

NOVEMBER 1, 2019

Compliance Monitoring and Reporting Program

Including

Pre-Construction Compliance Report

DICKER DATA LTD SSD 8662

Version Control

Version Number	Report Name	Prepared	Issued	Author
0.1	Pre-Construction Compliance Report	Nov 2019	Nov 2019	Brad Begley Property Manager Dicker Data Ltd

Application number: SSD 8662

File Name: Pre-Construction Compliance Report Dicker Data Ltd

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Executive Summary

This Pre-construction Compliance Report is written in accordance with the Compliance Reporting Post Approval Requirements June 2018 and has been developed to comply with SSD 8662 consent conditions C10 to C16 and submitted to the Compliance Office, Department of Planning, Industry & Environment NSW November 2019.

In accordance with the Compliance Reporting Post Approval Requirements June 2018, the purpose of Compliance Reporting is to monitor and report on the compliance status of a project. A Compliance Report communicates the status of a project's performance. These requirements apply to a State Significant Development (SSD) project where compliance monitoring and reporting are required within the conditions of consent.

Introduction

The aim of this document is to comply with SSD 8662 Consent Conditions C14 and C15. Thus, two components have been combined, the *'Compliance Monitoring and Reporting Program'* and the *'Preconstruction Compliance Report'* with the aim to increase the efficiency of the administrative process.

Project Details

The Project involves the Construction and Operation of a New Warehouse and Distribution Centre with Associated Office, Car Parking, Acceleration Lane and Sub-Division.

Location

The site is located within an industrial area approximately 1.5km south of the Kurnell town centre. The address is 238-258 Captain Cook Drive, Kurnell, legally identified as Lot 2 in DP 1088703 and Lot 1 DP 225973 previously known as Abbotts Pharmaceuticals site.

Background

Abbott Pharmaceuticals ceased operations in 2003 and the site was used predominantly for administrative purposes. From 2012 to 2015 the site was used by various private companies for warehousing, fibreglass products manufacturing and an earthmoving equipment and materials storage yard.

Project Name	Project 238 CCDK
Application Number	SSD 8662
Site Address	238-258 Captain Cook Drive Kurnell
Compliance Report Name	Pre-Construction Compliance Report - Dicker Data Limited
Project Activity	Pre-Construction Compliance
Key Personnel	Brad Begley Property Manager brad.begley@dickerdata.com.au

Compliance Monitoring and Reporting Schedule

The table below outlines the frequency of compliance reporting for the project.

Compliance Report	Phase	Timing	Anticipated Lodgement Date
Compliance Monitoring and Reporting Program	Pre-construction	Submitted to DPIE	October 2019
Pre-Construction Compliance Report Ver 0.1	Pre-construction	Submitted to DPIE	October 2019
Construction Compliance Report 0.2	Construction	26 weeks following Commencement of works	April 2020
Pre-Operational Compliance Report 0.3	Pre-Operational	20 weeks following Compliance Report 0.2 & prior to Operational Phase	September 2020
Operational Compliance Report 1.0	Operational	At 52-week Intervals	

Compliance Status

The compliance table (Appendix A) demonstrates compliance with conditions of consent required for the projects and the respective Management Plans.

With regard to the compliance status descriptors, the following terminology and explanation have been adopted and used.

The status of meeting the requirement of the condition of consent:

- Compliant — all necessary approvals have been obtained and the action is completed.
- Non-compliant — the necessary approvals or requirements have not been obtained/ met.
- Not triggered — where a requirement is yet to be triggered.
- Submitted — where a requirement has been submitted but approval is yet to be granted.

Non-Compliance

Nil this period

On a Non-Compliance Occurrence

The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance as per SSD 8662 consent condition C11.

As per SSD8662 consent condition C12 and Compliance Reporting Post Approval Requirements June 2018 A 'non-compliance notification' will identify:

- the development and the application number for it
- set out the condition of consent that the development is non-compliant with and the way in which it does not comply
- the reasons for the non-compliance (if known)
- what action has been, or will be, undertaken to address the non-compliance including details of when undertaking such actions
- date the non-compliance occurred and the date it was identified
- the agency, or agencies to whom the non-compliance was reported to

Note: As per SSD 8662 consent condition C13, a non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Previous Report Actions

Nil from the preceding report

If an action arising from previous Independent Audit and Compliance Reports is identified the following information will be provided

I.D.	Progress to address each action	Outcomes of each action

Incidents

Nil this period

On the occurrence of an incident:

- Step 1 A 'Notification' in accordance with SSD 8662 consent condition C10 the Department of Planning, Industry and Environment will be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The 'Notification' will identify the development (including the development application number SSD 8662 and the name of the development) and set out the location and nature of the incident. Subsequent notification requirements will be given, and reports submitted in accordance with the requirements set out in Appendix 4 of the consent SSD 8662.
- Step 2 a 'Written Incident Notification' addressing the requirements of appendix 4 of the SSD 8662 consent will be emailed to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of an incident. Notification is required to be given under this

condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred. As per Appendix 4 of the consent SSD 8662 a written notification of an incident must:

- a. identify the development and application number;
- b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- c. identify how the incident was detected;
- d. identify when the applicant became aware of the incident;
- e. identify any actual or potential non-compliance with conditions of consent;
- f. describe what immediate steps were taken in relation to the incident;
- g. identify further action(s) that will be taken in relation to the incident;
- h. identify a project contact for further communication regarding the incident.

Step 3 *Incident Report Requirements*; within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested. The Incident Report must include:

- a. a summary of the incident;
- b. outcomes of an incident investigation, including identification of the cause of the incident;
- c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- d. details of any communication with other stakeholders regarding the incident.

Complaints

Nil this period

Complaints received during the construction phase will follow the process of the Community Consultation and Complaints Handling Management Plan approved by the Department of Planning, Industry & Environment and where the respective and necessary information will be recorded.

Under Post Operational circumstances, complaints will be recorded and a Table formulated which will contain the number of complaints received and a summary of the main areas of complaints. An analysis of this information will be carried out to identify emerging trends. If an emerging trend is identified a statement will be provided to compliance@planning.nsw.gov.au advising of the trends with proposed action to take in reducing the recurrence of complaints or that 'no further action is required'.

Appendix A

Compliance Monitoring Program for Development Consent SSD 8662

Approved on the 12th April 2019

ID Number	Compliance Requirement	Applicable Timing for Compliance	Monitoring Methodologies	Evidence & Comments	Status
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	At All Times	On Regular Inspections and check for any Material Harm to Environment	Photographs, Inspection Documents	Not Triggered
A2 (a)	The development may only be carried out: (a) in compliance with the conditions of this consent;	At All Times	Private Certifier CC, OC & complying to operational consent conditions	Correspondence, CC, OC & Compliance Report	Not Triggered
A2 (b)	The development may only be carried out: (b) in accordance with all written directions of the Planning Secretary;	At All Times	Verify constructions Drawings and documents in accordance with DPIE	Correspondence & Documents	Not Triggered
A2 (c)	The development may only be carried out: (c) in accordance with the EIS and Response to Submissions (RTS);	At All Times	Verify constructions Drawings and documents in accordance with EIS & RTS	Design Drawings compliant with EIS & RTS	Not Triggered
A2 (d)	The development may only be carried out: (d) in accordance with the Development Layout Plans in Appendix 1; and	Construction	Verify Construction Drawings with Approved Plans Appendix 1	Constructions Drawings & Surveyor peg out drawings	Not Triggered
A2 (e)	The development may only be carried out: (e) in accordance with the management and mitigation measures in Appendix 3.	Refer to Appendix 3	Refer to Appendix 3	Refer to Appendix 3	Refer to Appendix 3
A3 (a)	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary	At All Times	Monitor Correspondence advice from DPIE	Correspondence or Endorsement	Not Triggered
A3 (b)	(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	At All Times	Verify Implementation/action	Correspondence Received from DPIE	Not Triggered
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	At All Times	Verify the most recent document is used	Documents	Not Triggered
A5	This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.	Noted	N/A	N/A	N/A
A6 (a)	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (a) construction	Pre-Construction	Commencement advice submitted	Correspondence	Not Triggered
A6 (b)	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (b) operation	Pre-Operational	Commencement advice submitted	Correspondence	Not Triggered

A6 (c)	The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date: (c) cessation of operations	Pre-Cessation of Operational	Cessation of operations advice submitted	Correspondence	Not Triggered
A7	If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Pre-Construction	Submission of written advice at each stage	Correspondence	Not Triggered
A8 (a)	Where conditions of this consent require consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval	At All Times	Noted, refer to specific conditions		
A8 (b) (i)	Where conditions of this consent require consultation with an identified party, the Applicant must:(b) provide details of the consultation undertaken including:(i) the outcome of that consultation, matters resolved and unresolved	At All Times	Noted, refer to specific conditions		
A8 (b) (ii)	Where conditions of this consent require consultation with an identified party, the Applicant must: (b) provide details of the consultation undertaken including (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	At All Times	Noted, refer to specific conditions		
A9 (a)	With the approval of the Planning Secretary, the Applicant may: (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program)	At All Times	Review Consent Plans, Strategies or Program that require staging	Revised Plans, Strategies or Program & DPIE Correspondence	Not Triggered
A9 (b)	With the approval of the Planning Secretary, the Applicant may: (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined)	At All Times	Review/Combined Plans, Strategies or Program as required	Revised Plans, Strategies or Program & DPIE Correspondence	Not Triggered
A9 (c)	With the approval of the Planning Secretary, the Applicant may: (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	At All Times	Review Plans, Strategies or Program for update are required	Revised Plans, Strategies or Program & DPIE Correspondence	Not Triggered
A10	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	At All Times	Planning secretary response	Correspondence	Not Triggered
A11	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	At All Times	Monitor Planning Secretary response to updated strategies, plans or programs	Correspondence	Not Triggered
A12 (a)	Before the commencement of construction, the Applicant must: (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;	Construction	If requires consult with service providers	Correspondence	Not Triggered

A12 (b)	Before the commencement of construction, the Applicant must: (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths)	Pre-Construction	Commission a Dilapidation Report	Dilapidation Report	Compliant
A12 (c)	Before the commencement of construction, the Applicant must: (c) submit a copy of the dilapidation report to the Planning Secretary and Council.	Pre-Construction	Submit to DPIE & Council Dilapidation Report	Dilapidation Report & Correspondence	Not Triggered
A13 (a)	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.	Pre-Operational	Compare current Public Infrastructure with Dilapidation Report	Documentation	Not Triggered
A13 (b)	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	Construction	Correspondence from Public Infrastructure Authority	Documentation & Correspondence	Not Triggered
A14	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).	Pre-Construction (Note: No Existing Structure onsite)	Inspections & AS2601-2001 comparison with work Activities	Photographs & Documents	Compliant
A15	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Notes: (See Below) · Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. · Part 8 of the EP&A Regulation sets out the requirements for the certification of the development. · Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.	At All Times	Design Certificates of compliance from Design Consultants	Design Certificates of compliance from Design Consultants	Not Triggered
A15 (Note: Point 1)	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: · Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.	Noted			
A15 (Note: Point 2)	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: · Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Noted			

A15 (Note: Point 3)	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA. Note: · Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.	Noted	Verify if site is in a Mine Subsidence Area	Correspondence Confirmation Not in a Mine subsidence area, TTW Engineering confirm of the same.	Compliant
A16	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	At All Times	Site Inductions, Management Plans & Design Documentation	Documents	Compliant
A17	Before the issue of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.	Pre-Construction	Council Receipt of Payment	Receipt of Payment	Compliant
A18	Prior to the issue of an Occupation Certificate, the Applicant must amalgamate the site in accordance with the subdivision plan titled 'Proposed Subdivision Lot 1 DP 225973 & Lot 2 DP 1088703' prepared by Masters Surveying, dated 12 December 2018.	Pre-Operational	Submit to NSW Land Registry Services	NSW Land Registry Services Documentation Advice & Survey Drawing 'Proposed Subdivision Lot 1 DP 225973 & Lot 2 DP 1088703'	Not Triggered
A19 (a)	All plant and equipment used on site, or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition;	Construction Operational	Inspect Plant & Equipment Inspection Sheet & service records	Machinery/equipment inspection records	Not Triggered
A19 (b)	All plant and equipment used on site, or to monitor the performance of the development must be: (b) operated in a proper and efficient manner.	Construction Operational	Verify Plant & Equipment has Valid Licence operators and applicable to Machinery being operated, Inspections	Copy of operator licence	Not Triggered
A20	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Verify Wall Materials Compliance with BCA	Certificate from Installer	Not Triggered
A21	Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Pre-Construction Construction	Submit Design Certificates & Builder's Compliance Certificate	Design Certificate & Builder's Compliance Certificate	Compliant
A22	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Pre-Construction	Confirmation Correspondence from Certifier	Certifiers Documentation	Compliant
A23	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Pre-Construction Construction	Correspondence from Respective Service Provider	Correspondence Confirmation/Documentation	Compliant
A24	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the Sydney Water Act 1994.	Pre-Operational	Notice of Requirement	Letter of Confirmation	Compliant

A25 (a)	Before the issue of a Subdivision or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for: (a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project to enable fibre to be readily connected to any premises that is being or may be constructed on those lots;	Pre-Construction	Request Correspondence from Respective Service Provider	Correspondence Confirmation/Documentation	Not Triggered
A25 (b)	Before the issue of a Subdivision or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for: (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.	Pre-Construction	Correspondence from Respective Service Provider	Correspondence Confirmation/Documentation	Not Triggered
A 26	The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.	Pre-Construction	Correspondence from Respective Service Provider	Correspondence Confirmation/Documentation	Not Triggered
A27	The Applicant must engage an Accredited Certifier in civil engineering works or a Chartered Civil Engineer to supervise and certify the construction of road frontage works, stormwater drainage and rainwater harvesting systems.	Pre-Construction	Verify Qualifications of Respective Engineer	Document	Not Triggered
A27	The Applicant must engage an Accredited Certifier in civil engineering works or a Chartered Civil Engineer to supervise and certify the construction of road frontage works, stormwater drainage and rainwater harvesting systems.	Pre-Construction	Verify Qualifications of Respective Engineer	Document	Not Triggered
A28	Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.	Pre-Operational	Submit Works As Executed Drawings DPIE	Surveyor Works As Executed drawings Endorsed	Not Triggered
A29	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	Construction	Verify Guideline, Protocol, Australian Standard or policy are current with consent approval date	Documents	Not Triggered
A30	However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	Construction Operational	On direction from the DPIE	Documents	Not Triggered
AN1	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	At All Times	Advice from Authorities Check for up dates	Updated documents	Not Triggered
B1	Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary.	Pre-Construction	Submission of CTMP to DPIE	Endorsement of the CTMP & CTMP	Not Triggered
B1 (a)	The CTMP must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s)	Pre-Construction	Submit to a qualified and experienced Traffic Engineering	Documentation of Consultants Qualifications & Experience	Not Triggered

B1 (b)	The CTMP must form part of the CEMP required by condition C2 and must: (b) be prepared in consultation with Council and RMS;	Pre-Construction	Refer to Appendix D CTMP Consultation Council	Correspondence acceptance from Council & RMS	Not Triggered
B1 (c)	The CTMP must form part of the CEMP required by condition C2 and must: (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;	Pre-Construction	Refer Section 2 of the CTMP	Construction Traffic Management Plan	Not Triggered
B1 (d)	The CTMP must form part of the CEMP required by condition C2 and must: (d) detail measures that are to be implemented to protect the vegetation of the Toward Point Nature Reserve during roadworks;	Pre-Construction	Refer to CTMP sections 2.4 & 3.3	Construction Traffic Management Plan	Not Triggered
B1 (e)	The CTMP must form part of the CEMP required by condition C2 and must: (e) detail heavy vehicle routes, access and parking arrangements;	Pre-Construction	Refer Section 5.1 CTMP	A TCP with Traffic controllers/Traffic Signals A Vehicle Movement Plan	Not Triggered
B1 (f)	The CTMP must form part of the CEMP required by condition C2 and must: (f) include a Driver Code of Conduct to: (i) minimise the impacts of earthworks and construction on the local and regional road network; (ii) minimise conflicts with other road users; (iii) minimise road traffic noise; (iv) ensure truck drivers use specified routes;	Construction	Refer to Appendix A of the CTMP Complaints from Community & monitor entry & exit to site area	Photographs & Correspondence	Not Triggered
B1 (g)	The CTMP must form part of the CEMP required by condition C2 and must: (g) include a program to monitor the effectiveness of these measures;	Construction	Refer Section 5 CTMP	Construction Traffic Management Plan	Not Triggered
B1 (h)	The CTMP must form part of the CEMP required by condition C2 and must: (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.	Construction	Refer to B1 h of Table 1 of CTMP	N/A	Not Triggered
B2 (a)	The Applicant must: (a) not commence construction until the CTMP required by condition B1 is approved by the Planning Secretary; and	Pre-Construction	Confirmation from DPIE NSW	Confirmation Document	Not Triggered
B2 (b)	The Applicant must: (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of the construction.	Pre-Construction	Check Version Matches Confirmation from DPIE NSW	CTMP Document	Not Triggered
B3	Prior to the commencement of operation, the Applicant must complete the construction of the extension of the west bound acceleration lanes on Captain Cook Drive, adjacent to the light vehicle egress and heavy vehicle egress points to the satisfaction of Council.	Pre-Operational	Inspections	Works As Executed Drawings and Compliance Certificate	Not Triggered
B4	The Applicant must obtain written authorisation from RMS for any changes to the speed limits along Captain Cook Drive and any associated relocation of speed limit signs. Note: This is not an RMS road, submission will be made to Council for relocation of speed limit.	Construction	Liaise with council	Correspondence confirmation	Not Triggered
B5	The Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a B double truck.	Pre-Construction	Receipt of Submission of Design Drawings	Stamped Approved Plans	Not Triggered
B6	Prior to the commencement of operation, the Applicant must submit detailed design plans and construct a cycleway along the frontage of the site to the satisfaction of Council.	Pre-Construction Construction	Receipt of Submission for Cycle Way Design Drawings, Inspections & Works As Execute Drawings	Stamped Approved Plans, Compliance Certificate	Not Triggered

B7	Prior to the commencement of roadworks described in condition B3, the Applicant must prepare and submit a Road Safety Audit to the satisfaction of RMS. The Road Safety Audit must identify the potential road safety issues and opportunities for improvements to the site access and road upgrades described in the RTS and EIS.	Pre-Construction	Review Road Safety Audit Report	Road Safety Audit Report Document.	Compliant
B8	The Applicant must address any recommendations for road safety improvements identified in the Road Safety Audit described in condition B7.	Pre-Construction	Review RSA Report against drawings	Confirmation from Design Engineer that RSA recommendation adopted and Design Drawings	Compliant
B9	Prior to the commencement of operation, the Applicant must provide, to the satisfaction of Council and TfNSW, two bus stops adjacent to the site, comprising a bus stop on the northern and southern sides of Captain Cook Drive and associated pedestrian refuges.	Pre-Operational	Liaise with council & TfNSW for acceptance, Inspections	Letter/email of Confirmation from council & TfNSW/stamped plans & Surveyors Works As Executed	Not Triggered
B10	The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.	Pre-Construction Construction	Civil Design Drawings, Traffic Engineer Endorsement, Surveyor set out	Works As Executed Drawings Civil & Traffic Engineers Compliance Certificate	Not Triggered
B11 (a)	The Applicant must ensure:(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);	Construction Operational	Inspection of Civil Contractors work, Surveyors set out & As Built Drawings, plus maintenance is compliant with nominated Australian Standards	Construction: Documents As Built Drawings & Civil Engineers Compliance Certificate & surveyor works as executed drawings	Not Triggered
B11 (b)	The Applicant must ensure: (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;	Pre-Construction	Civil Engineers Design Compliance Certificate	Documents Design Compliance Certificate	Not Triggered
B11 (c)	The Applicant must ensure: (c) the development does not result in any vehicles queuing on the public road network;	Operational	Security Cameras & Inspections	Photographs	Not Triggered
B11 (d)	The Applicant must ensure: (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	Operational	Security Cameras & Inspections	Photographs	Not Triggered
B11 (e)	The Applicant must ensure: (e) all vehicles are wholly contained on site before being required to stop;	Operational	Security Cameras & Inspections	Photographs	Not Triggered
B11 (f)	The Applicant must ensure: (f) all loading and unloading of materials is carried out on-site;	Operational	Security Cameras & Inspections	Photographs	Not Triggered
B11 (g)	The Applicant must ensure: (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and	Construction Operational	Security Cameras & Inspections	Photographs	Not Triggered
B11 (h)	The Applicant must ensure: (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.	Operational	Security Cameras & Inspections	Photographs	Not Triggered

B12	Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must:	Pre-Operational	Develop Workplace Travel Plan suitable to the traffic and transport services.	Workplace Travel Plan	Not Triggered
B12 (a)	Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must: (a) be prepared in consultation with TfNSW;	Pre-Operational	Confirmation email TfNSW	Workplace Travel Plan	Not Triggered
B12 (b)	Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must: (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives;	Pre-Operational	Review of Workplace Travel Plan	Workplace Travel Plan	Not Triggered
B12 (c)	Prior to the commencement of operation of any part of the development, the Applicant must prepare a Work Place Travel Plan to the satisfaction of the Planning Secretary. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must: (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.	Pre-Operational	Review of Workplace Travel Plan	Workplace Travel Plan	Not Triggered
B13	The Applicant must not commence operation until the Work Place Travel Plan is approved by the Planning Secretary.	Pre-Operational	Submit Workplace Travel Plan	Confirmation Letter from DPIE & Workplace Travel Plan	Not Triggered
B14	The Applicant must implement the most recent version of the Work Place Travel Plan approved by the Planning Secretary for the duration of the development.	Pre-Operational	Verify the Work Place Travel Plan is current version	Work Place Travel Plan	Not Triggered
B15 (a)	The Applicant must: (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;	Pre-Construction	Sample Reports confirmed by EPA Auditor	Sample Report & EPA Auditor confirmation acceptance	Compliant
B15 (b)	The Applicant must:(b) keep accurate records of the volume and type of fill to be used; and	Pre-Construction	Records of truck volumes and supply location of material	Photograph & Imported fill records	Compliant
B15 (c)	The Applicant must: (c) make these records available to the Department upon request.	At All Times	Kept on File	Records, Photographs & Sample Reports	Compliant
B16	Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.	Pre-Construction Construction	Review Sediment Control Plan for referencing of 'Managing Urban Stormwater' and regular inspections after installation	Erosion and Sediment Control Plan & site Inspection reports	Compliant
B17	The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters.	At All Times	Verify the Stormwater design, Waste Management processes, complies with Section 120 of POEO Act. Refer to B15 for imported fill materials & B16 for Sediment Control	Civil Engineer Design certificate, Waste Management Plan	Not Triggered

B18 (a)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;	Pre-Operational	Submit Civil Engineer Qualifications for Endorsed by the Planning Secretary	Correspondence form DPIE	Not Triggered
B18 (b)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (b) be prepared in consultation with Council and be generally in accordance with the conceptual design in the RTS;	Pre-Operational	Submit Civil Engineer Qualifications for Endorsed by Council	Correspondence form Council	Not Triggered
B18 (c)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (c) remove the western stormwater discharge point to Captain Cook Drive;	Pre-Operational	Review Stormwater Design Drawings to ensure western discharge is removed	Design Drawings	Not Triggered
B18 (d)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (d) be in accordance with applicable Australian Standards;	Pre-Operational	Confirmation on design drawing and design certificate	Design Drawings, Design Certificate	Not Triggered
B18 (e)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (e) ensure that water discharged from the site complies with Council's water quality standards;	Operational	Follow Council requirements for water quality standards	Documents	Not Triggered
B18 (f)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (f) ensure that the stormwater management system is designed and maintained to protect the safety of the public;	Pre-Operational	Confirmation on design drawing and design certificate	Design Drawings, Design Certificate	Not Triggered
B18 (g)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (g) verify the performance of water quality treatment measures using MUSIC modelling software;	Pre-Operational	Confirmation on design drawing and design certificate	Design Drawings, Design Certificate	Not Triggered
B18 (h)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (h) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines;	Pre-Operational	Confirmation on design drawing and design certificate	Design Drawings, Design Certificate	Not Triggered
B18 (i)	Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must: (i) describe the measures that would be implemented to maintain the stormwater management system, including bioretention basins and the rainwater harvesting and retention system for the life of the development.	Pre-Operational	Follow Operation & Maintenance Manual for Stormwater Management System, bioretention basin & rainwater harvesting system	Operation & Maintenance Manuals & Manufacture Maintenance Requirements	Not Triggered

B19	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must:	Pre-Operational	Confirmation Letter from DPIE	Confirmation Letter from DPIE & Flood Emergency Response Plan	Compliant
B19 (a)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must:(a) be prepared by a suitably qualified and experienced person(s);	Pre-Operational	Confirmation acceptance Letter from DPIE	Confirmation Letter from DPIE & Flood Emergency Response Plan	Compliant
B19 (b)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (b) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);	Pre-Operational	Review FERP has addressed the provisions of the Floodplain Risk Management Guideline (OEH, 2007) & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP) Confirmation Letter from DPIE	Compliant
B19 (C i)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (i) flood emergency responses;	Pre-Operational	Review FERP has address the Flood Emergency Responses & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP) & Confirmation Letter from DPIE	Compliant
B19 (C ii)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (ii) predicted flood levels;	Pre-Operational	Review FERP has stated the Predicted Flood levels & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP) & Confirmation Letter from DPIE	Compliant
B19 (c iii)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (iii) flood warning time and flood notification;	Pre-Operational	Review FERP has stated the Flood Warning Time & Flood notifications & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP)& Confirmation Letter from DPIE	Compliant
B19 (c iv)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (iv) assembly points and evacuation routes;	Pre-Operational	Review FERP has stated the Flood assembly points and evacuation routes & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP)& Confirmation Letter from DPIE	Compliant
B19 (v)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (v) evacuation and refuge protocols;	Pre-Operational	Review FERP has stated the evacuation and refuge protocols & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP)& Confirmation Letter from DPIE	Compliant

B19 (vi)	Prior to the commencement of operation, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the CEMP and OEMP required by Conditions C2 and C5 and must: (c) include details of: (vi) awareness training for employees and contractors.	Pre-Operational	Review FERP has stated the awareness training for employees and contractors & Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP)& Confirmation Letter from DPIE	Not Triggered
B20 (a)	The Applicant must: (a) not commence construction until the FERP required by condition B19 is approved by the Planning Secretary;	Pre-Construction	Confirmation acceptance Letter from DPIE	Flood Emergency Response Plan (FERP)& Confirmation Letter from DPIE	Compliant
B20 (b)	The Applicant must: (b) implement the most recent version of the FERP approved by the Planning Secretary for the duration of the development.	At All Times	Regularly Review the FERP is current	Flood Emergency Response Plan (FERP)	Compliant
B21	All floor levels must be no lower than RL 3.7 m AHD or the 1% Annual Exceedance Probability flood level plus 500 mm of freeboard.	Construction	Survey confirmation of RL at or above 3.7 m AHD	Confirmation Correspondence or Certificate	Not Triggered
B22	The car park finished surface level must be no lower than RL 3.2 m AHD or the 1% Annual Exceedance Probability flood level.	Construction	Verify RL is on the Design Drawings & Survey confirmation of RL 3.2 or above 3.2m AHD	Confirmation Correspondence or Certificate	Not Triggered
B23	Any structures below the 1% Annual Exceedance Probability plus 500 mm of freeboard must be constructed from flood compatible building components.	Construction	Verify RL on the Design Drawings & if below 500mm freeboard use flood compatibility material	Documents stating RL below the 1% Annual Exceedance Probability plus 500 mm of freeboard	Not Triggered
B24 (a)	Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must: (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;	Pre-Construction	Verify of Qualification and submit to the DPIE NSW	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant
B24 (b i)	Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must: (b) provide the following: (i) baseline data on groundwater levels and quality;	Pre-Construction	Verify GMP comprises baseline data	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant
B24 (b ii)	Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must: (b) provide the following: (ii) details of construction or excavation work that may impact on groundwater; and	Pre-Construction	Verify GMP comprises of Construction or excavations impact works	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant

B24 (b iii)	Prior to the commencement of construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by Condition C2. The GMP must: (b) provide the following: (iii) a program to monitor groundwater levels and quality, groundwater impact assessment criteria and a protocol for the investigation and mitigation of identified exceedances of criteria, if potential impacts to groundwater are identified under Condition B24(b)(ii).	Pre-Construction	Verify GMP comprises a program to monitor levels and quality, impact assessment criteria & protocol to investigate & mitigation of identified exceedances of criteria, if potential impacts to groundwater are identified	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant
B25 (a)	The Applicant must: (a) not commence construction until the GMP required by condition B24 is approved by the Planning Secretary;	Pre-Construction	Approval from Planning Secretary	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant
B25 (b)	The Applicant must: (b) implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development.	Pre-Construction	Check currency of GMP	Ground Water Management Plan & Confirmation from DPIE NSW	Compliant
B26	The Applicant must obtain any necessary water related approvals from Dol in the event that groundwater is likely to be intercepted or extracted during construction works.	Construction	Excavation of soil below the water table	Confirmation Correspondence/Document from Dol	Not Triggered
B27	The Applicant must ensure that any works within watercourses or on waterfront land is undertaken in accordance with Dol's 'Guidelines for Controlled Activities on Waterfront Land (2018)'. '.	Construction	N/A	N/A (site is not within the 40m of the highest bank)	Not Triggered
B28	No more than 1.2 hectares (ha) of vegetation as described in the 'Biodiversity Development Assessment Report' prepared by Biosis dated 22 February 2018 and the 'Arboricultural Impact Assessment report' prepared by Arboreport Vegetation Management Consultants dated 4 April 2018 shall be cleared.	Noted	Construction Activities to remain within the approved construction foot print	Photographs & Approved plans	Compliant
B29	The Applicant must ensure all vegetation to be retained on site is protected during construction works as described in the 'Arboricultural Impact Assessment report' prepared by Arboreport Vegetation Management Consultants dated 4 April 2018.	Pre-Construction Construction	Arborist & site Inspections	Arborist certificate	Compliant
B30	Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with OEH and ensure that:	Pre-Construction	Engage Biodiversity consultant & check OEH consultation	Biodiversity Management Plan & Confirmation from DPIE NSW	Compliant
B30 (a)	Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with OEH and ensure that: (a) any felled native trees which are greater than approximately 25-30 cm in diameter and 3 m in height are salvaged and used to enhance habitat at the site;	Pre-Construction	Biodiversity consultant attend site & inspect vegetation to salvage for habitat enhancement	Pre-Clearance survey issued	Compliant
B30 (b)	Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with OEH and ensure that:(b) remnant native vegetation removed from the site, especially juvenile plants are translocated to the proposed landscape areas;	Pre-Construction	Biodiversity consultant attend site & nominate vegetation for relocation. Relocate nominated vegetation	Pre-Clearance survey issued	Compliant

B30 (c)	Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with OEH and ensure that: (c) the topsoil from the removal of native vegetation is used in site landscaping;	Pre-Construction	Stockpile on site	Photographs	Compliant
B30 (d)	Prior to the commencement of clearing for construction, the Applicant must prepare and implement a Biodiversity Management Plan (BMP) for the development. The BMP must be prepared in consultation with OEH and ensure that: (d) seed from the native plants removed from the site is collected and used in site landscaping.	Pre-Construction	Seed collection carried out	Pre-Clearance survey issued	Compliant
B31	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must:	Pre-Construction	Verify on Landscape drawings or within specification	Drawings & Specification	compliant
B31 (a)	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must: (a) comprise native provenance trees, shrubs and groundcover species which are consistent with the Plant Community Types described in the Biodiversity Development Assessment Report prepared by Biosis dated 22 February 2018;	Pre-Construction Construction	Verify on Landscape drawings or within specification & Biodiversity Assessment Report	Drawings, Specification & Landscapers Installation certificate	compliant
B31 (b)	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must: (b) comply with the principles of Appendix 5 of Planning for Bushfire Protection 2006;	Pre-Construction Construction	Verify on Landscape drawings or within specification & Bushfire Protection 2006	Drawings, Specification & Landscapers Installation certificate	compliant
B31 (c)	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must: (c) feature semi-mature trees (with a minimum tree height of 2 metres and/or plant container size of at least 50 litres);	Pre-Construction Construction	Verify on Landscape drawings or within specification	Drawings, Specification & Landscapers Installation certificate	compliant
B31 (d)	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must: (d) achieve a minimum of 4 plants per square metre;	Pre-Construction Construction	Verify on Landscape drawings or within specification	Drawings, Specification & Landscapers Installation certificate	compliant
B31 (e)	The Applicant must ensure the site landscaping features a diversity of native vegetation from the relevant native vegetation communities. The landscaping must: (e) feature native grass species (such as Zoysia macrantha 'Nara') in turfed areas.	Pre-Construction Construction	Verify on Landscape drawings or within specification	Drawings, Specification & Landscapers Installation certificate	compliant
B32	Prior to the commencement of any earthworks or remediation works on site, the Applicant must engage a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.	Pre-Construction	Check Site Auditors accreditation	Resume & Company Website Details	compliant

B33	Prior to the commencement of any earthworks or remediation on site, the 'Remediation Action Plan (RAP), 238-258 Captain Cook Drive, Kurnell' prepared by WSP, 27 February 2018 (Revision 4) must be reviewed and, where required, amended to address any requirements of the Site Auditor.	Pre-Construction	Verify RAP & respective updates	Remediation Action Plan & Approved updates (interim Advice 8)	compliant
B34	Prior to the commencement of any earthworks or remediation on site, the Site Auditor must provide written advice to the Planning Secretary confirming the site is capable of being made suitable for the proposed development with the implementation of the final remediation approach.	Pre-Construction	Correspondence to DPIE	Interim Advice IA8 Email Confirmation DPIE	compliant
B35	The Applicant must ensure the remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with the Remediation Action Plan endorsed by the Site Auditor and relevant guidelines produced or approved under the Contaminated Land Management Act 1997.	Pre-Construction	Contractors Licence	Copy of licence	compliant
B36	Upon completion of the remediation works and prior to occupation, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement. The Site Audit Report and Site Audit Statement must:	Pre-Operational	Site Audit Report and a Site Audit Statement	Site Audit Report and a Site Audit Statement	Not Triggered
B36 (a)	Upon completion of the remediation works and prior to occupation, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement. The Site Audit Report and Site Audit Statement must: (a) be prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017;	Pre-Operational	Site Audit Report and a Site Audit Statement submitted to DPIE	Site Audit Report and a Site Audit Statement Email correspondence	Not Triggered
B36 (b)	Upon completion of the remediation works and prior to occupation, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement. The Site Audit Report and Site Audit Statement must:(b) demonstrate that the site is suitable for its intended warehouse and distribution centre and associated office land uses with the implementation of a Long Term Environmental Management Plan.	Pre-Operational	Site Audit Report and a Site Audit Statement	Site Audit Report and a Site Audit Statement Email correspondence	Not Triggered
B37	Prior to the finalisation of the Site Audit Statement and Site Audit Report, the Applicant must submit a Long Term Environmental Management Plan (LTEMP) for the development to the satisfaction of the Planning Secretary.	Pre-Operational	Long Term Environmental Management Plan	Long Term Environmental Management Plan Email correspondence & Endorsement from DPIE	Not Triggered
B38 (a)	The LTEMP is to: (a) address all environmental impacts of the development's construction and operational phases;	Pre-Operational	Verify the Long Term Environmental Management Plan addresses impacts	Long Term Environmental Management Plan Endorsement from DPIE	Not Triggered
B38 (b)	The LTEMP is to: (b) recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s);	Pre-Operational	Verify the Long Term Environmental Management Plan addresses adverse Environment impact	Long Term Environmental Management Plan Endorsement from DPIE	Not Triggered
B38 (c)	The LTEMP is to: (c) incorporate a programme for ongoing monitoring and review to ensure that the LTEMP remains contemporary with relevant environmental standards;	Pre-Operational	Verify the Long Term Environmental Management Plan incorporate a programme for ongoing monitoring and review	Long Term Environmental Management Plan Endorsement from DPIE	Not Triggered
B38 (d)	The LTEMP is to: (d) mechanisms to report results to relevant agencies (e.g. Council and EPA).	Pre-Operational	Verify the Long Term Environmental Management Plan mechanisms to report results	Long Term Environmental Management Plan Endorsement from DPIE	Not Triggered
B39 (a)	Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must: (a) implement the approved LTEMP;	Operational	carry out Monitoring Programs listed in the Long Term Environmental Management Plan	Long Term Environmental Management Plan Endorsement from DPIE	Not Triggered

B39 (b)	Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must: (b) provide evidence to the Planning Secretary that the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the Environmental Planning and Assessment Act 1979, for the development.	Operational	Submit to the lands title office	Planning certificate	Not Triggered
B40	The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:	Pre-Construction Construction	Inspections & Verify Contractors Licence and processes are in accordance with SafeWork NSW	Photos, copy of Contractor's Licence & Safe Work Method Statement	Compliant Not Triggered
B40 (a)	The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (a) Work Health and Safety Regulation 2017;	Pre-Construction Construction	Inspections & Verify Contractors Licence and processes are in accordance with Work Health and Safety Regulation 2017	Photos, copy of Contractor's Licence & Safe Work Method Statement	Compliant Not Triggered
B40 (b)	The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (b) Model Code of Practice – How to Manage and Control Asbestos in the Workplace, 2016 Safe Work Australia;	Pre-Construction Construction	Inspections & Verify Contractors Licence and processes are in accordance with Code of Practice	Photos, copy of Contractor's Licence & Safe Work Method Statement	Compliant Not Triggered
B40 (c)	The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (c) Model Code of Practice – How to Safely Remove Asbestos, 2016 Safe Work Australia;	Pre-Construction Construction	Inspections & Verify Contractors Licence and processes are in accordance with Code of Practice	Photos, copy of Contractor's Licence & Safe Work Method Statement	Compliant Not Triggered
B40 (d)	The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including: (d) Protection of the Environment Operations (Waste) Regulation 2014.	Pre-Construction Construction	Inspections & Verify Contractors Licence and processes are in accordance with Protection of the Environment Operations (Waste) Regulation 2014	Photos, copy of Contractor's Licence & Safe Work Method Statement	Compliant Not Triggered
B41	The Applicant shall prepare and implement an Acid Sulphate Soil Management Plan for construction and demolition in accordance with the NSW EPA's 'Acid Sulphate Soils Manual 1998'.	Pre-Construction	Inspection	Acid Sulphate Management Plan	Compliant
B42	At the commencement of construction, and in perpetuity, the Applicant must manage the area around the building as an asset protection zone as outlined in Section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Services' publication Standards for asset protection zones. This is to be performed as outlined in the bushfire protection assessment for the development prepared by Australian Bushfire Protection Planners Pty Ltd (dated 8 May 2018, Ref: B172990-3).	Construction Operational	Vegetation Management Property Maintenance	Photographs	Compliant

B43	The Applicant must ensure the building and building elements in the development complies with the 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate or the bushfire attack level (BAL) 12.5 in Sections 3 and 8 of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must also ensure:	Pre-Construction Construction	Inspection and checking of Building elements	Construction Compliance Certificate	Not Triggered
B43 (a)	The Applicant must ensure the building and building elements in the development complies with the 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate or the bushfire attack level (BAL) 12.5 in Sections 3 and 8 of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must also ensure: (a) internal access roads comply with section 4.1.3(2) of Planning for Bushfire Protection 2006;	Construction	Check Roads complies with Design Drawings	Construction Compliance Certificate	Not Triggered
B43 (b)	The Applicant must ensure the building and building elements in the development complies with the 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate or the bushfire attack level (BAL) 12.5 in Sections 3 and 8 of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must also ensure: (b) arrangements for emergency and evacuation comply with section 4.2.7 of Planning for Bushfire Protection 2006;	Construction Operational	Check Compliance to Sec 4.2.7	Emergency & Evacuation Procedures	Not Triggered
B43 (c)	The Applicant must ensure the building and building elements in the development complies with the 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate or the bushfire attack level (BAL) 12.5 in Sections 3 and 8 of Australian Standard AS 3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must also ensure: (c) the provision of water, electricity and gas complies with section 4.1.3 of Planning for Bushfire Protection 2006.	Construction Operational	Check water, electricity and gas is Compliant with Sec 4.1.3	Design Drawings and Construction Compliance Certificate	Not Triggered
B44	Prior to the commencement of operation, the Applicant must prepare a Bush Fire Emergency Management and Evacuation Plan which is consistent with NSW Rural Fire Services' publication Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan.	Pre-Operational	Check for Compliance	Bush Fire Emergency Management and Evacuation Plan	
B45	Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development to protect and manage middens and other Aboriginal artefacts on the site. The plan must form part of the CEMP required by Condition C2 and must:	Pre-Construction	Commission Writing of ACHMP	Aboriginal Cultural Heritage Management Plan	Compliant
B45 (a)	Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development to protect and manage middens and other Aboriginal artefacts on the site. The plan must form part of the CEMP required by Condition C2 and must: (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;	Pre-Construction	Select Qualified Consultant to Write ACHMP	Aboriginal Cultural Heritage Management Plan	Compliant
B45 (b)	Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development to protect and manage middens and other Aboriginal artefacts on the site. The plan must form part of the CEMP required by Condition C2 and must: (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development;	Pre-Construction	Present copy of Written ACHMP to DPIE	Correspondence of lodgement to DPIE	Compliant

B53 (a)	Works outside of the hours identified in condition B52 may be undertaken in the following circumstances: (a) works that are inaudible at the nearest sensitive receivers;	Construction Operational	Noise monitoring	Monitoring Data & Analysis	Not Triggered
B53 (b)	Works outside of the hours identified in condition B52 may be undertaken in the following circumstances: (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;	Construction Operational	Noise monitoring	Monitoring Data & Analysis	Not Triggered
B53 (c)	Works outside of the hours identified in condition B52 may be undertaken in the following circumstances: (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.	Construction Operational	Noise monitoring	Monitoring Data & Analysis	Not Triggered
B54	The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.	Pre-Construction Construction	Noise monitoring	Monitoring Data & Analysis	Not Triggered
B55	The construction, fit-out and finishes of the food preparation and storage area must comply with the relevant food safety standards and the latest version of Australian Standard AS 4674-2004 'Design Construction and Fitout of Food Premises'.	Construction	Food Safety Standards & AS 4674-2004	Compliance Document	Not Triggered
B56 (a)	The Applicant must store all chemicals, fuels and oils used on-site in accordance with: (a) the requirements of all relevant Australian Standards;	At All times	Review the Relevant Australian Standards for compliance	Document	Not Triggered
B56 (b)	The Applicant must store all chemicals, fuels and oils used on-site in accordance with: (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual' if the chemicals are liquids.	At All times	Inspect Chemical Storage Areas	Photographs	Not Triggered
B57	In the event of an inconsistency between the requirements B56(a) and B56(b), the most stringent requirement must prevail to the extent of the inconsistency.	At All times	Noted	–	Not Triggered
B58	The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).	At All times	Noted	–	Not Triggered
B59 (a)	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.	Operational	Check effective of Measure	Photographs Documents for measures, Noxious Weeds refer to Long Term Environmental Management Plan and Biodiversity Management Plan	Not Triggered

B59 (b)	The Applicant must: (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area. Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.	Operational	Inspections of Site Regularly	Photographs & Document	Not Triggered
B60	Prior to the commencement of operation, the Applicant must obtain agreement from Council for the design of the waste storage area for the warehouse and associated office.	Pre-Operational	Submission to Council for Waste storage	Document acceptance from Council	Not Triggered
B61	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.	Operational	Inspections	Photographs	Not Triggered
B62 (a)	The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997);	Construction	Lux level readings	Design Compliance certificate & Lux Level Reading Reports	Not Triggered
B62 (b)	The Applicant must ensure the lighting associated with the development: (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	Construction	Comply with Design	Installation compliance certificate	Not Triggered
B63	All signage and fencing must be erected in accordance with the development plans included in the EIS. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>	Construction	Survey Setout of Fence lines	Surveyor Works As Executed drawings	Not Triggered
B64	Prior to the issue of a Construction Certificate for above ground works, the Applicant must submit plans to the Planning Secretary endorsed by the Department of Infrastructure, Regional Development and Cities to ensure the development comprises non-reflective materials in accordance with the Airports Act 1996 and Airports (Protection of Airspace) Regulations 1996.	Pre-Construction	Submit Endorsed Plans	Correspondence confirming DPIE acknowledgement of endorsement of Sydney Airports Corporation	Compliant
B65	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified on Figure 8 in Appendix 2 of this Development Consent, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders. <i>(Refer to Conditions of consent for Figure 8 Appendix 2)</i>	Construction Operational	Letter to Stakeholders	Community Consultation Management Plan	Not Triggered

C1	Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:(a) detailed baseline data;(b) details of:(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);(ii) any relevant limits or performance measures and criteria; and(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;(d) a program to monitor and report on the:(i) impacts and environmental performance of the development; and(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;(f) a program to investigate and implement ways to improve the environmental performance of the development over time;(g) a protocol for managing and reporting any:(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);(ii) complaint;(iii) failure to comply with statutory requirements; and(h) a protocol for periodic review of the plan.Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans	At All Times	Endorse of Respective Management Plan	DPIE Endorse Document and Respective Management Plan	Not Triggered
C2	The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Pre-Construction	Commission & submit CEMP	CEMP & Endorsement from DPIE	Compliant
C3 (a)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (a) Construction Traffic Management Plan (see Condition B1);	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant
C3 (b)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (b) Erosion and Sediment Control Plan (see Condition B16);	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant
C3 (c)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (c) Flood Emergency Response (see Condition B19);	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant
C3 (d)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (d) Groundwater Management Plan (see Condition B24);	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant
C3 (e)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (e) Aboriginal Cultural Heritage Management Plan (see Condition B45);	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant

C3 (f)	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (f) Community Consultation and Complaints Handling.	Pre-Construction	Confirm Inclusion in the CEMP	CEMP	Compliant
C4 (a)	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary;	Pre-Construction	Submit the CEMP to DPIE	CEMP & Endorsement from DPIE	Compliant
C4 (b)	The Applicant must: (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Pre-Construction	Regular Reviews	CEMP updated	Compliant
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.	Pre-Operational	Submit the OEMP to DPIE	OEMP & Endorsement from DPIE	Not Triggered
C6 (a)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following:(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (b)(i)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (b) (ii)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (ii) receive, handle, respond to, and record complaints;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (b) (iii)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (iii) resolve any disputes that may arise;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (b) (iv)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (iv) respond to any non-compliance;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (b) (v)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (b) describe the procedures that would be implemented to: (v) respond to emergencies;	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (c) (i)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (c) include the following environmental management plans: (i) Work Place Travel Plan (see Condition B12); and	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered
C6 (c) (ii)	As part of the OEMP required under Condition C5 of this consent, the Applicant must include the following: (c) include the following environmental management plans: (ii) Flood Emergency Response (see Condition B19).	Pre-Operational	Review OEMP for inclusion	Operational Environmental Management Plan	Not Triggered

C7 (a)	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary;	Pre-Operational	Submit the OEMP to DPIE	Operational Environmental Management Plan & Endorsement from DPIE	
C7 (b)	The Applicant must: (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Pre-Operational	Check Operational Activity against OEMP	Operational Environmental Management Plan	
C8 (a)	REVISION OF STRATEGIES, PLANS AND PROGRAM Within three months of: (a) the submission of a Compliance Report under condition C15;	Within 3 months of Compliance Report submission	Review of Strategies, Plans & Programs	Correspondence & Documents	Not Triggered
C8 (b)	REVISION OF STRATEGIES, PLANS AND PROGRAM Within three months of: (b) the submission of an incident report under condition C10;	Within 3 months of Compliance Report submission	Review of Strategies, Plans & Programs	Correspondence & Documents	Not Triggered
C8 (c)	REVISION OF STRATEGIES, PLANS AND PROGRAM Within three months of: (c) the submission of an Independent Audit under condition C18;	Within 3 months of Compliance Report submission	Review of Strategies, Plans & Programs	Correspondence & Documents	Not Triggered
C8 (d)	REVISION OF STRATEGIES, PLANS AND PROGRAM Within three months of: (d) the approval of any modification of the conditions of this consent; or	Within 3 months of Compliance Report submission	Review of Strategies, Plans & Programs	Correspondence & Documents	Not Triggered
C8 (e)	REVISION OF STRATEGIES, PLANS AND PROGRAM Within three months of: (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed.	Within 3 months of Compliance Report submission	Review of Strategies, Plans & Programs	Correspondence & Documents	Not Triggered
C9	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:	Within 6 weeks of Review	advice from DPIE	Correspondence or Documents	Not Triggered
C10	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.	On Occurrence	Reported incidents	Correspondence, Documents & Photographs	Not Triggered
C11	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.	On Occurrence	Reported non compliance	Correspondence, Documents & Photographs	Not Triggered

C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	On Occurrence	Reported non compliance	Correspondence, Documents & Photographs	Not Triggered
C13	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Noted	-	-	-
C14	No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.	Pre-Construction	Submitted to DPIE	Correspondence, Documents & Endorsement	
C15	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Noted	-	-	-
C16	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	On Submission	Submitted to DPIE	Correspondence & Documents	Not Triggered
C17	No later than 4 weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.	Pre-Construction	Submitted to DPIE	Correspondence & Documents	
C18 (a)	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under condition C17 of this consent;	On Occurrence	Check Compliance with Independent Audit Post Approval Requirements (Department 2018)	Independent Audit Report	Not Triggered
C18 (b)	Independent Audits of the development must be carried out in accordance with: (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	On Occurrence	Check Compliance with Independent Audit Post Approval Requirements (Department 2018)	Independent Audit Report	Not Triggered
C20	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing. <i>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>	?			

C21 (a) (i)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (i) the documents referred to in condition A2 of this consent;	Pre-Construction	Confirm Website has listed Documents in Condition A2	Respective Listed Documents	Not Triggered
C21 (a) (ii)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (ii) all current statutory approvals for the development;	Pre-Construction	Confirm Website has listed Statutory Approval Documents	Respective Listed Documents	Not Triggered
C21 (a) (iii)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (iii) all approved strategies, plans and programs required under the conditions of this consent;	Pre-Construction	Confirm Website has listed approved strategies, plans and programs required under the conditions of this consent	Respective Listed Documents	Not Triggered
C21 (a) (iv)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;	Pre-Construction	Confirm Website has listed proposed staging plans for the development if the construction, operation or decommissioning	Respective Listed Documents	Not Triggered
C21 (a) (v)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;	Pre-Construction	Confirm Website has listed regular Environmental Performance Reports of the development	Respective Listed Documents	Not Triggered
C21 (a) (vi)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;	Pre-Construction	Confirm Website has listed comprehensive summary of the monitoring results of the development	Respective Listed Documents	Not Triggered

C21 (a) (vii)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (vii) a summary of the current stage and progress of the development;	Pre-Construction	Confirm Website has listed summary of the current stage and progress of the development;	Respective Listed Documents	Not Triggered
C21 (a) (viii)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (viii) contact details to enquire about the development or to make a complaint;	Pre-Construction	Confirm Website has listed the contact details to enquire about the development or to make a complaint	Respective Listed Documents	Not Triggered
C21 (a) (ix)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (ix) a complaints register, updated monthly;	Pre-Construction	Confirm Website has listed complaints register, monthly updates	Respective Listed Documents	Not Triggered
C21 (a) (x)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (x) the Compliance Report of the development;	Pre-Construction	Confirm Website has listed Compliance Report for each period	Respective Listed Documents	Not Triggered
C21 (a) (xi)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;	Pre-Construction	Confirm Website has listed independent audit reports and the response to the recommendations in any audit report	Respective Listed Documents	Not Triggered
C21 (a) (xii)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (a) make the following information and documents (as they are obtained or approved) publicly available on its website: (xii) any other matter required by the Planning Secretary; and	Pre-Construction	Confirm Website has listed any other matter required by the Planning Secretary	Respective Listed Documents	Not Triggered
C21 (b)	At least 48 hours before the commencement of construction until the completion of all works under this consent, including rehabilitation and remediation, the Applicant must: (b) keep such information up to date, to the satisfaction of the Planning Secretary.	Pre-Construction	Confirm Website has listed up to date information, to the satisfaction of the Planning Secretary	Respective Listed Documents	Not Triggered

APX3 ID1	MITIGATION MEASURE The Proponent will appoint a communications manager who will be the point of contact for the community during construction.	Pre-Construction	advice from DPIE		Compliant
APX3 ID2	MITIGATION MEASURE The Proponent will develop a Construction Environmental Management Plan (CEMP) for the project.	Pre-Construction	Commission CEMP	Construction Environmental Management Plan & DPIE Endorsement	Compliant
APX3 ID3	MITIGATION MEASURE <i>An Aboriginal Cultural Heritage Management Plan (ACHMP) would be prepared and implemented for the duration of construction.</i>	Pre-Construction	Site Inductions to all Personnel	Aboriginal Cultural Heritage Management Plan	Compliant
APX3 ID4	MITIGATION MEASURE All workers on site for the duration of demolition and excavation works must be subject to an Aboriginal Heritage Induction to make them aware of the provisions of the ACHMP	Construction			Compliant
APX3 ID5	MITIGATION MEASURE The unexpected finds protocol as detailed in the ACHIMP would continue to be implemented during site operations.	Operational			
APX3 ID6	MITIGATION MEASURE The results of any monitoring and archaeological excavations that are undertaken will be fully documented in an updated Aboriginal Cultural Heritage Assessment report. Any Aboriginal archaeological remains uncovered during the recommended investigations will be recorded on the AHI MS Register.	Construction	Verify Results of any Monitoring & Archaeological Excavations with Historian, Confirm updates are in Aboriginal Cultural Heritage Assessment Report, Confirm any Aboriginal recorded on AHI MS Register	Monitoring Data & Analysis records, ACHAR, AHI MS Register	Not Triggered
APX3 ID7	MITIGATION MEASURE The proponent will implement the findings of the Remediation Action Plan for 238- 258 Captain Cook Drive, Kurnell NSW dated February 2018 prepared by WSP Rev 4	Construction	Refer to the Remediation Action Plan & Verify Measure are implemented	Remediation Action Plan	Compliant

APX3 ID8	MITIGATION MEASURE A Construction Environmental Management Plan would be developed that includes an unexpected finds protocol and details of the site induction for unexpected finds during the earthworks phase.	Construction	On awareness of unexpected fines apply CEMP Protocol & Include in Site Induction	Construction Environmental Management Plan & Site Induction forms	Compliant
APX3 ID9	MITIGATION MEASURE The Project will implement a stormwater management plan including measures to control and treat run-off and overflows in wet weather events.	Operational	Refer to the Storm Water Management Plan & Verify Measure are implemented	Storm Water Management Plan	Not Triggered
APX3 ID10	MITIGATION MEASURE Landscaping works will be undertaken in accordance with the approved landscape drawings.	Construction	Verify Landscaping Works is in accordance with Approved Landscape Drawings	Landscape Drawings	Not Triggered
APX3 ID11	MITIGATION MEASURE Install appropriate exclusion fencing around trees and vegetation to be retained.	Construction	6 Week Inspections by Arborist	Tree Protection Certificate from Arborist	Compliant
APX3 ID12	MITIGATION MEASURE Implement the recommended measures in Section 5.1 of the BDAR during construction. (page 41 & 42)	Pre-Construction Construction	1) Inspect Trees & Vegetation Exclusion Fence Installed & Maintained 2) Inspect Stockpiles, Vehicle parking & Machinery are Outside Vegetation Zones 3) Hollow Bearing Trees N/A 4) Verify Contractor has Mulched Cleared Vegetation & Stockpile on site 5) Verify Water Truck is used to control site dust 6 &7) Verify Sediment Control Measure are in place to control stormwater discharge	Photographs, check sheets, (3) Biodiversity Clearance Certificate	1) Compliant 2) Compliant 3) N/A refer to Clearance Certificate 4) Compliant 5) Compliant 6 &7) Compliant
APX3 ID13	MITIGATION MEASURE Temporary infrastructure (plant sites and construction offices, access tracks etc.) will be located in cleared areas away from vegetation to minimise vegetation removal.	Construction	Advise contractors of Locations for site sheds & internal roadways	Photographs	Compliant
APX3 ID14	MITIGATION MEASURE The Recommendations of the Bushfire Protection Assessment for the Construction of the Proposed Dicker Data Warehouse on Lot 1 in DP 225973 & Lot 2 in DP 1088703 No. 238 - 258 Captain Cook Drive, Kurnell prepared by Australian Bushfire Protection Planners Pty issued 27.02.2018.	Construction Operational			
APX3 ID15	MITIGATION MEASURE The Construction Environmental Management Plan will include erosion and sedimentation plans that would be prepared and implemented during the construction program.	Construction	Inspection of Erosion & Sediment Controls	Documentation or Photographs	Compliant
APX3 ID16	MITIGATION MEASURE Stabilised exposed surfaces as soon as practicable.	Construction	Inspections of Exposed Surfaces	Photographs	Compliant
APX3 ID17	MITIGATION MEASURE A groundwater extraction licence would be obtained should groundwater be required for construction and/or operational activities	Construction	If required apply for licence	Licence	Not Triggered
APX3 ID18	MITIGATION MEASURE A Construction Environmental Management Plan would be implemented as part of construction	Construction	Verify CEMP is in use	Correspondence	Compliant

APX3 ID19	MITIGATION MEASURE External lighting designed to comply with Australian Standard, AS4282, "Control of the Obtrusive Effects of Outdoor Lighting" Luminaires controlled to minimise light spill.	Construction	Verify design complies with Australian Standards	Design Certificate	Not Triggered
APX3 ID20	MITIGATION MEASURE - The following measures would be employed in detailed design to minimise consumption of resources, water and energy: - Water efficient fixtures, fittings and practices; - Energy and water efficient equipment; - Naturally ventilated spaces; - Rainwater harvesting for irrigation and toilet flushing; - Solar panels to be installed subject to resolving fallout from aircraft issues; - Efficient building management systems and equipment, including lighting; - Passive design elements such as building orientation, external shading, appropriate, use of thermal mass, performance glazing, thermal efficiency of building fabric.	Detailed Design	confirm on Architect design certificate	Architect design certificate	Compliant
APX3 ID21	MITIGATION MEASURE The Emergency Response Plan is to include procedures to be followed in the event of flood.	Operational	Verify inclusion of flood procedure	Flood Emergency Response Plan	Compliant
APX4 Item 1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.	On Occurrence			
APX4 Item 2	Written notification of an incident must: a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident.	On Occurrence			
APX4 Item 3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	On Occurrence			

APX4 Item 4	<p>The Incident Report must include:</p> <ul style="list-style-type: none"> a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident. 	On Occurrence			
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