10&23 March confirms compliance	COMPLIANT
OPERATION OF PLANT AND EQUIPMENT					
A.20	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.	During Construction	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
EXTERNAL WALLS AND CLADDING					
A21.	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.	Applicable to design	EC to sight confirmation letter from design Architect to PCA	Sighted Confirmation letter from SBA Architects 27 MAY 2020	COMPLIANT (and closed)
A22.	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority 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 NCC.	Prior to construction Prior to issue of a Construction Certificate	EC to sight confirmation letter from design Architect to PCA	Sighted Confirmation letter from SBA Architects 27 MAY 2020	COMPLIANT
A23.	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Prior to Construction	EC to sight submission to Planning Secretary and CA acceptance	Uploaded to DPIE 02/06/20	COMPLIANT
UTILITIES AND SERVICES					
A24.	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Prior to Construction of Utility works		Sighted letter Endeavour Energy to JDG Consulting UJIL5802 – 2019/02200/001 27 APRIL 2020 Sighted Works Deed – Sydney Water. (Case no 182879)	COMPLIANT (and closed)

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					Sighed NBN Current Design Drawing Sighted High Voltage Reticulation approval – Endeavour Energy Ref: UIL5802 – 2019/02200/001			
A25.	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> (NSW).	Prior to Operation	EC to sight compliance Certificate under sec 73 of the Sydney Water Act 1994		S.73 Certificate issued 10 Aug 21		COMPLIANT (and closed)	
A26.	Before the issue of a Subdivision or Construction Certificate for the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for the provision of communication facilities to the development.	Prior to issue of the Construction Certificate			NBN Current Design Drawing submitted to PCA and CC issued 28 MAY 2020		COMPLIANT (and closed)	
A27.	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Prior to Operation	EC to sight written confirmation		NBN PC certificate		COMPLIANT (and closed)	
A28.	The Applicant must comply with the requirements of Endeavour Energy for the location and design of the pad mounted substations for the development. The Applicant must submit evidence of compliance prepared by a Level 3 Accredited Service Provider to the satisfaction of Endeavour Energy, prior to the commencement of construction.	At all times			Sighted letter Endeavour Energy to JDG Consulting UIL5802 – 2019/02200/001 27 APRIL 2020		COMPLIANT (and closed)	
A29.	The Applicant must obtain any other relevant approvals from Endeavour Energy, prior to the commencement of construction.	Prior to Construction			Sighted letter Endeavour Energy to JDG Consulting UIL5802 – 2019/02200/001 27 APRIL 2020		COMPLIANT (and closed)	
SUBDIVISION								
A30.	The Applicant shall subdivide the site generally in accordance with the subdivision plan included in the EIS.	At all times	EC to review and cite certifications and correspondence from PCA confirming Subdivision in accordance with the Sub division plan		Sighted CC issued 28 MAY 2020 (subdivision as part of OWE to be confirmed at OC once Sec 73 is issued – see A25 above) OC-21139 issued by Blackett Maguire Goldsmith 20/12/21		COMPLIANT (and closed)	

WORKS AS EXECUTED PLANS					
A31.	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.	Prior to issue of the final Occupation Certificate	EC to sight submission of WAE to PCA	Sighted document submission	COMPLIANT
APPLICABILITY OF GUIDELINES					
A32.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	At all times			NOT TRIGGERED
A33.	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.	At all times			NOT TRIGGERED
ADVISORY NOTES					
AN1.	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At all times		This OCMR	COMPLIANT
SCHEDULE B – ENVIRONMENTAL PERFORMANCE CONDITIONS					
VISUAL AMENITY					
Building Design					
B1.	The Applicant must construct Building 2B in accordance with the EIS and RTS and as shown on the figures in Appendix 1 .	Prior to Commencement of Construction	EC to sight written confirmation by design Architect	Sighted Confirmation letter from SBA Architects 12 MAY 2020 Further certification from Building Certifier prior to issue of OC.	COMPLIANT (and closed)
Landscape Plan					
B2.	Prior to the commencement of construction of Building 2B, the Applicant must prepare a detailed Landscape Plan in consultation with Council and to the satisfaction of the Planning Secretary. The Landscape Plan must: (a) detail the plant species and layouts for all areas of the development;	Prior to Commencement of Construction	EC to sight Project LMP and Approval / Acceptance by Planning Secretary	Sighted LMP – SCAPE R2 23 APRIL 2020 &	COMPLIANT (and closed)

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	(b) include a diverse mix of species to provide canopy trees and understorey planting, to assist in achieving the objectives of Council's Cooling the City Strategy; (c) detail monitoring and maintenance procedures, including irrigation requirements.			Confirmation of acceptance by DPIE 7 MAY 2020	
B3.	The Applicant must: (a) not commence construction of Building 2B until the Landscape Plan is approved by the Planning Secretary. (b) must implement the most recent version of the Landscape Plan approved by the Planning Secretary; and (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Plan for the life of the development. If the monitoring carried out as part of condition B2 indicates that any aspect of the landscaping has not been successful, the Applicant must undertake replanting and rehabilitation works, as reasonably practicable.	Prior to Commencement of Construction At all times	EC to monitor implementation of LMP during construction period. (an installation certificate will be issued by the Landscaping contractor prior to issue of the OC) EC to monitor implementation of LMP during construction period.	Confirmation of acceptance by DPIE 7 MAY 2020 Sighted LMP – SCAPE R2 23 APRIL 2020 as most current	COMPLIANT (and closed) COMPLIANT (and closed)
Reflectivity					
B4.	The visible light reflectivity from building materials used in the façades and roof of the warehouse building must be designed to minimise glare. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.		EC to sight confirmation letter from design Architect to PCA	Sighted Confirmation letter from SBA Architects 27 MAY 2020	COMPLIANT (and closed)
Lighting and Security Cameras					
B5.	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-1997 – <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); 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.	At all times	This item will be confirmed as part of the issue of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT

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B6.	The Applicant must ensure any security cameras or illuminated signage installed as part of the development are directed away from adjacent private properties.	At all times	This item will be confirmed as part of the issue of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT
Signage and Fencing					
B7.	All signage and fencing must be erected in accordance with the development plans included in the EIS and RTS. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>	Prior to Operation	Qanstruct to issue certification to the Certifier as part of the preparation of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
B8.	All fencing along building frontages must be located behind the landscape setbacks and not along the front boundary. The fencing must be a maximum height of 2.1 metre and be an open style.	Prior to Operation	Qanstruct to issue certification to the Certifier as part of the preparation of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
TRAFFIC, ACCESS AND PARKING					
Roadworks					
B9.	Prior to any use of Aldington Road and Abbotts Road for construction traffic, the Applicant must submit a Construction Traffic Management Plan (CTMP) to the satisfaction of Council. The CTMP shall be: (a) prepared in accordance with Council's Engineering Construction Specification for Civil Works (b) be prepared by a suitably qualified consultant with appropriate training and certification from TfNSW; (c) be approved by Council, prior to any construction traffic using Aldington Road and Abbotts Road; (d) include but not be limited to: (i) swept path analysis at critical points (bends and intersections) along the entire Aldington Road / Abbotts Road route for the largest proposed vehicle to use this route; (ii) a detailed road safety audit of the Aldington Road / Abbotts Road route that factors the increase in traffic volumes (both in light & heavy vehicles), and proposes measures such that the road can safely accommodate this increase (including upgrades to road infrastructure, signage and line marking treatments, vehicle length restrictions and temporary traffic control measures during the construction period);	Prior to use of Aldington Road or Abbotts Road	EC to sight submission of CTMP to Council and Acceptance prior to authority given to contractor to use Aldington Rd and Abbotts Rd	Letter DPIE to GPA 29 June Confirming review and acceptance of <ul style="list-style-type: none"> CTMP (ref Cond.B9) Council & LTC Approval of CTMP (ref Cond. B10) Sec 138 of Roads Act Approval (ref Cond. B11) Confirmation of Completion to satisfaction of Council (ref Cond. B12) 	COMPLIANT (and closed)

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	(iii) left-in, left-out restrictions at the intersection with Mamre Road for construction vehicles.							
B10.	The CTMP and any proposed measures must be to the satisfaction of Council and will be subject to Local Traffic Committee and Council approval.	At all times		EC to sight submission of CTMP to Council and Acceptance prior to authority given to contractor to use Aldington Rd and Abbotts Rd				COMPLIANT (and closed)
B11.	Prior to any works (infrastructure, signage and line marking) that are on or affect a local road, a Section 138 <i>Roads Act, 1993</i> application shall be lodged and approved by Council. All works shall be carried out in accordance with the Roads Act approval, and Council's specification, guidelines and best engineering practice.	Prior to works on local Roads						COMPLIANT (and closed)
B12.	The Applicant must provide written evidence to the satisfaction of the Planning Secretary, demonstrating the roadworks required by condition B9 and B10 have been completed to the satisfaction of Council, prior to using Abbotts Road and Aldington Road for construction access.	Prior to use of Aldington Road or Abbotts Road						COMPLIANT (and closed)
Construction Access								
B13.	The Applicant must ensure: (a) no fill material is transported to the site via Bakers Lane or Aldington Road; (b) construction traffic does not use Bakers Lane during the hours of 8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday when schools are in use, to avoid conflict with peak school traffic on Bakers Lane; (c) construction traffic only uses Abbotts Road and Aldington Road to access the site during the hours of 8 am – 9.30 am and 2.30 pm – 4pm, Monday to Friday, when schools are in use, subject to Conditions B9 and B12; and (d) all construction traffic associated with the development ceases to use Bakers Lane and Aldington Road when the Western North-South Link Road opens to traffic.	During Construction		EC to review application, Monitoring and reports in accordance with the approved CTMP		Regular and ongoing inspection and audit of documentation by EC No Non-compliances this period. WNSLR /Compass Drive open to project use January 2021		COMPLIANT (and closed)
Operational Access								
B14.	The Applicant must ensure all traffic associated with operation of the development accesses the site from the Western North-South Link Road, and the future Southern Link Road, and does not use Bakers Lane or Aldington Road.	During Operation		EC to review application, Monitoring and reports in accordance with the approved CTMP		Access from Aldington road is no longer possible. All access is via Compass Drive		COMPLIANT (and closed)
Construction Traffic Management Plan								

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B15.	<p>Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) 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, TfNSW, Mamre Anglican School, Emmaus Catholic College, Emmaus Catholic Care Village and Trinity Catholic Primary School; (c) detail specific measures to manage construction traffic to avoid school drop-off and pick-up times (8 am – 9.30 am and 2.30 pm – 4 pm, Monday to Friday), when the schools are in use, and Higher School Certificate exam periods, including any temporary infrastructure arrangements and traffic safety measures; (d) detail the measures to be implemented to ensure road safety and network efficiency during construction, including scheduling deliveries of heavy plant and equipment outside of peak periods, or during school holidays where possible; (e) detail heavy vehicle routes, access and parking arrangements; (f) include a Driver Code of Conduct to: (i) minimise the impacts of construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise, particularly during night-time periods; and (iv) ensure truck drivers use specified routes; (g) include a program to monitor the effectiveness of these measures; and (h) detail procedures for early notification for residents and the community (including local schools), of any potential disruptions to routes. 	Prior to Construction	EC to sight DPIE Approval of CTMP	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CTMP 22 MAY 2020	COMPLIANT (and closed)
B16.	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction of the development until the CTMP required by condition B15 is 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. 	Prior to Construction	EC to sight DPIE Approval of CTMP	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CTMP 22 MAY 2020	COMPLIANT (and closed)
Operational Traffic Management Plan					
B17.	<p>The Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development. The OTMP must form part of the OEMP required by condition C5 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced expert, in consultation with Council and TfNSW; 	During Operations		OTMP forms part of the OEMP approved by the Planning Secretary 16/12/21.	Compliant (and closed)

	<p>(b) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;</p> <p>(c) include measures to maintain road safety and network efficiency;</p> <p>(d) detail measures to minimise noise from development related traffic, including, procedures for receiving and addressing complaints from the community about development related traffic and noise;</p> <p>(e) include a Driver's Code of Conduct that addresses:</p> <p>(i) designated routes, ensuring no use of Bakers Lane or Aldington Road for operational access;</p> <p>(ii) travelling speeds and adherence to site-specific speed limits;</p> <p>(iii) procedures to ensure drivers adhere to designated heavy vehicle routes; and</p> <p>(iv) procedures to ensure drivers implement safe driving practices.</p>				
<p>B18.</p>	<p>The Applicant must:</p> <p>(a) not commence operation of the development until the OTMP required by condition B17 is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation.</p>	<p>During Operations</p>			<p>Compliant (and closed)</p>
<p>Operating Conditions</p>					
<p>B19.</p>	<p>The Applicant must ensure:</p> <p>(a) all access points, internal driveways, turning areas and parking are designed and constructed in accordance with the latest version of AS 2890.1:2004 <i>Parking facilities off-street car parking</i> (Standards Australia, 2004) and AS 2890.2:2002 <i>Parking facilities Off-street commercial vehicle facilities</i> (Standards Australia, 2002);</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>During Operations</p>		<p>OC-21139 issued by Blackett Maguire Goldsmith 20/12/21</p>	<p>COMPLIANT (and closed)</p>

	(g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.																
Parking																	
B20.	The Applicant must provide sufficient parking facilities on site 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.	During Operations		OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT												
NOISE																	
HOURS OF WORK																	
B21.	<p>The Applicant must comply with the hours detailed in Table 2, unless otherwise agreed in writing by the Planning Secretary.</p> <table border="1" data-bbox="758 1258 960 1995"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>Monday – Sunday</td> <td>6 am to 10 pm</td> </tr> <tr> <td>Concrete works (internal to building only)</td> <td>Monday – Sunday</td> <td>3 am to 10 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday (including public holidays)</td> <td>24 hours</td> </tr> </tbody> </table> <p><i>Note: Concrete works (internal to building only) include concrete pours inside Building 2B, following the installation of all building walls and the building roof.</i></p>	Activity	Day	Time	Construction	Monday – Sunday	6 am to 10 pm	Concrete works (internal to building only)	Monday – Sunday	3 am to 10 pm	Operation	Monday – Sunday (including public holidays)	24 hours	During Construction	EC to monitor works against requirements of the approved CEMP	<p>Access is controlled by Gate Pass-Key Security.</p> <p>Gates are closed and notifications out of ours confirm no entry possible.</p> <p>Access to site currently</p> <ul style="list-style-type: none"> 5am to 2am Monday to Saturday with nil Sunday External works do not commence until 6am in accordance with Condition B21. Nil access on Sunday <p>Contractor is working extended hours as approved by DPIE;</p>	COMPLIANT
Activity	Day	Time															
Construction	Monday – Sunday	6 am to 10 pm															
Concrete works (internal to building only)	Monday – Sunday	3 am to 10 pm															
Operation	Monday – Sunday (including public holidays)	24 hours															
	NOTE: DPIE Approval Letter to Goodman Property Services Australia Pty Ltd (15/09/20)			Contractor is working extended hours as approved by DPIE;													

	<p><i>In accordance with Condition B21, fit out works internal to the building only, as outlined in your request and the supporting noise assessment, may be undertaken from 6 am to 2 am, Monday to Sunday.</i></p> <p><i>The internal works during the above extended hours can only commence once the warehouse structure is fully enclosed, including roof, windows and wall cladding. The western site boundary noise barrier, required under Condition D75A of SSD-7348, is also to be completed prior to these works commencing, as identified in the noise assessment.</i></p>																																					
B22.	<p>Works outside of the hours identified in condition B21 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>	During Construction	EC to monitor works against requirements of the approved CEMP	Nil Out of Hours Works Confirmed 22/07/21	NOT TRIGGERED																																	
Operational Noise Limits																																						
B23.	<p>The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits for the OWE, as shown in Table 3.</p> <p>Table 3 Noise Limits dB(A)</p> <table border="1" data-bbox="901 1288 1252 1993"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="3">Day</th> <th rowspan="2">Night LAeq(15 LAMax minute)</th> </tr> <tr> <th>LAeq(15 minute)</th> <th>Evening LAeq(15 minute)</th> <th>Night LAeq(15 minute)</th> </tr> </thead> <tbody> <tr> <td>N1 N4 Emmaus Village Residential Emmaus Village Residential</td> <td>44</td> <td>43</td> <td>41</td> <td>52</td> </tr> <tr> <td>N3 Kemps Creek – nearest residential property</td> <td>39</td> <td>39</td> <td>37</td> <td>52</td> </tr> <tr> <td>N4 & N5 Kemps Creek – other residences</td> <td>39</td> <td>39</td> <td>37</td> <td>52</td> </tr> <tr> <td>All other non-associated residences</td> <td>402</td> <td>352</td> <td>352</td> <td>52</td> </tr> <tr> <td>N2 Emmaus Catholic College (school)</td> <td colspan="4" style="text-align: center;">When in use: 45 Leq(1h)</td> </tr> </tbody> </table> <p>Notes:</p> <ol style="list-style-type: none"> Noise generated by the development is to be measured in accordance with the relevant procedures and modifications, including certain meteorological conditions, of the Noise Policy for Industry (EPA, 2017). Refer to the plan in Appendix 2 for the location of residential sensitive receivers. or background + 5 dB, whichever is higher. 					Location	Day			Night LAeq(15 LAMax minute)	LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	N1 N4 Emmaus Village Residential Emmaus Village Residential	44	43	41	52	N3 Kemps Creek – nearest residential property	39	39	37	52	N4 & N5 Kemps Creek – other residences	39	39	37	52	All other non-associated residences	402	352	352	52	N2 Emmaus Catholic College (school)	When in use: 45 Leq(1h)			
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During Operation																																						
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<p>See Section 2.10 within main document.</p>																																						
COMPLIANT																																						

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	During Operation	During Operation	During Operation	NOT TRIGGERED
Design and Validation				
B24.	The noise limits in Table 3 do not apply to receivers N3, N4 & N5 if the Applicant has Noise Agreement/s with the relevant landowner/s to exceed the noise limits, and the Applicant has provided written evidence to the Planning Secretary that agreement/s are in place.			
B25.	The Applicant shall design and install all rooftop mechanical plant and services to ensure cumulative noise levels do not exceed 37 dB(A) at the western site boundary or 41 dB(A) at the southern site boundary. The Applicant shall provide written evidence to the satisfaction of the Planning Secretary, prior to the commencement of operation, confirming that rooftop mechanical plant and services have been installed to achieve these noise levels.	Prior to Commencement of Operation	GPSA to provide an installation certificate as part of OC requirements. OC-21139 issued by Blackett Maguire Goldsmith 20/12/21	COMPLIANT (and closed)
B26.	Within 6 months of the commencement of operation, the Applicant must undertake noise validation monitoring to confirm the rooftop mechanical plant and services comply with the predictions in the EIS, to the satisfaction of the Planning Secretary. If the results of monitoring show that noise from the development is exceeding the noise limits in Condition B23, the Applicant must investigate and implement all reasonable and feasible noise mitigation measures to achieve compliance.	Within 6 Month of Commencement of Operation	Operational Noise Compliance Monitoring Assessment, ACA (01/08/22) Submitted 02/08/22	COMPLIANT (and closed)
Construction Noise				
B27.	The Applicant must implement all feasible and reasonable noise mitigation measures to minimise construction noise from the development. Any activities that could exceed the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009), must be identified and managed in accordance with the Construction Noise Management Plan required by condition B30.	During Construction	EC to review application, Monitoring and reports in accordance with the approved CNMP	COMPLIANT (and closed)
B28	The Applicant must maintain the temporary noise curtain installed adjacent to Emmaus Catholic Care Village for the duration of construction, unless otherwise agreed with the Planning Secretary, or until such time as the permanent noise wall shown in Appendix 2 is completed.	During Construction	EC to confirm installation of Temporary Noise Curtain	COMPLIANT (and closed)

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B29.	<p>The Applicant must maintain a real-time noise monitor at the western boundary of the site for the duration of construction. Where monitoring identifies any exceedance of the construction noise management levels, the Applicant must implement further feasible and reasonable mitigation measures to reduce construction noise levels.</p> <p>The environmental representative for the OWE must review and provide the results of noise monitoring to the Planning Secretary on request, including details of the measures taken to minimise noise to ensure compliance with the noise goals.</p>	During Construction	<p>ER from SSD 7348 to confirm installation & maintenance of real time noise monitor</p> <p>ER from SSD7348 to track and maintain results of noise monitoring provided by principal or their contractors</p>	<p>EC (SSD 10397) Monthly reviews of noise monitoring data at western boundary.</p> <p>Monthly data retained by EC</p>	COMPLIANT (and closed)
Construction Noise Management Plan					
B30.	<p>The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The CNMP 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; (b) be approved by the Planning Secretary prior to the commencement of construction; (c) describe procedures for achieving the noise management levels in EPA's <i>Interim Construction Noise Guideline</i> (DECC, 2009), as may be updated or replaced from time to time; (d) describe the measures to be implemented to manage noise generating activities during sensitive periods, including evenings, night-time and on Sundays, including but not limited to: <ul style="list-style-type: none"> (i) maintenance of the temporary noise curtain along the western boundary of the Emmaus Catholic Care Village for the duration of construction; (ii) minimising coinciding use of multiple high noise generating equipment; (iii) orienting noisy equipment away from the sensitive receivers on the western boundary; (iv) ensuring concrete trucks for internal concreting works (between 3 am and 6 am) are located to the east of Building 2B to maximise noise shielding for the Emmaus Catholic Care Village; (v) ensuring all equipment has non-tonal reversing alarms; (vi) regular maintenance and compliance checks of plant and equipment; (vii) consultation with adjacent sensitive receivers prior to and during construction; (e) include measures to minimise noise from construction vehicles on the public road network and on site, including 	Prior to Construction	<p>EC to sight preparation of CNMP and submission to Planning Secretary</p>	<p>Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CNMP</p> <p>22 MAY 2020</p>	COMPLIANT (and closed)

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	<p>but not limited to, a Driver Code of Conduct and induction training for drivers to minimise road traffic noise; (f) include a monitoring program that: (i) includes quarterly attended noise monitoring at the nearest sensitive receivers to determine compliance with the construction noise management levels in the <i>Interim Construction Noise Guideline</i>; (ii) evaluates and reports on the effectiveness of the noise management measures; (iii) includes procedures to relocate, modify, mitigate or stop work to ensure compliance with the construction noise management levels; and (g) include procedures for recording and responding to complaints.</p>				
B31.	<p>The Applicant must: (a) not commence construction of the development until the CNMP required by condition B30 is approved by the Planning Secretary; and</p>	Prior to Construction	EC to sight preparation of CNMP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CNMP 22 MAY 2020	COMPLIANT (and closed)
	<p>(b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.</p>	During Construction	<p>EC to review application, Monitoring and reports in accordance with the approved CNMP</p> <p>EC to review and confirm most recent version of CNMP is being implemented</p>	Current CNVP Version 1.3 (06/5/20)	COMPLIANT (and closed)
SOIL AND WATER					
Discharge Limits					
B32.	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.	At all times	Tennant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT

Erosion and Sediment Control					
B33.	The Applicant must prepare an Erosion and Sediment Control Plan (ESCP) for the development to the satisfaction of the Planning Secretary. The ESCP must from part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be generally consistent with the Erosion and Sediment Control Plan(s) for the OWE; (c) include detailed erosion and sediment controls developed in accordance with the relevant requirements of <i>Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book</i> (Landcom, 2014) guideline; and (d) include procedures for maintaining erosion and sediment controls in efficient working order for the duration of construction, to ensure the development complies with condition B32.	Prior to Construction	EC to sight preparation of ESCP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including ESCP 22 MAY 2020	COMPLIANT (and closed)
B34.	The Applicant must: (a) not commence construction of the development until the ESCP required by condition B33 is approved by the Planning Secretary; and (b) implement the most recent version of the ESCP approved by the Planning Secretary for the duration of construction.	Prior to Construction	EC to sight preparation of ESCP and submission to Planning Secretary	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including ESCP 22 MAY 2020	COMPLIANT (and closed)
B35.	The Applicant must install the erosion and sediment control measures approved in accordance with Condition B34, prior to the commencement of construction.	During Construction	EC to review application, Monitoring and reports in accordance with the approved ESCP. EC to review and confirm most recent version of ESCP is being implemented	Regular and ongoing site inspections by EC	COMPLIANT (and closed)
		During Construction	EC to review application, Monitoring and reports in accordance with the approved ESCP	Inspection by EC Prior to construction commencement Ongoing inspections by EC and contractor CPESC	COMPLIANT (and closed)
Stormwater Management System					
B36.	The Applicant must install and operate a stormwater management system for the development, to the satisfaction of the Planning Secretary. The system must: (a) be designed by a suitably qualified and experienced person(s); (b) be generally consistent with the <i>Civil, Stormwater and Infrastructure Services Report</i> , prepared by AT&L, dated January 2020;	Prior to Operation	EC to sight certification of stormwater design engineer Tennant adherence to the approved Operational Management Plan.	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21 See Section 2.10 within main document.	COMPLIANT AND CLOSED

	(c) be in accordance with applicable Australian Standards and Penrith City Council's <i>Design Guidelines for Engineering Works, Water Sensitive Urban Design Policy December 2013 and Water Management Development Control Plan</i> ; (d) ensure peak stormwater flows from the site do not exceed pre-development flows in any downstream areas for all rainfall events up to and including the 1 in 100-year average recurrence interval; (e) ensure peak stormwater flows from the site do not exceed existing flows in the Water NSW drainage lines and water pipelines corridor; and (f) incorporate rainwater harvesting measures to supplement non-potable water demand for the development.							
B37.	All stormwater drainage infrastructure on the site, including bio-retention basins, shall remain under the care, control and ownership of the registered proprietor of the lots.	Operations						NOT TRIGGERED
AIR QUALITY								
Dust Minimisation								
B38.	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.	During Construction	EC to monitor application and reporting as per the approved CAQMP & CEMP				Regular and ongoing site inspections by EC	COMPLIANT (and closed)
B39.	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (b) all trucks entering or leaving the site with loads have their loads covered; (c) trucks associated with the development do not track dirt onto the public road network; and (d) public roads used by these trucks are kept clean.	During Construction	EC to monitor application and reporting as per the approved CAQMP ESCP & CEMP				Regular and ongoing site inspections by EC. An ongoing issue has been identified in respect to management of tracking to Compass Drive. This will continue to be actively managed by GPSA	COMPLIANT (and closed)
Construction Air Quality Management Plan								
B40.	Prior to the commencement of construction, the Applicant must update the Construction Air Quality Management Plan (CAQMP) for the OWE, to include the development. The updated CAQMP must: (a) be prepared by a suitably qualified and experienced person(s);	Prior to Construction	EC to sight CAQMP and acceptance by the Planning Secretary				Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CAQMP 22 MAY 2020	COMPLIANT (and closed)

	(b) identify the control measures to be implemented to minimise emissions from all construction sources; (c) detail procedures for measuring the performance of the control measures and triggers for implementing additional reasonable and feasible measures, if required, to minimise emissions; and (d) include procedures for complaints handling and response.						
B41.	The Applicant must: (a) not commence construction of the development until the updated CAQMP required by condition B40 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.	Prior to Construction	EC to sight CAQMP and acceptance by the Planning Secretary EC to review and confirm revision of CAQMP implemented	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including CAQMP 22 MAY 2020	COMPLIANT (and closed)		
WASTE MANAGEMENT							
Waste Storage							
B42.	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	At all times	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT		
Waste Management Plan							
B43.	The Applicant must implement the Waste Management Plan (WMP) in the EIS for the duration of construction and operation of the development.	During Construction & Operation	Tenant adherence to the approved Operational Management Plan.	Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including WMP 22 MAY 2020	COMPLIANT (and closed)		
Statutory Requirements							
B44.	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 (EPA, 2014)</i> and dispose of all wastes to a facility that may lawfully accept the waste.	During Construction & Operation	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT		
B45.	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	During Construction	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT		

BUSHFIRE PROTECTION					
B46.	The Applicant shall ensure the development complies with: (a) the relevant provisions of <i>Planning for Bushfire Protection 2006</i> ; (b) the construction standards and asset protection zone requirements recommended in the Oakdale Industrial Estate - West Bushfire Protection Assessment, prepared by Australian Bushfire Protection Planners Pty Ltd, dated September 2016 and updated 13 January 2020; and (c) AS2419.1 – 2005 <i>Fire Hydrant Installations</i> for firefighting water supply.	Operations	This item will be confirmed as part of the issue of the Occupational Certificate	OC-21139 issued by Blackett Maguire Goldsmith 20/12/21 No changes since last report	COMPLIANT
HAZARDS AND RISK					
Dangerous Goods					
B47.	The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.	Operations	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.	COMPLIANT
Bunding					
B48.	The Applicant must store all chemicals, fuels and oils used on site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).	At all times	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document	COMPLIANT
HERITAGE					
Unexpected Finds Protocol					
B49	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) the Biodiversity and Conservation Division of the Department must be contacted immediately.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP		NOT TRIGGERED

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B50.	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> (NSW).	During Construction	EC to regularly inspect and monitor site activities against approved CEMP	NOT TRIGGERED
B51.	If any archaeological relics are uncovered during construction of the development, then all works in the immediate vicinity of the relic must cease immediately. Unexpected finds must be evaluated and recorded in accordance with the requirements of Department of Premier and Cabinet, Heritage Division.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP	NOT TRIGGERED
COMMUNITY ENGAGEMENT				
B52.	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 2 , relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders. Community engagement shall be undertaken in accordance with the Community Communication Strategy for the OWE.	During Construction	EC to regularly inspect and monitor site activities against approved CEMP including CCS	COMPLIANT (and closed)
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) 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; (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria; (c) a program to monitor and report on the: (i) impacts and environmental performance of the development; and	Prior to Construction	Management plans will be prepared by suitably qualified experts to satisfy the condition and submitted to the Planning Secretary for review. EC to review all management plans prior to submission to the Planning Secretary.	COMPLIANT (and closed)
			Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	

	<p>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</p> <p>(d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>(e) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(f) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>(g) a protocol for periodic review of the plan.</p> <p><i>Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN					
C2.	<p>The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary. The CEMP must be reviewed by the Environmental Representative for the OWE to ensure it is consistent with the requirements of this consent and the relevant requirements of the OWE consent.</p>	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)
C3.	<p>As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following:</p> <p>(a) Construction Traffic Management Plan (see Condition B15);</p> <p>(b) Construction Noise Management Plan (see Condition B30);</p> <p>(c) Erosion and Sediment Control Plan (see Condition B33);</p> <p>(d) Construction Air Quality Management Plan (see Condition B40)</p> <p>(e) Community Consultation and Complaints Handling.</p>	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)
C4.	<p>The Applicant must:</p> <p>(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</p> <p>(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.</p>	Prior to Construction		Letter from DPIE to GPS Aus Pty Ltd Approving CEMP including all sub plans 22 MAY 2020	COMPLIANT (and closed)

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN					
C5.	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Prior to Operations	Operational Management Plan (OEMP) R7 – Prepared 30 NOV 2021 and available on Portal OEMP accepted by DPIE (Letter to GPSA 06/12/21) OEMP accepted by DPIE (Letter to GPSA 06/12/21)	COMPLIANT (and closed)	
C6.	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (b) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and (c) include the following environmental management plans: (i) Operational Traffic Management Plan (see Condition B17); and (ii) Noise Validation Monitoring (see Condition B26).	Prior to Operations		COMPLIANT (and closed)	
C7.	The Applicant must: (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).	Prior to Operations	OEMP accepted by DPIE (Letter to GPSA 06/12/21)	COMPLIANT (and closed)	
		During Operations	Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document	COMPLIANT
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
C8.	Within three months of: (a) the submission of a Compliance Report under condition C15; (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 (a) which requires a review, the strategies, plans and programs required under	During construction	All Strategies, Plans And Programs to be reviewed within three months and cited by EC	Sighted Qanstruct internal Audit 30th July 2020 of Management Systems Plus review of procedures following non-compliances relating to TMP and access.	COMPLIANT (and closed)

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	<p>this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.</p>			<p>Sighted correspondence re contractor review of implementation CEMP and sub plans NOV-DEC 2020 – Sighted independent audit of CEMP /Sub plans implementation 17 DEC.20</p>	
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. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	<p>During construction</p>	<p>All Strategies, Plans And Programs to be reviewed and submitted to the Planning Secretary within six weeks (if required) and cited by EC.</p>	<p>Revision of CEMP sent to DPIE 21/05/21</p>	<p>COMPLIANT (and closed)</p>
REPORTING AND AUDITING					
Incident Notification, Reporting and Response					
C10.	<p>The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au 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 4.</p>	<p>At all times</p>	<p>Written notification provided immediately and cited by EC.</p>	<p>Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 See details of incidents and notification Section 5 this Report. See non-compliance details within Section 3 of this report.</p>	<p>COMPLIANT</p>
Non-Compliance Notification					
C11.	<p>The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.</p>	<p>At all times</p>	<p>Written notification provided within seven days and cited by EC.</p>	<p>Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Conditions</p>	<p>COMPLIANT</p>

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					See Section 3: Non Compliances		COMPLIANT
C12.	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	Written notification provided within seven days and cited by EC.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Condition See Section 3: Non Compliances		COMPLIANT	
C13.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	EC to confirm non-compliance reporting is in accordance with Incident Management Procedure within CEMP.	Incident Management Procedures within CEMPs submitted to DPE and accepted 22 MAY 2020 Non compliances managed in accordance with Conditions See Section 3: Non Compliances		COMPLIANT	
Compliance Reporting							
C14.	No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Planning Secretary.	6 Weeks prior to Commencement of Operations	EC to include requirement for Pre Operations Compliance Monitoring Report within Compliance Monitoring Schedule	Compliance Monitoring Schedule Sec 2.6 provided within this document		COMPLIANT	
C15.	Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	At all times	EC to prepare compliance monitoring reports	This CCMR		COMPLIANT	
C16.	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	At all times	EC to sight report on website and written notification	Date of OCMR1 23/02/06		COMPLIANT	
Monitoring and Environmental Audits							
C17.	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.	At all times	EC to review all monitoring or environmental audits. Tenant adherence to the approved Operational Management Plan.	See Section 2.10 within main document.		COMPLIANT	

	<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 on compliance with the consent or the environmental management or impact of the development.</p>				
ACCESS TO INFORMATION					
C18.	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must:</p> <ul style="list-style-type: none"> (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> (i) the documents referred to in condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (v) minutes of CCC meetings; (vi) 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; (vii) 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; (viii) a summary of the current stage and progress of the development; (ix) contact details to enquire about the development or to make a complaint; (x) a complaints register, updated monthly; (xi) the Compliance Report of the development; (xii) audit reports prepared as part of any Independent Audit of the development and the Applicant’s response to the recommendations in any audit report; (xiii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary. 	<p>Prior to commencing construction and then at all times</p>	<p>Updates to website by Goodman. EC to cite the latest information required by the condition is on website.</p>	<p>All documents available at Lease Oakdale West Industrial Estate – Goodman Australia Australia Confirmed as complete and current 08/02/24</p>	COMPLIANT