

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

This consolidated instrument includes the following approved modifications:

- a) under section 75W on 7 October 2008 (MOD 1);
- b) under section 75W on 30 March 2009 (MOD 2);
- c) under section 75W on 27 May 2010 (MOD 4);
- d) under section 75W on 10 November 2011 (MOD 5);
- e) under section 75W on 21 December 2012 (MOD 6);
- f) under section 75W on 27 November 2013 (MOD 8);
- g) under section 75W on 8 February 2017 (MOD 11);
- h) under section 75W on 7 March 2017 (MOD12);
- i) under section 75W on 19 June 2018 (MOD 13); and
- j) under section 75W on 24 August 2018 (MOD 14).

Frank Sartor MP
Minister for Planning

Sydney, 5 September 2007

File No: 9037344

SCHEDULE 1

Application No:	05_0147
Proponent:	NSW Ports
Approval Authority:	Minister for Planning
Land:	Lot 2, DP 1006861, Lot 3 DP 1006861, Lot 101 DP 1001498, Lot 14 DP1007302, Lot 15 DP 1007302, Lot 1 DP 950438, Railway land as denoted on sheets 2 and 4 of DP 242426, Cosgrove Road, South Strathfield.
Project:	Construction and operation of the Enfield Intermodal Logistics Centre with capacity to accept a maximum

throughput of 300,000 TEU (one TEU is equivalent to one twenty foot container) per annum, including:

- demolition, relocation or removal of former railway buildings and structures;
- earthworks and drainage including the levelling of the site, formation of landscape mounds and detention basins and removal of unsuitable materials, as required;
- construction and operation of:
 - an intermodal terminal for the loading and unloading of containers;
 - rail sidings, railway lines and associated works to connect to the existing freight line;
 - warehousing for the packing and unpacking of containers and the short-term storage of cargo;
 - empty container storage facilities, for the storage of empty containers to be later packed or transferred back to the port or regionally by rail;
 - light industrial/commercial area fronting Cosgrove Road;
 - access works including the construction of a road bridge over the new marshalling yards for access to Wentworth Street and an upgrade of the entrance to the site from Cosgrove Road; and
 - internal roads, administration buildings, diesel and LPG storage and fuelling facilities, container washdown area, vehicle maintenance shed, and installation of site services (all utilities, stormwater and sewerage).

Major Project:

The proposal is declared a Major Project under section 75B(1)(a) of the *Environmental Planning and Assessment Act 1979*, because it is a development of a kind described in clause 23 of Schedule 1 to *State Environmental Planning Policy (Major Projects) 2005*.

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SCHEDULE 2

Act, the	<i>Environmental Planning and Assessment Act, 1979</i>
Applicable authority	For the purposes of conditions 2.6A and 2.6B, the relevant owner and provider of services that are likely to be affected by the development
Conditions of Approval	The Minister's conditions of approval for the project.
Department, the	Department of Planning and Environment.
EA	<i>Environmental Assessment: Intermodal Logistics Centre at Enfield</i> (prepared by Sinclair Knight Merz on behalf of Sydney Ports Corporation and dated October 2005).
EPA	Environment Protection Authority
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
Minister, the	Minister for Planning.
OEH	Office of Environment and Heritage
Planning Secretary, the	Secretary of the Department of Planning and Environment (or delegate).
Planning Secretary's Approval	<p>A written approval from the Planning Secretary (or delegate).</p> <p>Where the Planning Secretary's Approval is required under a condition the Planning Secretary will endeavour to provide a response within one month of receiving an approval request. The Planning Secretary may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.</p>
Proponent	Sydney Ports Corporation
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
RMS	Roads and Maritime Services
Site	Land to which Major Projects Application 05_0147 applies.
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TEU	Twenty foot equivalent unit – one TEU equals one twenty foot container.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) Major Projects Application 05_0147;
 - b) *Environmental Assessment: Intermodal Logistics Centre at Enfield*, dated October 2005 and prepared by Sinclair Knight Merz (SKM);
 - c) response to submissions and revised Statement of Commitments detailed in *Intermodal Logistics Centre: Preferred Project Report* prepared by Sinclair Knight Merz Pty Ltd, dated June 2006;
 - d) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled *Project Changes – Enfield ILC* and dated 14 July 2007;
 - e) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled *Light Industrial and Commercial Area – Enfield ILC* and dated 6 August 2007;
 - f) letter from Sydney Ports Corporation titled *Project Approval Modification Application Intermodal Logistics Centre at Enfield*, Sydney Ports Corporation (undated) and received 28 August 2008;
 - g) letter from Sydney Ports Corporation titled *Project Approval Modification Application Intermodal Logistics Centre at Enfield*, Sydney Ports Corporation and dated 5 February 2009;
 - h) *Intermodal Logistics Centre at Enfield Modification Application ILC-E-PT3A REV A*, Sydney Ports Corporation and dated 31 August 2009;
 - i) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Response to Stakeholders Submissions* (Revision A), prepared by Sydney Ports Corporation and dated November 2009;
 - j) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Supporting Information to Modification Application*, prepared by Sydney Ports Corporation and dated 26 March 2010;
 - k) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – On Site Management of Unsuitable Engineering Fill*, prepared by Sydney Ports Corporation and dated May 2011;
 - l) *Intermodal Logistics Centre at Enfield Modification Application No. 5 On Site Management of Unsuitable Engineering Fill Response to Submissions*, prepared by Sydney Ports Corporation and dated August 2011; and
 - m) *Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision*, prepared by Sydney Ports and dated April 2012;
 - n) *Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision*, prepared by Sydney Ports and dated July 2012;
 - o) *Intermodal Logistics Centre: Enfield Modification Application No 8, Subdivision – Changes and Amendments*, prepared by NSW Ports and dated 2 September 2013;
 - p) *Addendum Assessment Report, Modification No.8 to Major Project MP 05_0147 – Intermodal Logistics Centre (ILC) at Enfield: Subdivision Changes and Amendments*, prepared by NSW Ports and dated 19 September 2013;
 - q) *Environmental Assessment – Modification Application No. 11 – Additional warehouse* prepared by TfA Project group dated September 2016 and supporting information dated 6 December 2016 and 23 December 2016;
 - r) *Environmental Assessment – Modification Application No. 12 – Extension of Existing Rail Sidings and Administration Office Expansion* prepared by TfA Project Group dated November 2016 and supporting Noise Impact Assessment prepared by SLR Consulting dated 3 November 2016;

- s) Environmental Assessment – Modification Application No. 13 – 127 Cosgrove Road. South Strathfield, prepared by LJB Urban Planning dated August 2017; and the associated Remediation Action Plan (RAP), 127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by ZOIC, February 2017; Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016; and email titled RE: Enfield Intermodal Logistics Centre MOD 13, prepared by LJB Urban Planning Pty Limited, dated 28 May 2018;
- t) Environmental Assessment – Modification No. 14 – Modification of Built Form and operational parameters prepared by Urbis dated January 2018, and Enfield ILC, Strathfield South MP 05_0147 MOD14 – Response to Submissions submitted by Goodman on 8 June 2018; and
- u) the conditions of this approval

1.2 In the event of an inconsistency between:

- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1t) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
- b) any of the documents listed from condition 1.1a) to 1.1t) inclusive, the most recent document shall prevail to the extent of the inconsistency.

1.2A Notwithstanding condition 1.2, in relation to the construction and operation of the development approved under DA 2016/132 at 127 Cosgrove Road, in the event of any inconsistency between the conditions of this approval and the conditions of consent for DA 2016/132, the conditions of consent for DA 2016/132 shall prevail.

1.2B Subject to condition 1.2C, despite any other provision of this approval, the approval does not impose any obligations on a person merely because that person is carrying out the development approved under DA 2016/132 at 127 Cosgrove Road.

1.2C A person who is remediating land and (in the course of so doing) is transferring material from the land identified as Part Lot 19 DP1183316 and outlined in red on drawing SENP154B is subject to obligations under this approval in relation to that work – and if condition 1.2B would otherwise apply – that person’s obligations under this person’s obligations under this project approval cease when a site audit statement is submitted under condition 2.43A.

1.3 The Proponent shall comply with any reasonable requirement(s) of the **Planning Secretary** arising from the Department’s assessment of:

- a) any reports, plans or correspondence that are submitted in accordance with this approval; and
- b) the implementation of any actions or measures contained in these reports, plans or correspondence.

1.3A The Proponent may construct and/or operate the project in stages with commensurate staging of compliance with the conditions of this approval. Where the project is to be staged, the Proponent shall submit details of the staging to the Planning Secretary, including details of how compliance with the conditions of this approval will be met.

1.3B With the approval of the **Planning Secretary**, the Proponent may:

- a) prepare and submit any strategy, plan or program required by this approval 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 approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- c) update any strategy, plan or program required by this approval (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).

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 approval.

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.

Limits of Approval

- 1.4 This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically and substantially commenced on or before that time.

Capacity Limits and Staging

- 1.5 The project shall be limited to a maximum throughput of 300,000 TEU per annum, for the rail to intermodal terminal interface and warehousing interface.

Note: For the avoidance of doubt, this does not include internal TEU movements.

Warehousing and Distribution

- 1.6 The Proponent is permitted to construct and operate warehouses across six precincts on the site (A, C, D, E, F and H) associated with the project, generally in accordance with the documents referred to under condition 1.1 t). Warehouses are permitted to be used for freight handling, packing/re-packing, storage and distribution, and for activities ancillary to these uses. Each warehouse shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panelling), and shall be limited to a footprint no greater than the relevant area specified in Table 1 below.

Table 1 - Maximum Gross Lettable Area (per precinct)

Warehouse	Maximum Gross Lettable Area (m ²)
A	62,600
C	10,487
D	11,460
E	7,604
F	9,620
H	16,475

- 1.7 No warehouse is permitted to undertake packaging, repackaging or decanting of dangerous goods unless and until the Proponent has submitted a risk assessment of such operations for the approval of the **Planning Secretary**. Any such risk assessment shall be undertaken in accordance with *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis* (DUAP, 1997) and *Multi-Level Risk Assessment* (DUAP, 1997).

- 1.8 Prior to the commencement of construction of each warehouse, the Proponent shall submit final designs for the warehouse to the Planning Secretary, demonstrating that the warehouse is generally consistent with:
- the warehouse designs and layouts presented in the documents referred to under condition 1.1t) of this approval;
 - the design specifications detailed under condition 1.6 of this approval;
 - the findings and recommendations of any approved risk assessment undertaken in accordance with condition 1.7 of this approval; and
 - the general principles presented in the Strathfield *Consolidated Development Control Plan 2005* (in particular, that component of the Plan formerly being *Development Control Plan No. 27 – Industrial Development*).

Note: nothing in this condition relieves the Proponent from any other obligation in the *Environmental Planning and Assessment Act 1979* with regard to building design and certification, including compliance with the Building Code of Australia.

Light Industrial/ Commercial Area

- 1.9 The Proponent is permitted to construct and operate a light industrial/ commercial area comprising one precinct associated with the project, generally in accordance with the documents referred to under condition 1.1t). The light industrial/ commercial area shall only be permitted to operate for the purpose of development associated with, or ancillary to the intermodal terminal, empty container storage areas and related warehousing, or otherwise consistent with the general principles of the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). Each building within the light industrial/commercial area shall not exceed a height of 13.7 metres at its highest point (excluding minor ancillary structures such as communications equipment, air conditioning units, or solar panelling), with the gross floor area for the precinct limited to no greater than the relevant area specified in Table 2 below.

Table 2 - Maximum Precinct Gross Floor Areas

Light Industrial/ Commercial Precinct	Maximum Gross Lettable Area (m ²)
B	7,384

- 1.10 No component of the light industrial/ commercial area is permitted to store, handle or transfer dangerous goods above the thresholds specified in *Applying SEPP 33* (DUAP, 1994) (ie characterisation of such development as “potentially hazardous development” as defined under *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*), unless and until the Proponent has submitted a Hazard Analysis for the approval **Planning Secretary**. The Hazard Analysis shall be prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis* (DUAP, 1997) and *Multi-Level Risk Assessment* (DUAP, 1997). Operation of each relevant component of the light industrial/ commercial area shall not operate until the **Planning Secretary**’s approval of the applicable Hazard Analysis has been issued (if required under this condition).
- 1.11 Prior to the commencement of construction within each precinct of the light industrial/ commercial area, the Proponent shall submit final designs and layouts for the precinct to the Planning Secretary, demonstrating that the precinct is generally consistent with:
- the designs and layouts presented in the document referred to under conditions 1.1t) of this approval;
 - the design specifications detailed under condition 1.9 of this approval; and

- c) the general principles presented in the *Strathfield Consolidated Development Control Plan 2005* (in particular, that component of the Plan formerly being *Development Control Plan No. 27 – Industrial Development*).

Note: nothing in this condition relieves the Proponent from any other obligation in the *Environmental Planning and Assessment Act 1979* with regard to building design and certification, including compliance with the Building Code of Australia.

Toll Lease Area

- 1.11A The Proponent shall ensure that operations in the former Toll lease area (also known as Precinct D) are generally consistent with former operations.

Statutory Requirements

- 1.12 The Proponent shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.

Water Authority Compliance Certificate

- 1.13 An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate). The application must be made through an authorised Water Servicing Coordinator.
- 1.14 The section 73 Compliance Certificate must be obtained from Sydney Water Corporation and submitted to the Principal Certifying Authority prior to issue of a subdivision certificate, and show that the development has met the detailed requirements of Sydney Water Corporation.

Subdivision and Easements

- 1.15 The Proponent may subdivide the land generally in accordance with the subdivision plan EILC MP04 (B) included at Appendix 1 of this approval. However, prior to obtaining a subdivision certificate, the Proponent shall prepare and submit to the Planning Secretary a final subdivision plan for the land. The final subdivision plan shall be generally consistent with the plan included at Appendix 1 of this approval (including the number of lots, the proposed use of each lot, and lot sizes).
- 1.16 Land uses and operations within each lot shall be consistent with the approved project as described in conditions 1.1a) to 1.1t) and meet the requirements of this approval.
- 1.17 Prior to the issuing of the subdivision certificate, the Proponent shall ensure that each lot is connected to services, drainage and utilities.
- 1.18 Easements for services, drainage, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision of the site, shall be created over those lots pursuant to the *Conveyancing Act 1919*.
- 1.19 Documentary evidence of the proposed easements shall be provided to, and be to the satisfaction of the relevant certifying authority.

Note: Any easements in the subdivision plan must nominate Strathfield Council or other relevant authority as the authority to release, vary or modify the easement. The form of the easement must be in

accordance with Council's standard recitals for terms of easements, or the standard form of easements accepted by NSW Land and Property Information.

- 1.20 Prior to occupation and/or operation, the Proponent shall provide to the relevant certifying authority evidence that all matters required to be registered on title, including easements required by this approval and any approvals or consents, have been lodged for registration or registered at the NSW Land and Property Information.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Traffic and Transport Impacts

- 2.1 The Proponent shall provide a shuttle bus service between Strathfield train station and the site during peak construction works, and shall encourage construction employees to utilise public transport rather than private transport to the site.
- 2.2 The Proponent shall provide a manual and/ or technological solution to control the frequency of articulated and B-double vehicles utilising the Cosgrove Road entrance to the site during morning and afternoon peak periods.

Intermodal operations

- 2.2A The proponent is to provide an **Intermodal Freight Transportation Report**, prepared by an independent qualified person(s) approved by the Planning Secretary.

The purpose of the Intermodal Freight Transportation Report is to detail how the Proponent is working to increase the modal share of rail, and is to include the following:

- a) the number of twenty-foot equivalent shipping containers despatched and received during the period;
- b) modal splits of container volumes (in TEUs), provided by the warehouse operators and/or the intermodal operators, moved in/out of the project by:
 - i. rail-to-truck/truck-to-rail, and
 - ii. truck-to-truck;
- c) representative vehicle origins and destinations, based on data from the warehouse operators and/or the intermodal operators;
- d) review of recorded actual traffic generation against the traffic model referred in, and the findings of, the report titled *Traffic Impact Assessment Enfield Intermodal Logistics Centre; Cosgrove Road, Enfield MOD 14 Ref: 0440r03v5* (Ason Group, 26 February 2018);
- e) a constraints and opportunities analysis to assist with identifying measures to increasing the modal split of container movements via rail-to-truck/truck-to-rail; and
- f) a future forecast outlining expected TEU volume despatched and received on rail, demonstrating how the Proponent is using the opportunities identified above, subject to the constraints identified, to assist with switching the main mode of transport for container TEUs to rail.

The report is to be submitted throughout operation of the project, with the first report to be submitted one year after the commencement of operation of the first warehouse/s permitted as part of the approval of MP 05_0147 MOD 14, unless otherwise agreed by the Planning Secretary. Subsequent reports will be completed and submitted to the Planning Secretary on a two-yearly basis, or as otherwise agreed.

Note: Subject to condition 1.3B, the requirements of this condition are in addition to the requirements of the Traffic and Capacity Monitoring Program and the Traffic Audit required under conditions 3.6-3.9, and the Proponent may elect to address the requirements of any of those conditions in a consolidated document.

- 2.2B A framework for recording and reporting on the data required for the report required under condition 2.2A is to be prepared by an independent qualified person(s) approved by the Planning Secretary, and submitted to the Planning Secretary for approval three months prior to the commencement of operation of any warehouse permitted as part of the approval of MP 05_0147 MOD 14.

The Proponent shall prepare the report required under condition 2.2A in accordance with the framework for recording and reporting approved by the Planning Secretary under this condition from time to time.

- 2.2C The Proponent is to comply with any reasonable additional operation traffic management measures as directed by the Planning Secretary in consultation with Transport for NSW and RMS following review of any Intermodal Freight Transportation report, Traffic and Capacity Monitoring Program, or Traffic Audit.

On-Site Traffic Management and Parking

- 2.3 The Proponent shall design, construct and maintain all internal road works, including the associated 816 parking facilities and loading bays for operational areas associated with the ILC, warehouses and light industrial/commercial uses, to meet or exceed the following requirements:

- a) compliance with the provisions of relevant Australian Standards, RMS standards and guidelines;
- b) installation of clear signage to demarcate all vehicle movements within the site;
- c) provision of directional pavement arrows on all internal roads, and line-marking and signage to indicate designated truck routes and bays;
- d) internal roadways wide enough to accommodate through traffic and turning two-way traffic;
- e) design of site ingress and egress points to ensure that vehicles enter and leave the site in a forward direction;
- f) installation and maintenance of any landscaping on the site so as not to affect driver sight distance for vehicles entering and exiting the site; and
- g) clear demarcation of all visitor, disabled, ambulance and service vehicle parking areas.

- 2.3A The Proponent must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary prior to the issue of any Occupation Certificate for any warehouse permitted as part of the approval of MP 05_0147 MOD 14. The Proponent must ensure that the Work Place Travel Plan (as revised from time to time) is implemented for the life of the Project.

Local Area Traffic Management

- 2.4 Prior to the commencement of operation of the project, the Proponent shall develop and implement, in consultation with the RMS, Strathfield Municipal Council and **Canterbury Bankstown Council**, the following measures to prevent the movement of heavy vehicles through residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway:
- a) physical measures to discourage through-traffic across Roberts Road at the intersection of Norfolk Road, with the aim of preventing heavy vehicles leaving

- the project from directly accessing residential areas, and reducing the desirability of rat-running through those residential areas;
- b) closure of the median strip on the Hume Highway at Como Road, to prevent heavy vehicles turning right into residential areas on the way to the project;
 - c) traffic calming measures on Rawson Road to reduce the desirability of heavy vehicles travelling along this route between the Hume Highway and the project;
 - d) stop signs on Noble Avenue at the intersections of Chiswick Road and Northcote Road to reduce the desirability of vehicles rat-running in a north-south direction through residential areas; and
 - e) imposition of load limits on Karuah Street and Valencia Street to prevent heavy vehicles lawfully using this route as a by-pass around Boronia Road.
- 2.5 Prior to the commencement of operation of the project, the Proponent shall consult with the State Transit Authority, and relevant bus operators, with the aim of relocating bus routes currently following Roberts Road. Should relocation of these bus routes be agreed between the parties, the Proponent shall install physical measures to prevent through-traffic across Roberts Road at the intersection of Norfolk Road. Any such road works shall be undertaken in consultation with, and to meet the requirements of, the RMS.

Notwithstanding condition 2.4b) of this approval, should physical measures be implemented on Roberts Road at the intersection of Norfolk Road, the Proponent shall review the need for closure of the median strip on Hume Highway at Como Road in consultation with RMS, and if agreed by the RMS, no longer be required to implement those works.

- 2.6 The Proponent shall investigate, in consultation with Strathfield Municipal Council, opportunities to install 4-hour parking restrictions along the full length of Wentworth Avenue to discourage the parking of trailers on the approach to the site. Should such measures be found to be feasible and agreed by Council, the Proponent shall arrange to have parking restrictions in place prior to the commencement of operation of the project.

2.6A Before the commencement of construction of any warehouse sharing a boundary with public infrastructure and permitted as part of the approval of MP 05_0147 MOD 14, the Applicant must:

- (a) consult with the applicable authority to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
- (b) prepare a dilapidation report identifying the condition of all public infrastructure that shares a boundary with the site (including roads, gutters and footpaths); and
- (c) submit a copy of the dilapidation report to the Planning Secretary and Council.

2.6B Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any damage to roads caused as a result of general road usage.

Regional Traffic Management

- 2.7 Prior to the commencement of operation of the project, the Proponent shall upgrade the intersection of Roberts Road and Norfolk Road, as agreed with the RMS and in accordance with relevant RMS standards. The upgrade works shall comprise:
- a) upgrade of the intersection to accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant RMS guidelines and AUSTRROADS standards;
 - b) extension of the Roberts Road northbound right-turn bay to 150 metres;
 - c) provision of a southbound slip lane into Norfolk Road;
 - d) provision of a diamond phasing operation on Norfolk Road to ensure right-turn movements can be carried out in a controlled and safe environment;
 - e) reconfiguration of Norfolk Road east to provide a right-turn bay, with the right-turn bays in Norfolk Road facing each other;
 - f) provision of three lanes for exiting traffic (including the right-turn bay) from Norfolk Road east by widening the intersection to the north; and
 - g) median island works on Roberts Road to achieve the necessary turning path on entry and exit to and from Norfolk Road.
- 2.8 Prior to the commencement of operation of the project, the Proponent shall validate that the intersection of Norfolk Road and Wentworth Street, and the intersection of Cosgrove Road and the Hume Highway can accommodate 19-metre semi-trailer and 25-metre B-double swept paths in accordance with relevant RMS guidelines and AUSTRROADS standards. Where necessary, the Proponent shall arrange for the upgrade of these intersections to accommodate 19-metre semi-trailer and 25-metre B-double swept paths, in consultation with and to the satisfaction of the RMS. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the RMS.
- 2.9 Prior to the commencement of operation of the project, the Proponent shall validate that the pavement of Wentworth Street and Norfolk Road, between Roberts Road and the access point for the site is of a standard suitable for 19-metre semi-trailer and 25-metre B-double vehicles. Where necessary, the Proponent shall arrange for the upgrade of the pavement of these roads to a standard suitable for 19-metre semi-trailer and 25-metre B-double vehicles in consultation with and to the satisfaction of the RMS. All upgrade works shall be completed prior to the commencement of operation of the project, unless otherwise agreed by the RMS.
- 2.10 The Proponent shall investigate, and where feasible implement, measures at the intersection of Norfolk Road and Roberts Road to give priority (increased “green time”) to vehicles turning right from Norfolk Road into Roberts Road, in preference to vehicles turning left at that intersection. In considering options for such priority movements, the Proponent shall consult with the RMS, Strathfield Municipal Council and Canterbury Bankstown Council.

Rail and Road Infrastructure on RailCorp Land

- 2.11 Prior to the commencement of any works associated with the construction of connections to the existing freight rail network and the road bridge over the New Enfield Marshalling Yards, the Proponent shall consult with RailCorp to reach agreement on the detailed design and operational aspects of the rail and road infrastructure component of the project on RailCorp land. Design details shall include, but not be limited to:
- a) the length of trains the rail facilities will be able to accept;
 - b) track layouts;
 - c) methods to be implemented to remove the remains of the former bridge abutment to allow for the rail connection;

- d) position and clearance of proposed rail tracks;
- e) position and clearance of the main railway line;
- f) works required to Wentworth Street to link with the new road bridge;
- g) position and clearance requirements of the marshalling yard tracks, internal access roads, turnouts and overhead structures in relation to the proposed road bridge; and
- h) measures to treat any safety issues associated with the proposed new connections or road bridge.

All works associated with rail and road infrastructure on RailCorp land shall be undertaken in accordance with the agreement reached with RailCorp.

Coordination and Management of Transport Issues

- 2.12 The Proponent shall establish and maintain for the life of the project, unless otherwise agreed by the **Planning Secretary**, a **Road Transport Coordination Group** to oversee and coordinate the management of traffic and road issues associated with and affected by the project. The Group shall include representatives of the Proponent, the Department, the **RMS**, Strathfield Municipal Council and **Canterbury Bankstown Council**, and shall operate in accordance with terms of reference agreed by those parties at the first meeting(s) of the Group. The Proponent shall bear the full cost of administering the Group.

Noise Impacts

- 2.13 The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers, low-noise mufflers (residential standard) and by replacing reversing alarms with alternative silent measures, such as flashing lights (subject to occupational health and safety requirements).

Construction Noise

- 2.14 The Proponent shall, as soon as practicable during site preparation, and prior to the commencement of construction of rail trackwork and hardstand for the intermodal terminal, empty container and warehousing components of the project, install earth mound noise barriers in the south east of the site, as generally described in the documents referred to under condition 1.1 of this approval.

2.14A In the event that the Proponent is required to construct a temporary noise wall using empty containers to mitigate noise from operations occurring in the southern portion of the site and prior to the construction of Warehouse A, the Proponent shall ensure that the temporary noise wall is installed during the hours prescribed in condition 2.15.

- 2.15 The Proponent shall only undertake site preparation and construction activities associated with the project that would generate an audible noise at any residential premises during the following hours:
- a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
 - b) 8:00 am to 1:00 pm on Saturdays; and
 - c) at no time on Sundays or public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons.

- 2.16 The hours of site preparation and construction activities specified under condition 2.15 of this approval may be varied with the prior written approval of the **Planning**

Secretary. Any request to alter the hours of construction specified under condition 2.15 shall be:

- a) considered on a case-by-case basis;
- b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and
- c) accompanied by sufficient information for the **Planning Secretary** to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.

Operation Noise

- 2.17 The Proponent shall design, construct, operate and maintain the project to ensure that the operational noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 3 below, at those locations and during those periods indicated. The maximum allowable noise contributions apply under:
- a) wind speeds up to 3 ms⁻¹ (measured at 10 metres above ground level); or
 - b) temperature inversion conditions up to 3°C per 100 metres and wind speeds up to 2 ms⁻¹ (measured at 10 metres above ground level).

Table 3 – Maximum Allowable Noise Contribution (dBA)

Location	Day 7:00am to 6:00pm on any day		Evening 6:00pm to 10:00pm on any day		Night 10:00pm to 7:00am on any day		
	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{Aeq} (15-minute)	L _{Aeq} (period)	L _{A1} (1-minute)
A1 – Eastern end of Jean Street	54	54	54	49	48	42	58
A2 – Eastern end of Ivy Street	53	52	52	51	47	45	57
A3 – Wentworth Street (south)	49	52	47	53	42	38	52
A4 – Eastern end of Gregory Street	49	52	47	46	45	37	55
A5 – Western end of Blanche Street	46	58	46	50	43	43	53
A6 – 40 Bazentin Street	46	58	45	54	41	39	51
A11 – Begnell Park	-	50	-	50	-	50	-
A12 – Matthew Park*	-	50	-	50	-	50	-
A13 – Greenacre Bowling Club	-	55	-	55	-	55	-
A14 – Strathfield High School (internal)	-	35	-	-	-	-	-
A15 – St Anne's School (internal)	-	35	-	-	-	-	-

*it is noted that the location Matthew Park no longer exists and has been developed for commercial retail use, and no other recreational areas are in the vicinity.

- 2.18 For the purpose of assessment of noise contributions specified under condition 2.17 of this consent, noise from the development shall be:
- a) measured at the most affected point on or within the site boundary at the most sensitive locations to determine compliance with L_{Aeq(15-minute)} and L_{Aeq(period)} noise limits;

- b) measured in the free field at least 3.5 metres from any vertical reflecting surface in line with the worst-affected dwelling façade to determine compliance with $L_{A1(1\text{-minute})}$ noise limits; and
- c) subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2017), where applicable.

Notwithstanding, should direct measurement of noise from the development be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the *Noise Policy for Industry New South Wales* (EPA, 2000)). Details of such an alternative noise assessment method accepted by the EPA shall be submitted to the Planning Secretary prior to the implementation of the assessment method.

2.19 To avoid any doubt, the Proponent shall ensure that locomotives located on the site and associated with the operation of the project do not cause an exceedance of the noise limits specified under condition 2.17 of this approval. This shall include, where necessary, measures to mitigate and manage noise associated with locomotive idling and any shunting operations occurring on the site.

2.19A The Proponent shall implement noise mitigation measures generally in accordance with the measures identified in the document listed in condition 1.1j). In relation to the north-western noise wall, the Proponent shall implement as part of the design and construction of this wall, mitigation measures to minimise potential reflective noise on its western face.

Air Quality Impacts

2.20 The Proponent shall install, operate and maintain a meteorological monitoring station to monitor weather conditions representative of those on the site, in accordance with:

- a) AM-1 Guide to Siting of Sampling Units (AS 2922-1987);
- b) AM-2 Guide for Horizontal Measurement of Wind for Air Quality Applications (AS 2923-1987); and
- c) AM-4 On-Site Meteorological Monitoring Program Guidance for Regulatory Modelling Applications.

The Proponent shall install the meteorological monitoring station prior to the commencement of site preparation or construction works and shall use the station to undertake the monitoring required under condition 3.1 of this approval, until all large exposed areas have either been landscaped or sealed.

This condition does not preclude the Proponent from reaching agreement with any other relevant party for the installation, operation and maintenance of a shared monitoring station, provided the outcomes of this condition are achieved.

During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.

Odour

2.21 The Proponent shall not permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted beyond the boundary of land owned by the Proponent (the site the subject of this approval).

Dust Emissions

- 2.22 The Proponent shall design, construct, commission, operate and maintain the project in a manner that minimises or prevents the emission of dust from the site including wind blown and traffic generated dust.
- 2.23 The Proponent shall take all practicable measures to ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times, to the extent practicable.
- 2.24 All activities on the site shall be undertaken with the objective of preventing visible emissions of dust beyond the boundary of the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.
- 2.25 The Proponent shall manage, maintain and use internal haulage roads in order to prevent dust emissions. The measures to be implemented for the management of potential dust emissions from internal roads during construction shall be incorporated in the Construction Environmental Management Plan required under condition 6.3.
- 2.26 The Proponent shall apply and enforce a 25 km/ h speed limit on the site during site preparation and construction works to minimise the potential for dust generation.
- 2.27 The Proponent shall ensure that all vehicles and equipment directly associated with site preparation and construction works (as distinct from passenger vehicles) pass through a wheel wash prior to leaving the site.

Water Quality and Hydrological Impacts

- 2.28 Except as may be expressly provided under an Environment Protection Licence applicable to the project, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- 2.29 Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during site preparation and construction activities, in accordance with Landcom's *Managing Urban Stormwater: Soils and Construction*.
- 2.30 All stockpiled construction materials shall be adequately located, stabilised and maintained to prevent erosion or dispersal of the materials.
- 2.31 The Proponent shall construct and maintain stormwater detention basins on the site, generally consistent with the basin sizes/ locations presented in the document referred to under conditions 1.1m) and 1.1n) of this approval. Opportunities to reuse stormwater from detention basins for ecological areas or for site operations shall be investigated during detailed design of the project, and where practicable, the Proponent shall utilise collected water preferentially to external potable water supplies for operational activities on the site, subject to testing to confirm the suitability of collected water quality.
- 2.32 All quarantine and machinery wash down waters and amenities wastewater shall be directed to sewer (subject to Sydney Water Corporation approval), or to an appropriately licensed liquid waste disposal facility.

2.33 The Proponent shall design, install, maintain and operate rainwater tanks for the collection of water for domestic uses on the site. Collected rainwater shall be used preferentially to external potable water supplies.

Heritage Impacts and Management

2.34 Except for necessary stabilisation works agreed in consultation with the OEH (Heritage Division), the Proponent is not permitted to destroy, modify or otherwise physically affect the Tarpaulin Factory as part of this approval. Any proposal to destroy, modify, redevelop, relocate or otherwise physically affect the Tarpaulin Factory, except for agreed stabilisation works, shall be the subject of further assessment and approval in accordance with the *Environmental Planning and Assessment Act 1979*.

2.35 The Proponent shall relocate and maintain the Pillar Water Tank to an appropriate location within the site, determined in consultation with the OEH (Heritage Division).

2.36 The Proponent shall undertake such works as may be necessary to stabilise the Pillar Water Tank as part of the relocation of that heritage item on the site. The Proponent shall consult with the OEH (Heritage Division) prior to undertaking any stabilisation works to ensure that the works do not adversely affect the heritage values of the item.

2.37 The Proponent shall relocate and maintain the Pedestrian Footbridge, if feasible, to an appropriate location within the site, determined in consultation with the OEH (Heritage Division). Where the Pedestrian Footbridge cannot be feasibly relocated within the site, the Proponent shall arrange for the relocation of the Pedestrian Footbridge to an external heritage organisation, determined in consultation with the OEH (Heritage Division).

2.38 The Proponent is permitted to destroy the Yard Master's Office, the Administration Building, and the Wagon Repair Shed (and associated Gantry Crane). Prior to the destruction of these items, the Proponent shall engage an independent, qualified heritage expert to prepare an archival recording of these items in accordance with OEH (Heritage Division) guidelines. Destruction of these items shall not commence until the OEH (Heritage Division) has indicated its satisfaction with the archival recordings and the recordings have been lodged with the Strathfield Public Library, or other repository agreed by the [Planning Secretary](#).

Waste Generation and Management

2.39 All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.

2.40 The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the [Waste Classification Guidelines \(EPA, 2014\)](#).

2.41 The Proponent shall ensure that the transport of any hazardous and/ or industrial and/ or Group A waste from the site is conducted strictly in accordance with any requirements that may be specified by the [EPA](#) in relation to the transport of those wastes.

2.42 The Proponent shall ensure that contaminated areas of the site that are disturbed by construction works associated with the project are remediated prior to the commencement of project operations at these areas. All remediation works shall be undertaken in accordance with the requirements of the [Contaminated Land](#)

Management Act 1997 and Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2011).

2.43 Prior to the commencement of construction works associated with the project that may disturb contaminated areas of the site, the Proponent shall submit to the Planning Secretary a Site Audit Statement(s), prepared by an accredited Site Auditor under the Contaminated Land Management Act 1997, verifying that the area of the site on which construction is to be undertaken has been or can be remediated to a standard consistent with the intended land use. A final Site Audit Statement(s), prepared by an accredited Site Auditor, certifying that the contaminated areas have been remediated to a standard consistent with the intended land use and including any associated long term environmental management plan (LTEMP) is to be submitted to the Planning Secretary prior to operation of the remediated site(s).

2.43A Prior to commencement of works approved under DA 2016/132 for construction and operation of a garden centre and hardware and building supplies facility, a final Site Audit Statement for the Tarpaulin Factory Site must be prepared by an accredited Site Auditor certifying that the contaminated areas have been suitably remediated. The Site Audit Statement is to be submitted to the Secretary and Strathfield Council. In addition, a plan showing the extent of remediation within the Tarpaulin Factory Site is to be provided to the Secretary.

2.43B Within one month of remediation of the Tarpaulin Factory Site, a long-term contamination management plan is to be submitted to the Secretary for approval. The plan is to be implemented for the duration of operation of the development approved under DA 2016/132.

2.43C Prior to commencement of operation of the development permitted as part of the approval of MP 05_0147 MOD 14, a Validation Report is to be prepared by an Environmental Consultant, and a final Site Audit Statement for the warehousing precincts must be prepared by a NSW EPA accredited site auditor stating that the contaminated areas have been remediated to a standard suitable for the proposed use. The Validation Report and the Site Audit Statement are to be submitted to the Planning Secretary and Strathfield Council. A plan showing the extent of remediation in the warehousing precinct is also to be provided to the Planning Secretary.

2.44 The Proponent shall manage any asbestos or asbestos-contaminated materials that may be uncovered during the construction, commissioning and operation of the project strictly in accordance with the requirements under Protection of the Environment Operations (Waste) Regulation 2014 and any guidelines or requirements issued by the EPA in relation to those materials.

Visual Amenity and Urban Design

2.45 The Proponent shall ensure that all structures on the site are designed, constructed and maintained to maximise, where practicable, the use of natural ventilation and natural lighting, and to minimise energy consumption associated with heating, cooling and lighting.

2.46 The Proponent shall ensure that all external lighting installed as part of the project is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary, and be in general accordance with the latest version of *AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting*.

- 2.47 Prior to the commencement of construction of each warehouse associated with the project (refer to condition 1.6 of this approval), the Proponent shall submit, for the approval of the **Planning Secretary**, details of the external façade for the warehouse, including demonstration of the façade(s) on an external finishing board. The finishing board shall clearly show the materials to be used for the building façade including details of external treatments of the warehouse (such as painting, and other external features aimed at reducing the bulk of the building and to improve the general appearance of the project). The finishing board shall demonstrate that the external treatments of the warehouse are non-reflective and of sufficient design quality to minimise the visual affects of the project, as far as is reasonable and feasible.

Ecological Impacts

- 2.48 The Proponent shall implement all of the relevant actions for the site recommended in the *Management Plan for the Green and Golden Bell Frog Key Population at Greenacre* (DECC, May 2007), being:
- a) creation of overwintering habitat as part of the two-hectare improved foraging habitat at the southern end of the site;
 - b) provision of linkages to the former RailCorp ponds; and
 - c) restrictions on the use of herbicides in known frog habitat and attainment of water quality standards for water discharged from the site.

These actions shall be incorporated within both the Construction Environmental Management Plan (refer to condition 6.2) and the Operation Environmental Management Plan (refer to condition 6.4) as relevant, including provisions for monitoring the outcomes of these actions and periodically reporting outcomes to **OEH** at a frequency agreed with **OEH**.

- 2.48A The Proponent shall implement the mitigation measures identified in Section 7.1 of the *ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield* (Biosphere Environmental Consultants Pty Ltd, 2011), supplementary letter of advice dated 10 January 2018 (Biosphere Consultants Pty Ltd, 2011), and the following:
- a) the installation of an exclusion fence to help prevent frogs from entering the construction site;
 - b) the installation of silt fences and silt trapping devices prior to any earthworks, and the use of dust suppression methods throughout construction, to prevent wind-blown dust from entering the frog habitat area;
 - c) the establishment of run-off barriers between the construction areas and the frog habitat area, to prevent accidental spills and/or stormwater waste from entering the frog habitat area;
 - d) the installation of visual screens to minimise light spill into the frog habitat area, from night construction works;
 - e) the demarcation of the frog habitat area as a “no go” area, using barrier bunting and signs that indicate the significance of the area and that the site is off limits to people, machinery and plant equipment;
 - f) the installation of an exclusion fence to help prevent frogs from entering the operational areas;
 - g) the installation of diversion bunds to ensure hazardous liquids can never enter the frog habitat area; and
 - h) the installation of visual screens to minimise light spill into the frog habitat area, from trucks and plant equipment operating throughout the night.

These actions shall be incorporated within the Construction Environmental Management Plan (condition 6.2 of this approval) and the Operation Environment Management Plan (condition 6.4 of this approval), as relevant.

Hazards, Risk and Land Use Safety

- 2.49 All demolition work shall be carried out in accordance with AS 2601-2001 *The Demolition of Structures*.
- 2.50 The Proponent shall store and handle all dangerous goods (not being unopened, containerised goods), as defined by the Australian Dangerous Goods Code, strictly in accordance with:
- a) all relevant Australian Standards;
 - b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - c) the DECC's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

- 2.51 The Proponent shall investigate, in consultation with relevant emergency services, whether additional measures are required along Cosgrove Road, including parking restrictions, to ensure clear and safe access to the site in the event of an emergency.

2.51A Prior to commencement of spoil transportation and spoil disposal associated with Mt Enfield requiring the crossing of the Ethylene pipeline, the Proponent shall in consultation with Qenos Pty Ltd, determine truck crossing points of the pipeline and any required works to protect the pipeline.

Community Infrastructure and Enhancements

- 2.52 Prior to the commencement of operation of the project, the Proponent shall develop in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, a **Community Enhancement Program** to fund (or provide in kind) community infrastructure and services in and around the project, with a specific focus on provision of such infrastructure and services for communities in Greenacre and South Strathfield. The Proponent shall contribute \$1 million to the Program (in 2007 terms), with agreed works to be completed within two years of the commencement of construction of the project, unless otherwise agreed by the parties. Unless otherwise agreed by the Planning Secretary, funding for enhancement works shall be apportioned at the rate of 30% for works within the Strathfield local government area, and 70% for works within the Bankstown local government area. In the event that any aspect of the Program cannot be agreed between the parties, the matter may be referred to the Planning Secretary for resolution. The Planning Secretary's resolution of any disagreement shall be final and binding on all parties.

3. ENVIRONMENTAL MONITORING AND AUDITING

Meteorological Monitoring

- 3.1 From the commencement of site preparation and construction works associated with the project, the Proponent shall continuously monitor, utilising the meteorological monitoring station referred to under condition 2.20 of this approval, each of the parameters listed in Table 4, utilising the sampling method indicated and applying a 15-minute average period to all results, and recording data in units specified in the Table.

Table 4 – Meteorological Monitoring

Parameter	Units of Measure	Sampling Method*	Method
Temperature at two metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005
Temperature at ten metres	°C	AM-4	USEPA (2000) EPA 454/ R-99-005
Wind speed at ten metres	ms ⁻¹	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005
Wind direction at ten metres	°	AM-2 and AM-4	AS 2923-1987; USEPA (2000) EPA 454/R-99-005
Solar radiation	Wm ⁻²	AM-4	USEPA (2000) EPA 454/ R-99-005

*refer *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2005)*

During periods of repair or maintenance of the meteorological monitoring station, the Proponent may utilise weather data collected at the Canterbury Racecourse Automatic Weather Station, operated by the Bureau of Meteorology, or other nearby Bureau of Meteorology Stations in the event that the Canterbury station is offline.

Construction Dust Monitoring

3.2 The Proponent shall, from the commencement of soil disturbing works on the site until all large exposed areas have either been landscaped or sealed, continuously monitor ambient dust concentrations (PM₁₀) at two of the most-affected residential receptor(s) to the site (with monitoring undertaken either on the boundary of the site or within the affected residential areas) employing the sampling and analysis methods specified under AM-18 or AS3580.9.8 or as otherwise agreed by the Planning Secretary. Results of dust monitoring shall be recorded in µgm-3 and shall be utilised for the purpose of site preparation and construction dust management under condition 6.3(e) of this approval.

Noise Auditing

3.3 Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, and within commencement of operations in Empty Container Storage Area A, or at such other time as may be directed or agreed by the Planning Secretary, and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the project. The program shall include, but not necessarily be limited to:

- noise monitoring, consistent with the guidelines provided in the *New South Wales Industrial Noise Policy* (EPA, 2000), to assess compliance with condition 2.17 of this consent;
- methodologies, locations and frequencies for noise monitoring;
- identification of monitoring sites at which pre- and post-project development noise levels can be ascertained;
- details of any complaints received in relation to noise generated by the project;
- an assessment of night-time use of audible alarm systems;
- an assessment of the effectiveness of stacked empty containers as acoustic barriers in Empty Container Storage Area A;
- details of any noise mitigation measures and timetables for implementation;
- a statement of whether the site is in compliance with the noise limits outlined in condition 2.17; and
- recommendations and timetables for implementation for any reasonable and feasible additional measures necessary to ensure compliance with the relevant noise-related conditions of this approval.

- 3.4 Within 28 days of conducting the noise monitoring referred to under condition 3.3 of this approval, the Proponent shall provide the **Planning Secretary** with a copy of the report. If the noise monitoring report identifies any non-compliance with the noise limits specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the **Planning Secretary**.
- 3.5 Following consideration of the outcomes of the noise audits referred to under conditions 3.3 and 3.4 of this approval, the **Planning Secretary** may require the Proponent to implement additional noise mitigation, monitoring or management measures to address noise associated with the project. The **Planning Secretary** may require any or all of the measures proposed by the Proponent in the noise audit report, or other measures considered appropriate by the **Planning Secretary** (including on-site and off-site acoustic treatments, noise bunding, noise walls or noise attenuation works for plant and equipment) to be implemented. The Proponent shall implement the measures required by the **Planning Secretary** within such period as the **Planning Secretary** may specify.

Traffic Monitoring and Auditing

- 3.6 The Proponent shall develop and implement a **Traffic and Capacity Monitoring Program** to monitor the throughput and traffic generation of the project. The Program shall include, but not necessarily be limited to:
- a) provisions for monitoring the throughput of the project;
 - b) provisions for representative monitoring the traffic generation of the project, with reference to traffic generation as a function of project throughput, type of road transport employed, hours of traffic movements and intended road traffic destinations;
 - c) provisions for periodic monitoring of traffic movements generated by the project in the surrounding road network, with a particular focus on the residential areas of Greenacre to the west of the project, generally between Roberts Road, Boronia Road and the Hume Highway, and principal road transport routes to and from the site; and
 - d) a framework for recording and reporting the outcomes of the Program and a system for considering data generated through the Program.
- 3.7 Within 90 days of the project reaching annual throughput of 50,000 TEU, 150,000 TEU and 250,000 TEU, or as may be directed or agreed by the **Planning Secretary**, and during a period in which the project is operating under normal operating conditions, a **Traffic Audit** of the project shall be undertaken by an independent qualified person(s) approved by the **Planning Secretary**. The Audit shall include, but not necessarily be limited to:
- a) assessment of the traffic performance of the project against the predictions made in the documents referred to under condition 1.1 of this approval;
 - b) consideration of the results of the Traffic and Capacity Monitoring Program required under condition 3.6 of this approval;
 - c) consideration of the effectiveness of the traffic management measures implemented by the Proponent and the measures required under this approval;
 - d) consideration of traffic-related issues raised by the **RMS, Canterbury Bankstown Council** and Strathfield Municipal Council;
 - e) consideration of the traffic-related complaints recorded in accordance with condition 5.3 of this approval;

- f) findings and recommendations with respect to the traffic performance of the project and any additional measures that may be required to manage traffic associated with the project.
- 3.8 Within 28 days of conducting the traffic auditing referred to under condition 3.7 of this approval, the Proponent shall provide the **Planning Secretary** with a copy of the audit report. If the audit report identifies any non-compliance with the traffic predictions, principal heavy vehicle routes or local area traffic management measure outlined in the documents referred to under condition 1.1, or specified under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the **Planning Secretary**.
- 3.9 Following consideration of the outcomes of the traffic audits referred to under conditions 3.7 and 3.8 of this approval, the Planning Secretary may require the Proponent to implement additional traffic mitigation, monitoring or management measures to address traffic associated with the project. The Planning Secretary may require any or all of the measures proposed by the Proponent in the traffic audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Proponent shall implement the measures required by the **Planning Secretary** within such period as the Planning Secretary may specify.

4. COMPLIANCE MONITORING AND TRACKING

Compliance Tracking Program

- 4.1 The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall include, but not necessarily limited to:
- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;
 - b) provisions for periodic reporting of compliance status to the **Planning Secretary**;
 - c) a program for independent environmental auditing at least annually, or as otherwise agreed by the **Planning Secretary**, in accordance with *ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing*; and
 - d) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.

5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

- 5.1 Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

Complaints and Enquiries Procedure

- 5.2 Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries for the life of the project (including construction and operation):
- a) a telephone number on which complaints and enquiries about construction and operational activities at the site may be registered;
 - b) a postal address to which written complaints and enquires may be sent; and
 - c) an email address to which electronic complaints and enquiries may be transmitted.

The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign. This information is also to be provided on the Proponent's website.

- 5.3 The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:
- a) the date and time, where relevant, of the complaint;
 - b) the means by which the complaint was made (telephone, mail or email);
 - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) record of operational and meteorological condition contributing to the complaint;
 - f) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and
 - g) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the **Planning Secretary** upon request.

Provision of Electronic Information

- 5.4 The Proponent shall establish and maintain a new website, or dedicated pages within its existing website for the provision of electronic information associated with the project. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:
- a) a copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this approval that may be granted from time to time;
 - b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project;
 - c) a copy of each strategy, plan, program and audit required under this approval; and
 - d) the outcomes of compliance tracking in accordance with condition 4.1 of this approval.

6. ENVIRONMENTAL MANAGEMENT

Environmental Representative

- 6.1 Prior to the commencement of operation of the project, the Proponent shall nominate a suitably qualified and experienced Environmental Representative(s) for the approval of the **Planning Secretary**. The Proponent shall employ the Environmental Representative(s) on a full-time basis, or as otherwise agreed by the **Planning Secretary**, during the operation of the project. The Environmental Representative shall be:
- a) the primary contact point in relation to the environmental performance of the project;
 - b) responsible for all management plans and monitoring programs required under this approval;
 - c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project;
 - d) responsible for receiving and responding to complaints in accordance with condition 5.2 and 5.3 of this approval; and

- e) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

The Proponent shall notify the **Planning Secretary** of any changes to that appointment that may occur from time to time.

Construction Environmental Management Plan

6.2 Prior to the commencement of site preparation works or construction of the project, the Proponent shall prepare and submit for the approval of the **Planning Secretary** a **Construction Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during site preparation and construction of the project. The Plan shall be prepared in accordance with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:

- a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval;
- b) a description of all activities to be undertaken on site during site establishment and construction of the project including an indication of stages of construction, where relevant;
- c) statutory and other obligations that the Proponent is required to fulfil during site establishment and construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- d) specific consideration of measures to address any requirements of the **EPA** during site establishment and construction;
- e) a description of the roles and responsibilities for all relevant employees involved in the site establishment or construction of the project.
- f) details of how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:
 - i) measures to monitor and manage dust emissions;
 - ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities; and
 - iii) measures to monitor and control noise emissions during construction works;
- g) a description of the roles and responsibilities for all relevant employees involved in site preparation and construction of the project and a program for how these employees will be trained in responsibilities identified in the plan;
- h) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval);
- i) the issue-specific management plans listed under condition 6.3 of this approval.

The Construction Environmental Plan shall be made available for inspection by the public upon request following its approval by the **Planning Secretary**.

6.3 As part of the Construction Environmental Management Plan for the project, required under condition 6.2 of this approval, the Proponent shall prepare and implement the following Management Plans:

- a) a **Construction Noise Management Plan** to outline construction noise mitigation, monitoring and management measures to be implemented to

minimise noise impacts during construction of the project. The Plan shall include, but not necessarily be limited to:

- i) details of construction activities and a schedule for construction works;
 - ii) identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas;
 - iii) where the relevant construction noise goals contained in the *Noise Management Guideline – Construction Noise* (formerly published as Chapter 171 of the *Environmental Noise Control Manual*) are predicted to be exceeded at sensitive receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals;
 - iv) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and
 - v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected.
- b) **Construction traffic measures including:**
- i. a Construction Traffic Management Protocol to detail how heavy vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of oversize loads to and from the site, the management of construction traffic, restrictions to the hours of heavy vehicle movements to avoid road use conflicts, and the transport of construction waste materials; and
 - ii. a Driver's Code of Conduct which details traffic management measures to be implemented during construction to:
 - minimise impacts of the project on the local and regional road network,
 - minimise conflicts with other road users,
 - ensure truck drivers use specific routes and access points, including no left turn access from Cosgrove Road, and
 - minimise traffic noise, particularly during night times hours;
- c) a **Heritage Interpretation Plan and Strategy** to detail how heritage items to be retain on-site will be protected during site preparation and construction, and how relocated heritage items will be protected and maintained during those works. The Plan shall include a strategy for the on-going management and interpretation of heritage items and values on the site, and shall be prepared in accordance with OEH (Heritage Division) guidelines;
- d) a **Landscape and Ecological Area Management Plan** to detail how the site will be landscaped and maintained. The Plan shall be generally consistent with the Landscape Masterplan presented in the document referred to under condition 1.1b) of this approval and shall include, but not necessarily be limited to:
- i) provision for the use of locally-endemic native species for landscaping the site;
 - ii) consideration of landscaping locations and densities to maximise visual screening of the project from residential receptors and public open space;
 - iii) measures to maximise the retention of locally-endemic native species existing on the site, and removal of weeds and non-indigenous vegetation; and
 - iv) measures for the enhancement, revegetation and on-going management of the Ecological Area on the site, including measures to provide suitable habitat for *Litoria Aurea*;

- e) a **Construction Dust Management Protocol** to detail how dust impacts will be mitigated, monitored and managed during construction of the project. The Plan shall include procedures for the identification of situations in which site preparation or construction works may contribute to an ambient PM₁₀ concentration (24-hour) of greater than 50 µgm⁻³ at any off-site residential receptor, with details of measures to be implemented (including alteration or cessation of works, as may be relevant) to prevent or minimise exceedance of this criterion, in so far as the exceedance may relate to activities associated with the project.
- f) A **Mt Enfield Stabilisation Management Plan** to detail how the batters of Mt Enfield and associated drainage will be managed during construction and until such time as it is stabilised with vegetation. The plan shall include but not be limited to:
 - (i) measures to prevent soil erosion and the discharge of sedimentation to lands or waters, including to the Green and Golden Bell Frog Habitat Creation Area and Cox's Creek;
 - (ii) identification of where runoff from Mt Enfield is to be directed to, indicating ponding and flow paths to ensure runoff volume and increased flow velocity has been provided for, with the objective of not exceeding current rates;
 - (iii) measures to mitigate potential dust impacts on sensitive receivers including the Green and Golden Bell Frog Habitat Creation Area and surrounding residences; and
 - (iv) measures for the enhancement, revegetation and on-going landscape management of the Mt Enfield site, undertaken in consultation with Strathfield Municipal Council and Canterbury Bankstown Council, and the local community.

The ongoing management of drainage structures and landscaping associated with Mt Enfield shall be incorporated into the Operation Environmental Management Plan required under condition 6.4 of this approval.

- g) **Tarpaulin Factory Area Earthworks Environmental Management Plan** which shall include but not be limited to:
 - (i) the measures contained in the letter – Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016;
 - (ii) measures to minimise dust emissions in accordance with conditions 2.22 to 2.27 including measures to mitigate potential dust impacts on Green and Golden Bell Frog habitat;
 - (iii) measures to minimise soil erosion in accordance with condition 2.29 and to ensure only clean surface water flows are discharged to the frog ponds;
 - (iv) management of stockpiles in accordance with condition 2.30;
 - (v) management of waste and remediation of the site in accordance with conditions 2.39 to 2.42, 2.44 and the Remediation Action Plan (RAP), 127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by ZOIC, February 2017 including air quality monitoring for asbestos;
 - (vi) measures to verify that imported material is consistent with that specified in the RAP;
 - (vii) landscaping of disturbed areas in accordance with the Landscape and Ecological Area Management Plan under condition 6.3(d);
 - (viii) protection of heritage items including the relocated Pillar Water Tank; and

- (ix) unexpected finds protocol.

A copy of the approved Tarpaulin Factory Area Earthworks Environmental Management Plan is to be provided to Strathfield Council.

- h) a Fill Importation Protocol (FIP) outlining the requirements of the imported fill, including the source and type, and containing the requirement to place and compact imported material as fill immediately upon arrival to the site. The FIP is to include the requirement that only virgin excavated natural material/ excavated natural material can be imported from off-site. All bulk earthworks should be undertaken in accordance with the approved FIP.

The Construction Environmental Management Plan required under this condition and Condition 6.2 shall be updated (where necessary) to reflect any changes arising from modifications to this approval.

Operation Environmental Management Plan

- 6.4 Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the **Planning Secretary** an **Operation Environmental Management Plan** (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004), and shall include, but not necessarily be limited to:
- a) a framework consistent with that presented in Chapter 21 of the document referred to under condition 1.1b) of this approval;
 - b) a description of all activities to be undertaken on the site during operation of the project;
 - c) statutory and other obligations that the Proponent is required to fulfil during operation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
 - d) specific consideration of measures to address the reasonable requirements of Strathfield Municipal Council, **Canterbury Bankstown Council** and the **EPA** during operation;
 - e) details of how the environmental performance of operations will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - f) a description of the roles and responsibilities for all relevant employees involved in the operation of the project and a program for how these employees will be trained in responsibilities identified in the plan;
 - g) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval).
 - h) the issue-specific management plans listed under condition 6.5 of this approval.
- 6.5 As part of the Operation Environmental Management Plan for the project, required under condition 6.4 of this approval, the Proponent shall prepare and implement the following Management Plans:
- a) an **Operation Noise Management Plan** to outline monitoring, management procedures and measures to minimise operational noise impacts associated with the project, including traffic-related noise. The Plan shall include, but not necessarily be limited to:
 - i) identification of all relevant receivers and the applicable criteria at those receivers commensurate with the noise limits specified under this approval;

- ii) identification of activities that will be carried out in relation to the project and the associated noise sources;
 - iii) assessment of project noise impacts at the relevant receivers against the noise limits specified under this approval;
 - iv) details of management measures, methods and procedures that will be implemented to control individual and overall noise emissions from the site and specific land uses to ensure compliance with condition 2.17;
 - v) details of the management measures and procedures that will be implemented in Empty Container Storage Areas A and B to ensure that acoustic barriers constructed from empty storage containers are established at the correct time, height, length, and location to ensure compliance with condition 2.17;
 - vi) details of the management measures that will be undertaken to ensure that activities undertaken in Empty Container Storage Area B in the area to the north of the northern noise wall, including the restriction of container stacking, comply with the requirements of condition 2.17;
 - vii) development of reactive and pro-active strategies for dealing promptly with any noise complaints;
 - viii) noise monitoring and reporting procedures; and
 - ix) regular internal audits of compliance of all plant and equipment with acceptable design noise.
- b) an **Operation Traffic Management Plan** to outline measures to minimise and manage any impacts from the operation of the project on the local road network. The Plan shall include, but not necessarily be limited to:
- i) a driver education program to ensure that heavy vehicles comply with the requirements of this approval and the commitments made in the documents referred to under condition 1.1, particularly with respect to heavy vehicle routes;
 - i-a) a Driver's Code of Conduct which details traffic management measures to be implemented during operation to:
 - minimise impacts of the project on the local and regional road network,
 - minimise conflicts with other road users,
 - ensure truck drivers use specific routes and access points, including no left turn access from Cosgrove Road, and
 - minimise traffic noise, particularly during night times hours;
 - ii) movement scheduling where practicable to reduce impacts during sensitive time periods;
 - iii) specific measures for ensuring that all heavy vehicle operators associated with the project are aware of and implement the Plan;
 - iv) a system for identifying and ensuring conformance with the Plan, including conformance monitoring, procedures for implementing and monitoring corrective and preventative action, and penalties for breaches of the Plan; and
 - v) a continuous improvement process for assessing Plan effectiveness and implementing improvements to the Plan.
- c) a **Long Term Environmental Management Plan**, where required to manage interactions with the site as remediated. The Plan must be prepared to the satisfaction of the Planning Secretary, and must:
- (i) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;
 - (ii) be submitted to EPA for review and be approved by the Planning Secretary within one month of the completion of remediation works, unless otherwise agreed by the Planning Secretary; and

- (iii) include, but not be limited to:
- a description of the nature and location of any contamination remaining on site;
 - provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell;
 - a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/or disposal;
 - a description of the procedures for monitoring the integrity of the containment cell;
 - a surface and groundwater monitoring program;
 - mechanisms to report results to relevant agencies;
 - triggers that would indicate if further remediation is required; and
 - details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.

Upon completion of the remediation works, the Applicant must manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by EPA under *the Contaminated Land Management Act 1997*.

- 6.6 The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time, and updated (where necessary) to reflect any changes arising from modifications to this approval.

7. ENVIRONMENTAL REPORTING

Incident Reporting

- 7.1 The Proponent shall notify the **Planning Secretary** of any incident with actual or potential significant off-Site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the incident to the **Planning Secretary** within seven days of the date on which the incident occurred.
- 7.2 The Proponent shall maintain a register of accidents, incidents and potential incidents with actual or potential significant off-Site impacts on people or the biophysical environment. The register shall be made available for inspection at any time by the independent qualified person or team conducting the Environmental Audit and/or the **Planning Secretary**.
- 7.3 The Proponent shall meet the requirements of the **Planning Secretary** to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 7.1 of this consent, within such period as the **Planning Secretary** may agree.
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APPENDIX 1 PLAN OF SUBDIVISION



