



Sydney Business Park - Stage 3 SSD 10477

Operation Compliance Report December 2025 – May 2026

May 2026



Prepared by:



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striving for balance between economic, social and environmental ideals...

On behalf of:



Marsden Park Developments Pty Ltd (Sydney Business Park)
920 Richmond Road
MARSDEN PARK NSW 2765

Revision	Date	Description	Author	Approved
1	21 May 26	Draft	A. Selby-Jones, BA.	
1	29 May 26	Final	P. Jones, BSc.	P. Jones, BSc.

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1 INTRODUCTION

This Compliance Report has been prepared by PJEP on behalf of Marsden Park Developments Pty Ltd (trading as Sydney Business Park), for Stage 3 of Sydney Business Park (Stage 3 Facilities). The Sydney Business Park development site covers 15.9 hectares within the Marsden Park Industrial Precinct in Western Sydney (**Figure 1**).

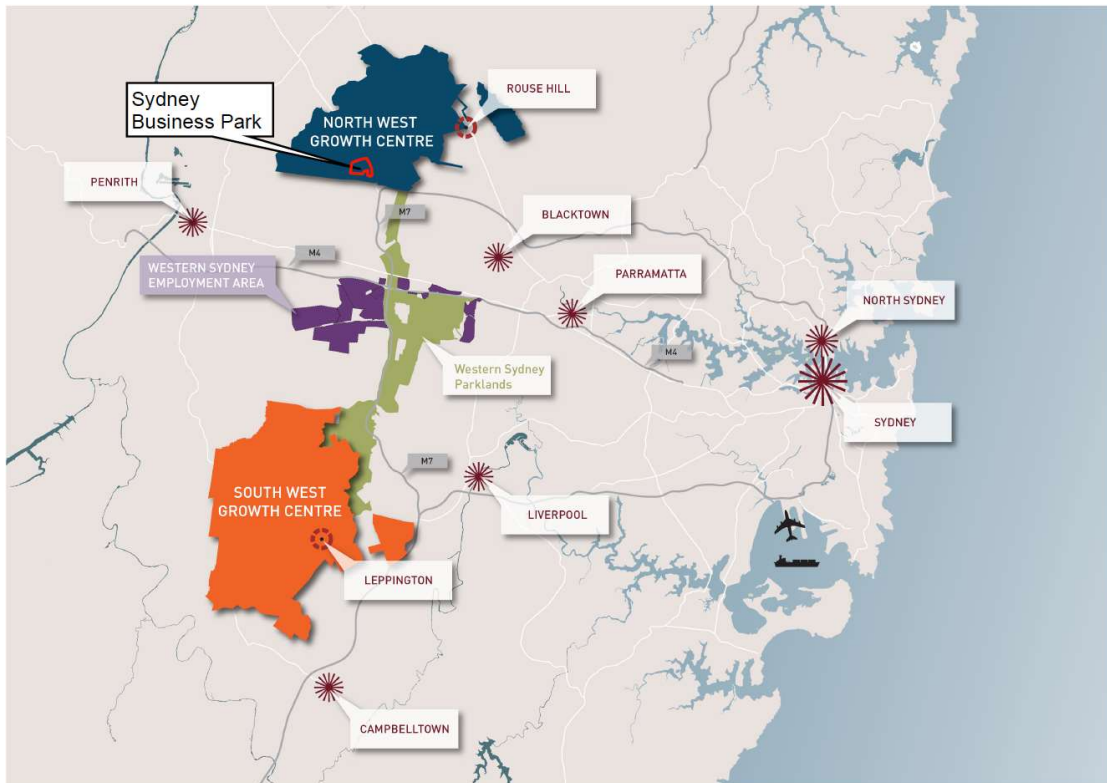


Figure 1: Regional Context (Source: Department of Planning, Industry & Environment)

The Stage 3 Facilities comprise of the construction and operation of four warehouse and distribution facilities, ancillary parking and infrastructure and two estate roads. The Stage 3 Facilities were approved by the delegate of the Minister for Planning and Public Spaces on 28 January 2021 (SSD 10477).

This report has been prepared to assist the Department of Planning, Housing and Infrastructure’s (DPHI’s) compliance review of the Stage 3 Facilities against the requirements of State significant development (SSD) consent SSD 10477. This Compliance Report has been prepared in accordance with condition C11 of SSD 10477.

This report covers the period between December 2025 and May 2026.

1.1 Site Location

The project is located at Lots 3001, 3004, 3005 and 3006 in DP 1272401¹. Access to the site is off Hollinsworth Road, Astoria Street and Carnaby Street. The estate masterplan and Stage 3 Facilities are shown on **Figure 2**.



Stage 3 Facilities (approx.)

Figure 2: Sydney Business Park Master Plan

1.2 Development Summary

The development consent allows Sydney Business Park to develop four high quality warehouse and distribution facilities within the Stage 3 area of Sydney Business Park.

Three of the four warehouses have been constructed and are operational. Warehouse 1 commenced operations on 15 February 2022 and is occupied by TJX Australia Pty Ltd (TJX). Device Technologies Australia Pty Ltd (Device Technologies) commenced operation of Warehouse 2 on 9 October 2023 and Australian Pharmaceutical Industries Ltd (API) commenced operation of Warehouse 4 on 16 February 2022.

¹ The original project also included subdivision of some additional lots surrounding the site. These have since been subdivided and/or developed under separate approvals.

Warehouse 3 is still to be constructed and an end user/tenant has not been identified at present.

The layout of the facilities is shown on **Figure 3**, and the main components of the development are outlined in **Table 1** below. A full description of the development is provided in the EIS for the project, and subsequent modifications.

Table 1: Stage 3 Facilities Development Summary

Development Summary	Development of the Sydney Business Park Stage 3 South Facilities, including: <ul style="list-style-type: none"> • subdivision; • vegetation clearing and earthworks; • extension of Hollinsworth Road; • construction of two estate roads and associated intersections • construction and operation of four warehouse and distribution facilities, including ancillary offices; and • ancillary development including car parking, infrastructure provision and landscaping
Proposed Use	Warehousing and distribution, with ancillary office. <ul style="list-style-type: none"> • Warehouse 1 is used for storage and distribution of TJX's range of general consumer products, including clothing, footwear, home wares, beauty products, accessories and related consumer products. • Warehouse 2 is used for storage and distribution of Device Technologies' range of medical devices. • Warehouse 3 is proposed to be used for storage and distribution of general consumer products by an as-yet unidentified end user. • Warehouse 4 is used for storage and distribution of API's range of pharmaceutical and related consumer products, including pharmaceutical and therapeutic goods.
Subdivision	Subdivision to provide seven development lots, one lot for precinct stormwater infrastructure (which would be dedicated to Council), and a lot for the proposed roads (which would also be dedicated to Council)
Clearing, Demolition and Earthworks	Vegetation clearing across the site would be undertaken to facilitate the development. Most of the site is already cleared, though there are some trees in the south-eastern part of the site. Demolition of minor site structures (mainly fencing and a small section of road) would be undertaken, along with bulk and detailed earthworks across the site to facilitate the development.
Facility Development	Construction and operation of the Stage 3 South Facilities, including: <ul style="list-style-type: none"> • Warehouse 1 (TJX Facility) – 44,560 m² total building area²; • Warehouse 2 (Device Technologies Australia Pty Ltd) – 16,835 m² total building area; • Warehouse 3 (unspecified end user) – 3,860 m² total building area; and • Warehouse 4 (API Pty Ltd) – 34,201 m² total building area. <p>All warehouse facilities include attached ancillary offices</p>
Landscaping	Implementation of site landscaping consistent with estate landscaping, including street trees in the roadways and landscaping within each individual warehouse facility site
Signage	Building identification, business identification and directional signage
Hours of Operation	24 hours a day, 7 days a week
Capital Investment Value	\$157.4 million (exc. GST)
Employment¹	Construction: 670 Operation: 610

Infrastructure and Services

<i>Roads</i>	Extension of Hollinsworth Road to the western side of the site and construction of a new north-south collector road between Hollinsworth Road and Astoria Street, as well as constructing associated intersections. The development also involves construction of internal driveways, hardstand and parking for each warehouse facility.
<i>Stormwater</i>	Development of site stormwater infrastructure, draining to estate stormwater infrastructure (including existing Basin E and Basin A constructed as part of Stage 3).
<i>Potable Water, Sewer, Electricity and Telecoms</i>	Extension and connection to mains in Hollinsworth Road and Astoria Street and/or South Street, and reticulation through the site

¹ Estimate

² Plus 6,237m² mezzanine approved in Mod 4 (see below).

The development consent has been modified four times, on 20 August 2021, 9 February 2022, 18 November 2022 and on 26 February 2026. The modifications are summarised in the table below and included changes to accommodate warehouse layout and operational changes required by warehouse end users, and the timing for entering into a road upgrade works deed under the consent.

Table 2: Stage 3 Facilities Modifications

Modification	Date Approved	Summary
SSD 10477 Mod 1	20 August 2021	Modifications to Warehouse 1 to suit the operational needs of TJX. Modifications included: <ul style="list-style-type: none"> • an additional 40m² of office space; • loading dock and awning design changes; • confirmation of roof mounted plant and solar designs; • internal layout changes; and • other minor changes
SSD 10477 Mod 2	9 February 2022	Change to the timing for entering into a deed with Transport for NSW (TfNSW) for the approved road upgrade works to the intersection of Hollinsworth Road and Richmond Road
SSD 10477 Mod 3	18 November 2022	Modifications to Warehouse 2 to suit the operational needs of Device Technologies. Modifications included: <ul style="list-style-type: none"> • changes to the building façade and additional signage; • changes to the configuration of the loading dock, including 2 additional recessed docks, and a 5m increase in the width of the loading dock awning; • other minor external changes; • internal changes to the use and layout of the warehouse and office, including provision of temperature-controlled storage rooms, technical services areas, reverse logistics (returns) workshop, medical gases storage and manual handling equipment (MHE) charging bays; and • allowing limited night time movements on the eastern truck exit driveway.
SSD 10477 Mod 4	26 February 2026	Modifications to Warehouse 1 to suit the operational needs of TJX. Modifications include installation of a mezzanine structure within the existing warehouse with an area of approximately 6,237m ² with automation aimed at significantly improving operational efficiencies. The approved works are yet to commence.

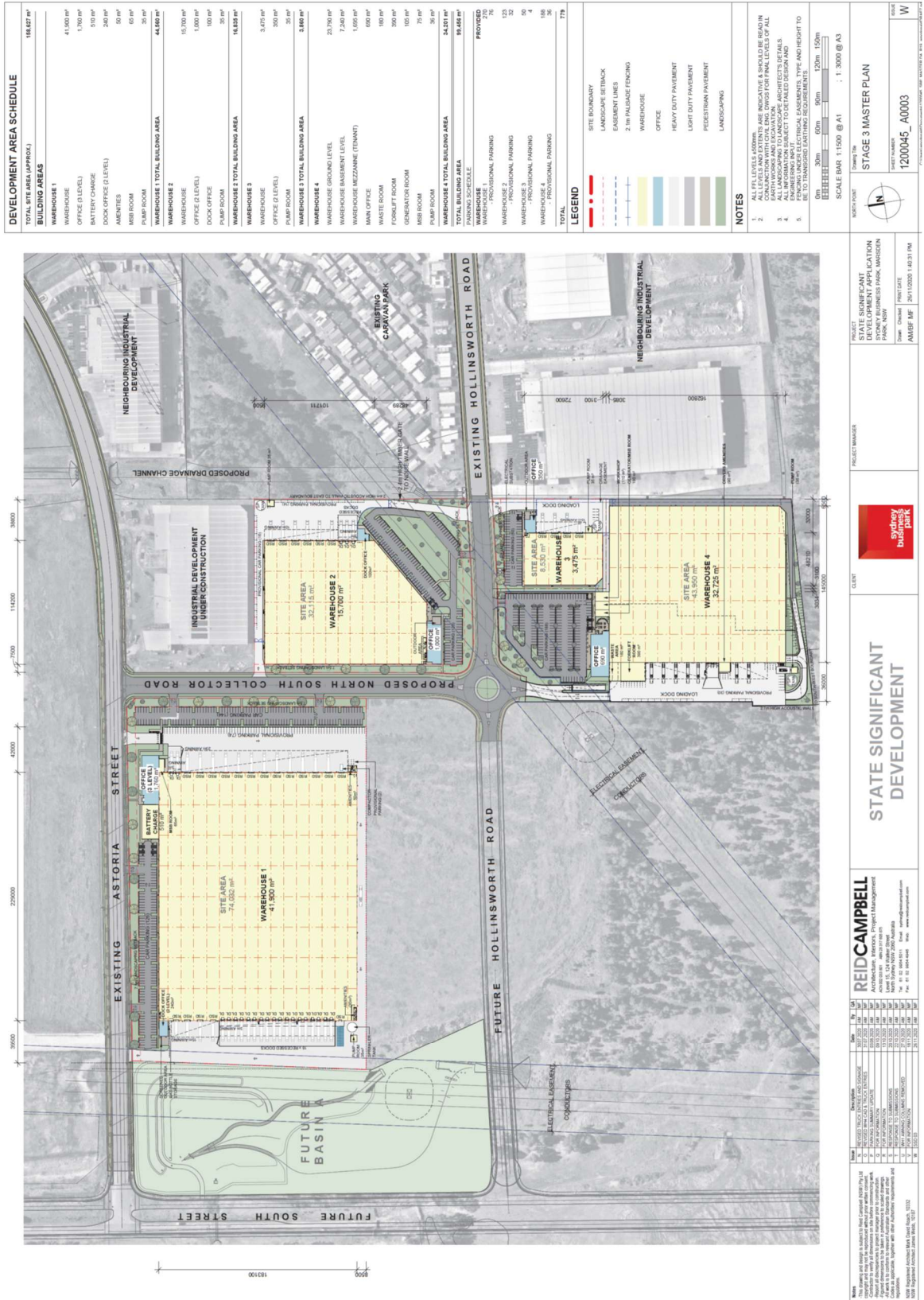


Figure 3: Stage 3 Facilities Site Plan – As Approved

1.3 Project contacts

The primary contact for the development is:

Ned Supanimitsiri
 Facilities Manager, Sydney Business Park
 15 Hollinsworth Road, Marsden Park NSW 2765
 Phone: 0499 816 529
 Email : Facilitiesmangement@sydneybusinesspark.com.au /
 Ned.Supanimitsiri@sydneybusinesspark.com.au
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2 PROJECT ACTIVITIES DURING REPORTING PERIOD

This is the third compliance report for the Stage 3 Facilities since operations commenced on 24 June 2022. The project activities have included bulk earthworks and construction of infrastructure across the entire site and the construction of three warehouses (Warehouse 1, Warehouse 2 and Warehouse 4).

In accordance with condition A9 of SSD 10477, the construction and operation of the Stage 3 Facilities has occurred in stages. Construction of bulk earthworks and site drainage infrastructure commenced on 10 March 2021 and construction of road upgrades commenced on 29 March 2021, with the subsequent construction of Warehouse 4 (4 March 2021), Warehouse 1 (10 March 2021), and Warehouse 2 (20 January 2023).

A summary of each of the key stages of the development of Stage 3 is provided in the following table.

Table 3: Stage 3 Facilities Key Stages

Stage	Description	Construction Start	Operation Start
1	Bulk Earthworks and Basin A	10 March 2021	30 September 2022
2	Hollinsworth Road, North-South Collector Road and intersections	29 March 2021	22 July 2022
3	Warehouse 1	10 March 2021	14 February 2022
4	Warehouse 4	4 March 2021	16 February 2022
5	Warehouse 2	20 January 2023	9 October 2023

During the reporting period, operation of Warehouses 1, 2 and 4 continued. No significant construction activities occurred in the reporting period.

3 PREVIOUS REPORTING ACTIONS

Reporting actions raised from the second Compliance report are listed below in **Table 4** below.

Table 4: Action Status Table

Source	Condition	Action Proposed	Status	Action Completed
CR2	C11	Submission of Compliance Report to Planning Secretary within specified timeframe.	Completed	Compliance Report 3 completed by 31 May 2026
		On 30 January 2026, the Department approved Compliance Report 2, noting that it was late and that it expects the next Compliance Report to be submitted by 31 May 2026. On 10 February 2026, the Department issued an associated warning letter.		

4 COMPLIANCE STATUS SUMMARY

A full review of the development's compliance with the conditions of SSD 1077 is provided in **Appendix A**.

The review has not identified any compliance matters requiring action.

5 INCIDENTS

No incidents were recorded during the reporting period.

6 COMPLAINTS

6.1 Summary

No complaints were received during the reporting period.

6.2 Emerging Trends

No incidents or complaints have been received during the reporting period reflecting satisfactory operation of the development activities.

7 DISCREPANCIES BETWEEN PREDICTED AND ACTUAL IMPACTS

The compliance report has not identified any notable discrepancies between predicted and actual impacts during the construction and operation of Warehouse 1, Warehouse 2 and Warehouse 4. The issues identified in the compliance review are unlikely to have resulted in unanticipated or greater environmental impacts than those identified in the EIS.

8 PERFORMANCE IMPROVEMENT

The previous compliance report identified some administrative matters with the implementation of the development consent for Stage 3 of Sydney Business Park, primarily relating to notification and reporting, and verifying the implementation of ongoing operational restrictions.

Sydney Business Park has implemented measures to improve this performance, which is evidenced by the absence of identified non-compliances in this reporting period.

APPENDIX A



APPENDIX A – SSD 10477 COMPLIANCE TABLE

<i>Cond.</i>	<i>Compliance Requirement</i>	<i>Development Phase</i>	<i>Evidence and Comments</i>	<i>Compliance Status</i>
PART A ADMINISTRATIVE CONDITIONS				
A1	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT 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.	<i>All phases</i>	<ul style="list-style-type: none"> Overarching condition which is addressed through the consent conditions and various management plans. 	Compliant
A2	TERMS OF CONSENT The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) in accordance with the EIS and Response to Submissions; (d) in accordance with the Development Layout in Appendix 1; (e) in accordance with the management and mitigation measures in Appendix 3; and (f) in accordance with the Modification Assessment.	<i>All phases</i>	<ul style="list-style-type: none"> Overarching condition which is addressed through the consent conditions and various management plans. Addressed through compliance reporting 	Compliant
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).	<i>All phases</i>	<ul style="list-style-type: none"> On 30 January 2026, the Department approved the previous compliance report, noting its late submission and requesting that this compliance report is submitted by 31 May 2026 unless otherwise agreed. On 10 February 2026 the Department issued a warning letter concerning the late submission of the previous compliance report. This compliance report has been submitted by 31 May 2026 in accordance with the Department's direction. 	Compliant
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or	<i>All phases</i>	<ul style="list-style-type: none"> No issues raised regarding inconsistency, ambiguity or conflict 	Not triggered



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	conflict between them and a document listed in condition A2(c), A2(e) or A2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(e) or A2(f) the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.			
A5	<p>TERMS OF CONSENT Lapsing</p> <p>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.</p>	<i>Prior to Construction</i>	Development physically commenced on 15/2/2021	Compliant
A6	<p>NOTIFICATION OF COMMENCEMENT</p> <p>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 (or as otherwise agreed by the Planning Secretary) before that date:</p>			
	(a) construction;	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Initial notification 2/2/2021 Bulk Earthworks (Notification Letter 11/2/2021) Warehouse 4 (Notification Letter 16/2/2021) Warehouse 1 (Notification Letter 24/2/2021) Warehouse 2 notification letter 24/11/2022 <p>Confirmation from DPE dated 11/2/2021 agreeing to lodgement less than one month prior to commencing construction.</p>	Compliant
	(b) operation; or	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Warehouse 1 notification letter dated 6/9/2023 (operation commenced 16/2/2022) Warehouse 4 notification letter dated 6/9/2023 (operation commenced 14/2/2022) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(c) cessation of operations.		<ul style="list-style-type: none"> Warehouse 2 notification letter dated 6/9/2023 (operation commenced 9/10/23) 	Not triggered
A7	<p>EVIDENCE OF CONSULTATION</p> <p>If the construction or operation of the development is to be staged, the Department must be notified in writing at least one month (or as otherwise agreed by the Planning Secretary) before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.</p>	<i>Prior to Construction or Operation</i>	<ul style="list-style-type: none"> Staging of construction requested 2/2/2021 and 11/2/2021 DPHI confirmed via email dated 3/2/2021 agreeing to staging within less than one month of the request Staging approved 15/2/2021 	Compliant
A9	<p>STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS</p> <p>With the approval of the Planning Secretary, the Applicant may:</p>			
	(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);	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Staging of construction requested 11/2/2021 with CEMP and relevant sub-plans submitted for staged development. Staging approved 15/2/2021 	Compliant
	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	<i>During Any Future Construction</i>		Not triggered
	(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).	<i>All phases</i>		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.	<i>All phases</i>		Not triggered



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
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.	All phases		Not triggered
A12	PROTECTION OF PUBLIC INFRASTRUCTURE Before the commencement of construction, the Applicant must:	Prior to Construction		
	(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;		<ul style="list-style-type: none"> No services affected by the proposed development in letter to certifier dated 3/2/2021 (Warehouse 1 CC1 Item 24) 	Not triggered
	(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and		Referenced in: <ul style="list-style-type: none"> Warehouse 4: Project Solutions 13/1/2021 and 5/2/2021 (CC1 Items 19 and 20) Warehouse 1: Waratach Property Inspections 10/2/2021 (CC1 Item 23) Warehouse 2: Project Solutions 20/9/2022 (CC1 Item 6) 	Compliant
	(c) submit a copy of the dilapidation report to the Planning Secretary and Council.		<ul style="list-style-type: none"> Warehouse 4: 8/2/2021 (CC1 Item 21) Warehouse 1: 12/2/2021 (CC1 Item 22) Warehouse 2: 24/1/2022 (CC1 Item 5) 	Compliant
A13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:			
	(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and	All Phases		Not triggered
	(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.	All Phases		Not triggered
A14	DEMOLITION All demolition must be carried out in accordance with <i>Australian Standard AS 2601-2001 The Demolition of Structures</i> (Standards Australia, 2001).	Construction	<ul style="list-style-type: none"> Works carried out in accordance with the demolition plan in the EIS (Appendix E) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A15	STRUCTURAL ADEQUACY 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.	<i>Construction</i>	<ul style="list-style-type: none"> Occupation Certificates issued for each warehouse confirms suitability with BCA 	Compliant
A16	SUBDIVISION Prior to the issuing of a Subdivision Certificate for any stage of the development, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the Certifier and Council prior to the issue of a Subdivision Certificate.	<i>During Operation</i>	<ul style="list-style-type: none"> The work-as-executed drawing has been submitted to the Certifier and Council. Council issued a Subdivision Certificate (SS-22-00050 on 13/11/2023). 	Compliant
A17	Prior to the issuing of a Subdivision Certificate for any stage of the development, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.	<i>All phases</i>	<ul style="list-style-type: none"> Evidence sighted of communications to the Certifier covering a range of matters to be registered on title (email dated 29/09/25) 	Compliant
A18	Prior to the issuing of a Subdivision Certificate for any stage of the development, a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established.	<i>All phases</i>	<ul style="list-style-type: none"> Evidence sighted of letters issued by electricity and telecommunications providers confirming satisfactory service arrangements established 	Compliant
A19	COMPLIANCE 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.	<i>All phases</i>	<ul style="list-style-type: none"> Approved CEMPs and associated site inductions 	Compliant
A20	SPECIAL INFRASTRUCTURE CONTRIBUTION The Applicant is to make a Special Infrastructure Contribution in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution - Western Sydney Growth Areas) Determination 2011 (as in force when this consent becomes operative).	<i>All phases</i>	<ul style="list-style-type: none"> SIC Certification from NSW Government dated 20/12/2021 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status										
A21	Prior to the issuing of any Occupation Certificate for works in relation to the development the subject of this consent, the Applicant must provide the Certifier with written evidence from the Planning Secretary that the liability to make the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been discharged, or that arrangements are in force with respect to the discharge of the liability.	<i>All phases</i>	<ul style="list-style-type: none"> Occupation Certificates reference the SIC Certification from NSW Government dated 20/12/2021 	Compliant										
A22	<p>CONTRIBUTIONS TO COUNCIL Before the issuing of an Occupation Certificate for any part of the development, a contribution under section 7.11 of the EP&A Act of \$9,068,279.00 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council for:</p> <table border="1"> <thead> <tr> <th>Contribution item</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Stormwater Quantity – Little Creek</td> <td>\$5,814,919.00</td> </tr> <tr> <td>Stormwater Quality – Little Creek</td> <td>\$280,158.00</td> </tr> <tr> <td>Traffic Management</td> <td>\$2,973,202.00</td> </tr> <tr> <td>Total</td> <td>\$9,068,279.00</td> </tr> </tbody> </table>	Contribution item	Amount	Stormwater Quantity – Little Creek	\$5,814,919.00	Stormwater Quality – Little Creek	\$280,158.00	Traffic Management	\$2,973,202.00	Total	\$9,068,279.00	<i>All phases</i>	<ul style="list-style-type: none"> Confirmation from Council dated 2/2/2022 (Warehouse 1 OC1 Item 48) 	Compliant
Contribution item	Amount													
Stormwater Quantity – Little Creek	\$5,814,919.00													
Stormwater Quality – Little Creek	\$280,158.00													
Traffic Management	\$2,973,202.00													
Total	\$9,068,279.00													
A23	<p>OPERATION OF PLANT AND EQUIPMENT All plant and equipment used on site, or to monitor the performance of the development, must be:</p> <p>(a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.</p>	<i>All phases</i>	<ul style="list-style-type: none"> Applicant confirmed. No complaints received during reporting period 	Compliant										
A24	<p>TRANSGRID REQUIREMENTS Prior to commencement of works within the TransGrid easement the Applicant must submit Final design plans to TransGrid. The final design plans must demonstrate:</p> <p>(a) a vertical clearance of 8.0 m over the roadway (b) fencing within the easement to not exceed 2.5 m in height</p>	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Transgrid acceptance letter dated 18/12/2020 (Warehouse 1 CC1 Item 26) 	Compliant										



<i>Cond.</i>	<i>Compliance Requirement</i>	<i>Development Phase</i>	<i>Evidence and Comments</i>	<i>Compliance Status</i>
	(c) a dust management plan is in place to ensure excessive dust is not deposited on the towers or insulators.			
A25	Height restrictions shall be applied to cranes, elevated work platforms and any other plant and equipment proposed to operate on the easement. This restriction applies to all mobile plant and equipment capable of exceeding a height of 4.2 m.	<i>During Construction</i>	<ul style="list-style-type: none"> Tenants have been issued with a copy of the development consent which include the requirements of this condition. 	Compliant
A26	Prior to the issue of any Occupation Certificate, all fencing on the TransGrid easement shall be earthed and every second panel isolated from the next pair of fencing panels. Consultation with TransGrid is required for further instructions on the required earthing for the boundary fence.	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Transgrid confirmation dated 12/9/2023 (Warehouse 2 OC1 Item 11) 	Compliant
A27	The Applicant must formally notify TransGrid of any amendments or modifications to the development, including to ground surface levels within the easement.	<i>All phases</i>		Not Triggered
A28	EXTERNAL WALLS AND CLADDING The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	<i>All phases</i>	Refer below	Compliant
A29	Prior to the issuing of:			
	(a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and	<i>Construction</i>	Referenced in: <ul style="list-style-type: none"> Warehouse 4: CC4 24/6/2021 Warehouse 1: CC2B 17/8/2021 Warehouse 2 – CC2 31/7/2023 	Compliant
	(b) an Occupation Certificate,	<i>Operation</i>	Referenced in: <ul style="list-style-type: none"> Warehouse 4: OC1 16/2/2022 Warehouse 1: OC1 14/2/2022 Warehouse 2: OC1 6/10/2023 	Compliant
	the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.		<ul style="list-style-type: none"> All certificates include reference to external wall certification against BCA requirements 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
A30	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	<i>All phases</i>	<ul style="list-style-type: none"> The proponent issued copies of all documentation given to the Certifier to the Planning Secretary as part of actions required under Compliance Report 1 	Compliant
A31	UTILITIES AND SERVICES Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	<i>Prior to construction</i>	Referenced in construction certificates: <ul style="list-style-type: none"> Sydney Water 20/10/2020 and 3/2/2021 Transgrid 18/12/2020 BJL Communications & Electrical 5/2/2021 Endeavour Energy Not Dated 	Compliant
A32	Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	<i>Prior to operation</i>	<ul style="list-style-type: none"> Warehouse 4: 28/1/2021 Warehouse 1: 1/2/2022 Warehouse 2: 5/4/2023 	Compliant
A33	Before the issuing of a Subdivision or Occupation Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for: <ol style="list-style-type: none"> the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier. 	<i>All phases</i>	Referenced in: <ul style="list-style-type: none"> Warehouse 4: OC1 16/2/2022 Warehouse 1: OC1 14/2/2022 Warehouse 2: OC1 6/10/2023 	Compliant
A34	Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.	<i>Prior to operation</i>	Referenced in: <ul style="list-style-type: none"> Warehouse 4: OC1 16/2/2022 Warehouse 1: OC1 14/2/2022 Warehouse 2: OC1 6/10/2023 	Compliant
A35	APPLICABILITY OF GUIDELINES References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines,	<i>All phases</i>		Not Triggered



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	protocols, Standards or policies in the form they are in as at the date of this consent.			
A36	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	<i>All phases</i>		Not Triggered
A37	MONITORING AND ENVIRONMENTAL AUDITS 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, Annual Review and independent environmental auditing.	<i>All phases</i>	Reference condition only	Not Triggered
AN1	ADVISORY NOTES 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.	<i>All phases</i>	Advisory note only	Not Triggered
PART B SPECIFIC ENVIRONMENTAL CONDITIONS				
B1	Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan (CEMP) required by condition C2 and must: (a) be prepared by a suitably qualified and experienced person(s); (b) be prepared in consultation with Council;	<i>Prior to construction</i>	CEMP approvals include approval of CTMP: <ul style="list-style-type: none"> • Bulk Earthworks CEMP (approved 15/2/2021) • Warehouse 1 CEMP (approved 3/3/2021) • Warehouse 2 CEMP (approved 13/12/2022) • Warehouse 4 CEMP (approved 23/2/2021) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<ul style="list-style-type: none"> (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a Driver Code of Conduct to: <ul style="list-style-type: none"> (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; and (iv) ensure truck drivers use specified routes; (f) include a program to monitor the effectiveness of these measures; and (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes. 			
B2	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and (b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction. 	<i>Prior to construction</i>	<ul style="list-style-type: none"> • CEMPs approved prior to issue of construction certificates and commencement of construction 	Compliant
B3	<p>Prior to the commencement of operation of the development, the Applicant must complete the construction of the north-south collector road between Hollinsworth Road and Astoria Street and the extension of Hollinsworth Road to the western side of the site, to the satisfaction of Council. The Applicant must obtain approval all works in the existing public road reserve under section 138 of the <i>Roads Act 1993</i>.</p>	<i>Prior to Operation</i>	<ul style="list-style-type: none"> • Blacktown Council correspondence 17/1/2022 • Blacktown Council certificate of Practical Completion dated 8/5/2022 	Compliant
B4	<p>The Applicant must submit design plans to Council which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a 30 m Super B-double vehicles.</p>		<ul style="list-style-type: none"> • Correspondence from Sydney Business Park to Council dated 1/2/2022 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B5	<p>The Applicant must undertake upgrade works to the Hollinsworth Road and Richmond Road intersection to the satisfaction of TfNSW. As part of these upgrade works, the Applicant must:</p> <p>(a) submit concept civil design and Traffic Control Signal (TCS) plans to the satisfaction of TfNSW prior to the issue of a Construction Certificate for any stage of the development. The concept design plans must include:</p> <p>(i) a left turn slip lane from Hollinsworth Road onto Richmond Road; and</p> <p>(ii) an additional right turn lane on the south bound approach to the intersection on Richmond Road</p> <p>(b) provide written evidence to the Planning Secretary demonstrating the detailed design plans have been approved by TfNSW;</p> <p>(c) enter into a Works Authorisation Deed (WAD) with TfNSW within nine months of the determination of SSD-10477-Mod-2, to undertake these intersection upgrade works; and</p> <p>(d) complete the intersection upgrade works to the satisfaction of TfNSW on Hollinsworth Road and Richmond Road prior to the commencement of operation of the final stage of the development.</p>	<i>Construction</i>	<ul style="list-style-type: none"> Condition B5(a) complete – TfNSW correspondence dated 2 March 2021 Condition B5(b) complete – addressed in SSD-10477-Mod 2 Regarding condition B5(c), a draft WAD was prepared within the nominated timeframe in consultation with TfNSW. Through subsequent engagement, TfNSW advised that an alternative pathway should be pursued rather than executing the WAD, as TfNSW is looking to progress the upgrade works as part of a wider program of Richmond Road upgrade works. Sydney Business Park will continue to progress this alternative approach in consultation with TfNSW. As the obligation to complete the intersection upgrade under B5(d) is triggered prior to the commencement of operation of the final stage, and that stage has not yet commenced, the works are not yet due under the consent. 	<p>Compliant</p> <p>Compliant</p> <p>Not Triggered</p> <p>Not Triggered</p>
B6	<p>Notwithstanding the requirements specified in condition B5(a) and B5(b), the Applicant may carry out early preparatory construction works (including tree clearing, earthworks, retaining walls and infrastructure provision) prior to satisfying the requirements of condition B5(a) subject to traffic movements to and from the site not exceeding the following limits:</p> <p>(a) 24 total traffic movements (12 in, 12 out) for the delivery and removal of equipment (graders, dozers, excavator, scrapers etc);</p>	<i>During construction</i>	<ul style="list-style-type: none"> Early works were enacted in accordance with this condition until 2/3/2021 Section 4.1.6 of the Bulk Earthworks Construction Traffic Management Plan dated February 2021 	<p>Compliant</p> <p>Compliant</p>



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(b) 30 daily traffic movements (15 in, 15 out) for construction staff light vehicles; and		<ul style="list-style-type: none"> Section 4.1.6 of the Bulk Earthworks Construction Traffic Management Plan dated February 2021 	Compliant
	(c) No truck movements on Richmond Road for the importation or exportation of fill materials outside of the site.			Compliant
B7	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.	<i>All phases</i>	Architectural Compliance Statements: <ul style="list-style-type: none"> Warehouse 1: 24/1/2022 (OC1 Item 14) Warehouse 4 10/2/2022 (OC1 Item 76) Warehouse 2: 27/9/2023 (OC1 Item 63) 	Compliant
B8	Operating Conditions The Applicant must ensure:	<i>All phases</i>		Compliant
	(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 <i>AS 2890.1:2004 Parking facilities Off-street car parking</i> (Standards Australia, 2004) and <i>AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities</i> (Standards Australia, 2002);	<i>All phases</i>	<ul style="list-style-type: none"> Architectural Compliance Statements (see above) 	Compliant
	(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 AUSTRROADS guidelines;	<i>All phases</i>	<ul style="list-style-type: none"> Site designed to accommodate Super B-Double vehicles (Warehouse 1), B-double vehicles (Warehouse 2 and 4) and 19m Articulated vehicles (Warehouse 3) 	Compliant
	(c) the development does not result in any vehicles queuing on the public road network;	<i>All phases</i>	<ul style="list-style-type: none"> No instances of vehicles queuing of vehicles on public roads 	Compliant
	(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;	<i>All phases</i>	<ul style="list-style-type: none"> No heavy vehicles or bins parked on public roads 	Compliant
	(e) all vehicles are wholly contained on site before being required to stop;	<i>All phases</i>	<ul style="list-style-type: none"> Architectural designs accommodate this requirement 	Compliant
	(f) all loading and unloading of materials is carried out on-site;	<i>All phases</i>	<ul style="list-style-type: none"> Ongoing operational management 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;	<i>During Construction</i>	<ul style="list-style-type: none"> Ongoing operational management 	Compliant
	(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times;	<i>All phases</i>	<ul style="list-style-type: none"> Ongoing operational management 	Compliant
	(i) there must be no more than two heavy vehicle movements (one in, one out) per hour within the boundary of Warehouse 2 between the hours of 10:00 pm and 7:00 am, and no more than a total of five heavy vehicle arrivals during the night; and	<i>Operation</i>	<ul style="list-style-type: none"> Confirmation from Warehouse 2 tenant via email that no operations including truck movements occurring onsite between 10pm and 7am 	Compliant
	(j) no more than one roller door/shutter on the eastern elevation of Warehouse 2 can be opened between the hours of 10:00 pm and 7:00 am and only when in use for loading and unloading.	<i>Operation</i>	<ul style="list-style-type: none"> Confirmation from Warehouse 2 tenant via email that no operations including opening or closing roller doors occurring onsite between 10pm and 7am 	Compliant
B9	<p>Work Place Travel Plan 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:</p> <p>(a) be prepared in consultation with TfNSW;</p> <p>(b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and</p> <p>(c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.</p>	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Warehouse 1: WPTP approved 17/11/2021 Warehouse 4: WPTP approved 17/11/2021 Warehouse 2: WPTP approved 28/9/2023 	Compliant
B10	<p>The Applicant must:</p> <p>(a) not commence operation until the Work Place Travel Plan is approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Work Place Travel Plan approved by the Planning Secretary for the duration of the development.</p>	<p><i>Prior to Operation</i></p> <p><i>During Operation</i></p>	<ul style="list-style-type: none"> Warehouse 1: 17/11/2021 (OC1 Item 20) Warehouse 4: 17/11/2021 (OC3 Item 9) Warehouse 2: 28/9/2023 (OC1 Item 62) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B11	<p>SOILS, WATER QUALITY AND HYDROLOGY Erosion and Sediment Control</p> <p>Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the <i>Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book</i> (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.</p>	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Warehouse 4 CEMP (approved 23/2/2021) Warehouse 1 CEMP (approved 3/3/2021) Warehouse 2 CEMP (approved 13/12/2022) 	Compliant
B12	<p>The Applicant must not commence any construction works on site until the temporary sediment basin in the Basin A area has been commissioned.</p>	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Noted in the Bulk Earthworks & Warehouse 1 – CC1 10/3/2021 (Item 39) 	Compliant
B13	<p>Stormwater Management System</p> <p>Prior to the commencement of operation of any stage of the development, the Applicant must design, install and operate a stormwater management system for the development. The system must:</p> <p>(a) be designed by a suitably qualified and experienced person;</p> <p>(b) be prepared in consultation with Council;</p> <p>(c) be generally in accordance with:</p> <p>(i) the conceptual design in the EIS and RTS;</p> <p>(ii) Council's Works Specification - Civil (Current Version);</p> <p>(iii) Council's Engineering Guide for Development (Current Version);</p> <p>(iv) Council's On-Site Detention General Guidelines and Checklist; and</p> <p>(v) Council's WSUD Standard Drawings A(BS)175M (Current Version);</p> <p>(d) be in accordance with applicable Australian Standards;</p> <p>(e) ensure post-development flow velocities of the relevant stormwater and drainage works match pre-development flow velocities; and</p> <p>(f) ensure that the system capacity has been designed in accordance with <i>Australian Rainfall and Runoff</i> (Engineers</p>	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Warehouse 4: Costin Roe 11/2/2022 (OC3 Item 78) Warehouse 1: Orion Consulting and FDC Construction 11/2/2022 (OC1 items 95 and 98) Warehouse 2: Total Surveying Solutions 28/9/2023 (OC1 Item 70) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	Australia, 2016) and <i>Managing Urban Stormwater: Council Handbook</i> (EPA, 1997) guidelines.			
B14	<p>Temporary On-Site Detention</p> <p>Prior to the issuing of a Construction Certificate for any buildings on the site, the Applicant must provide stormwater detention in accordance with Council's Engineering Guide for Development. Basin A, including flow diversion line L4.1, or the interim stormwater works, must be completed to Council's satisfaction prior to the issue of an Occupation Certificate for any stage of the development as follows:</p> <p>(a) Basin A and the associated flow diversion line are to be constructed in accordance with Council Plan Number E37/2V, or the latest version of that plan;</p> <p>(b) the proposed interim stormwater detention works are to be in accordance with the volumes and flow rates described in Orion Consulting Stormwater Management and Servicing Report, Sydney Business Park Stage 3 Astoria Street Marsden Park, Revision D, October 2020; and</p> <p>(c) the design levels for the interim stormwater detention works are to be co-ordinated with Council Plan E37/2V, or the latest version of that plan.</p> <p><i>Note: In the event that the Basin A and flow diversion line works are not completed prior to the issue of an Occupation Certificate, a temporary pump diversion system for the interim stormwater waters is to be provided to divert the diversion volume referred to as dead or return storage in the in Orion Consulting Stormwater Management and Servicing Report, Sydney Business Park Stage 3 Astoria Street Marsden park, Revision D, October 202 away from the conservation area in the Little Creek catchment of Contributions Plan No. 21. The required diversion volume is 42mm depth over the development area. The design of the pump diversion system must be approved by Council.</i></p>	Prior to Construction	<ul style="list-style-type: none"> Warehouse 1: Orion Consulting 1/3/2021 (CC1 Item 33) Blacktown Council Certificate of Practical Completion dated 24/10/2022 	Compliant
B15	<p>NOISE Hours of Work</p> <p>The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.</p>	All phases	No noise related complaints received during the reporting period	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status									
Table 1 Hours of Work													
	<table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Earthworks and Construction</td> <td>Monday – Friday Saturday</td> <td>7am to 6pm 8am to 1pm</td> </tr> <tr> <td>Operation</td> <td>Monday - Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and Construction	Monday – Friday Saturday	7am to 6pm 8am to 1pm	Operation	Monday - Sunday	24 hours			
Activity	Day	Time											
Earthworks and Construction	Monday – Friday Saturday	7am to 6pm 8am to 1pm											
Operation	Monday - Sunday	24 hours											
B16	<p>Works outside of the hours identified in condition B15 may be undertaken in the following circumstances:</p> <ul style="list-style-type: none"> (a) works that are inaudible at the nearest sensitive receivers; (b) works agreed to in writing by the Planning Secretary; (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or; (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm. 	<i>During Construction</i>	No construction activities undertaken during the reporting period	Not Triggered									
B17	<p>Construction Noise Limits</p> <p>The development must be constructed to achieve the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the Appendix 3.</p>	<i>During Construction</i>	No construction activities undertaken during the reporting period	Not Triggered									
B18	<p>Construction Noise Management Plan</p> <p>The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced noise expert; 	<i>Prior to Construction</i>	<p>Included in:</p> <ul style="list-style-type: none"> • Warehouse 1 CEMP (approved 3/3/2021) • Warehouse 2 CEMP (approved 13/12/2022) • Warehouse 4 CEMP (approved 23/2/2021) 	Compliant									



<i>Cond.</i>	<i>Compliance Requirement</i>	<i>Development Phase</i>	<i>Evidence and Comments</i>	<i>Compliance Status</i>																			
	(b) be approved by the Planning Secretary prior to the commencement of construction of the development; (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (as may be updated or replaced from time to time); (d) describe the measures to be implemented to manage high noise generating works such as piling; (e) include strategies that have been developed with the community for managing high noise generating works; (f) describe the community consultation undertaken to develop the strategies in condition B18(e); and (g) include a complaints management system that would be implemented for the duration of the development.																						
B19	The Applicant must:																						
	(a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B18 is approved by the Planning Secretary; and	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Approved with CEMP approvals 	Compliant																			
	(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.	<i>During Construction</i>	<ul style="list-style-type: none"> No revisions to Construction Noise Management Plans 	Compliant																			
B20	Operational Noise Limits The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2. Table 2 Noise Limits (dB(A))	<i>During Operation</i>	<ul style="list-style-type: none"> Monitoring undertaken in support of the Noise Verification Report demonstrates compliance. No operational noise related complaints received during the reporting period 	Compliant																			
	<table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> <th>Night</th> </tr> <tr> <th colspan="3">L_{Aeq(15min)}</th> <th>L_{AFmax}</th> </tr> </thead> <tbody> <tr> <td>I5 – 140 Hollinsworth Road, Marsden Park¹</td> <td>46</td> <td>46</td> <td>43</td> <td>55</td> </tr> <tr> <td>All residential properties to the north of the site¹</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table>	Location	Day	Evening	Night	Night	L _{Aeq(15min)}			L _{AFmax}	I5 – 140 Hollinsworth Road, Marsden Park ¹	46	46	43	55	All residential properties to the north of the site ¹	40	35	35	52			
Location	Day		Evening	Night	Night																		
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I5 – 140 Hollinsworth Road, Marsden Park ¹	46	46	43	55																			
All residential properties to the north of the site ¹	40	35	35	52																			



Cond.	Compliance Requirement					Development Phase	Evidence and Comments	Compliance Status
	All residential properties to the south of the site ¹	40	38	35	52			
B20A	The Applicant must ensure refrigerated transport containers emit: (a) $L_{Aeq(15min)}$ sound power level of no more than 95 dBA; and (b) noise without tonal characteristic or strong low frequency content in accordance with the Noise Policy for Industry (EPA, 2017).					<i>During Operation</i>	<ul style="list-style-type: none"> Acoustic testing of refrigerated containers was conducted following the commencement of operations and addressed in the Noise Verification Report under Condition B22 	Compliant
B21	Noise Walls The Applicant must construct the noise walls shown in Drawing GA-505, Revision P1 of the EIS, prior to the commencement of operation of any part of the development. <i>Note: If construction of noise walls is to be staged, the Applicant must submit a noise verification study to the satisfaction of the Planning Secretary to demonstrate that the development will comply with the noise limits in condition B20 at all times.</i>					<i>During Construction</i>	<ul style="list-style-type: none"> Warehouse 4: GC Civil 8/2/2022 (OC3 Item 61) Warehouse 2: GC Civil 15/9/2023 (OC1 Item 58) 	Compliant
B22	Noise Verification Report A Noise Verification Report must be submitted to the satisfaction of the Planning Secretary at the following stages of the development: (a) within three months of the approval of SSD-10477-Mod-3; and					<i>During Operation</i>	<ul style="list-style-type: none"> Mod 3 was approved 18/11/2022 Noise Verification Report initially submitted 23/12/2022 A further six revisions of the report were submitted to the Department between 11/1/2023 and 19/7/2023 A response to a Notice to Furnish (dated 17/11/2023) was provided on 27/11/2023 	Compliant
	(b) within three months of the commencement of operation of all four warehouses							Not triggered



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B23	<p>The Noise Verification Reports required by condition B22 must be prepared by a suitably qualified and experienced acoustic consultant and include:</p> <ul style="list-style-type: none"> (a) an analysis of compliance with noise limits specified in conditions B20 and B20A undertaken to the satisfaction of the Planning Secretary and in accordance with the <i>Noise Policy for Industry</i> (EPA, 2017); (b) a detailed maximum noise level event assessment for residential receiver R13 (refer Appendix 2) in accordance with the <i>Noise Policy for Industry</i> (EPA, 2017); (c) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, re-assessment of mitigation measures identified; and (d) identification of additional noise control measures to be implemented to address any exceedances of the limits specified in conditions B20 and B20A and when these measures are to be implemented and how their effectiveness is to be measured and reported to the Planning Secretary. 	<i>During Operation</i>	<ul style="list-style-type: none"> • Prepared by RWDI to address the requirements of Condition B23 	Compliant
B24	<p>ABORIGINAL HERITAGE Aboriginal Cultural Heritage Management Plan (ACHMP) Before the commencement of any clearing or construction works for the development, the Applicant must prepare an ACHMP for the development to protect and manage extant Aboriginal sites and objects located within the project area. The plan must form part of the CEMP required by Condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties; (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; and (c) include a long-term care and control management procedure for any Aboriginal objects from the project area, including any extant sites. 	<i>Prior to Construction</i>	<ul style="list-style-type: none"> • ACHMP submitted 2/2/2021 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B25	The Applicant must: (a) not commence construction until the ACHMP is approved by the Planning Secretary; and (b) implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the development	<i>Prior to Construction</i> <i>During Operation</i>	<ul style="list-style-type: none"> ACHMP Approved 16/2/2021 	Compliant
B26	Unexpected Finds Protocol If any item or object of Aboriginal heritage significance is identified on site: (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately; (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and (c) the EES must be contacted immediately.	<i>During Construction</i>	<ul style="list-style-type: none"> Included in approved ACHMP (Section 4.4) 	Not Triggered
B27	Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i> .	<i>During Construction</i>		Not Triggered
B28	FIRE PROTECTION AND MANAGEMENT Asset Protection Zones Throughout the duration of the development, the Applicant must manage the whole site as an inner protection area 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'.	<i>During Operation</i>	<ul style="list-style-type: none"> Bushfire management plans for Warehouse 2 and Warehouse 4 	Compliant
B29	Design and Construction The Applicant must ensure each warehouse building and the identified elevations and building elements in the development complies with the NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate or the specified bushfire attack levels (BAL) under Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas'. The Applicant must ensure that:	<i>Prior to Operation</i>	Refer discussion below	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<p>Warehouse 2 (a) must be non-combustible and comply with Sections 3 and 5 (BAL 12.5) <i>Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas</i> or NASH Standard (1.7.14 updated) <i>National Standard Steel Framed Construction in Bushfire Areas – 2014</i> as appropriate, and Section 7.5 of <i>Planning for Bush Fire Protection 2019</i>; and</p> <p>Warehouse 4 (b) must comply with the Bushfire Attack Level (BAL) Plan (as shown in Figure 4 of the Bush Fire Report prepared by Eco Logical Australia, project no. 20SYD-16423, ver. 5, dated 8 December 2020) and the corresponding sections of the Australian Standard AS3959-2018 <i>Construction of buildings in bushfire-prone areas or the relevant BAL requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015)</i>. New construction must also comply with the construction requirements in Section 7.5 of <i>Planning for Bush Fire Protection 2019</i>. BAL 12.5 is also applicable to the northern half of the building;</p>		<ul style="list-style-type: none"> Warehouse 2: Australian Bushfire Protection Planners 26/9/2023 (OC1 Item 57) Warehouse 4: Australian Bushfire Protection Planners 10/2/2022 (OC3 item 103) 	Compliant
B30	<p>Access Property access roads and public access roads must comply with the general requirements of Table 5.3b of <i>Planning for Bush Fire Protection 2019</i>.</p>	All phases	<p>Architectural Compliance Statements:</p> <ul style="list-style-type: none"> Warehouse 1: 24/1/2022 (OC1 Item 14) Warehouse 4 10/2/2022 (OC1 Item 76) Warehouse 2: 27/9/2023 (OC1 Item 63) 	Compliant
B31	<p>Bush Fire Emergency Management Plan Prior to the commencement of operation of the development, the Applicant must prepare a Bush Fire Emergency Management and Evacuation Plan in accordance with <i>Development Planning: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December (2014)</i>.</p>	Prior to Operation	<ul style="list-style-type: none"> Warehouse 4: Sydney Business Park Jan 2022 (OC3 item 19) Warehouse 2: Sydney Business Park Sep 2023 (OC1 Item 14) 	Compliant
B32	<p>HAZARDS AND RISK Dangerous Goods The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the</p>	During Operation	<ul style="list-style-type: none"> Warehouse 4: API 1/5/2022 (OC3 Item 117) Warehouse 1: TJX Australia 2/2/2022 (OC1 Item 54) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	Department of <i>Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.		<ul style="list-style-type: none"> Warehouse 2 Dangerous Goods Manifest dated 21/9/2023 	
B33	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:</p> <p>(a) all relevant Australian Standards;</p> <p>(b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</p> <p>(c) the <i>Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin</i> (EPA, 1997).</p>	<i>During Operation</i>	<ul style="list-style-type: none"> Warehouse 4: API 1/5/2022 (OC3 Item 117) Warehouse 1: TJX Australia 2/2/2022 (OC1 Item 54) Warehouse 2 : Dangerous Goods Report (Riskcon 27/6/2023) 	Compliant
B34	In the event of an inconsistency between the requirements B33(a) to B33(c), the most stringent requirement must prevail to the extent of the inconsistency.	<i>During Operation</i>		Not Triggered
B35	<p>Bunding</p> <p>The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> (Department of Environment and Climate Change, 2007).</p>	<i>All phases</i>	<ul style="list-style-type: none"> Warehouse 4: API 1/5/2022 (OC3 Item 117) Warehouse 1: TJX Australia 2/2/2022 (OC1 Item 54) 	Compliant
B35A	<p>Pre-commissioning</p> <p>Prior to the commencement of operation of Warehouse 2, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for Warehouse 2. The plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.</p>	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Emergency Response Plan dated 21/9/2023 	Compliant
B35B	Prior to the commencement of operation of Warehouse 2 and for the life of the development, an Emergency Services Information Package, developed in accordance with Fire and Rescue NSW's Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans, must be stored in an	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Emergency Services Information Package dated 21/9/2023 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	emergency information cabinet directly adjacent to the main access points.			
B35C	Prior to the commencement of operation of the works as described in SSD-10477-Mod-4, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for Warehouse 1. The plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Works associated with Mod 4 yet to commence 	Not triggered
B35D	Prior to the commencement of operation of the works as described in SSD-10477-Mod-4 and for the life of the development, an Emergency Services Information Package, developed in accordance with Fire and Rescue NSW's Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans, must be stored in an emergency information cabinet directly adjacent to the main access points of Warehouse 1.		<ul style="list-style-type: none"> Works associated with Mod 4 yet to commence 	Not triggered
B36	WASTE The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday.	<i>During Operation</i>	Email evidence from tenant sighted to confirm compliance with this condition	Compliant
B37	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.	<i>All phases</i>	<ul style="list-style-type: none"> Tenant Management Plan dated 21/9/2023 	Compliant
	<i>Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.</i>			
B38	Prior to the commencement of construction of each warehouse, the Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse.	<i>Prior to Construction</i>	<ul style="list-style-type: none"> Warehouse 1: Agreement from Council received 4/3/2021 (CC1 Item 46) Warehouse 4: Agreement from Council dated 10/11/2022 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
			<ul style="list-style-type: none"> Warehouse 2: Agreement from Council received 10/11/2022 (CC2 Item 12) 	
B39	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.	<i>All phases</i>	<ul style="list-style-type: none"> Waste Management Plan (EIS Appendix N) 	Compliant
B40	Statutory Requirements All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	<i>All phases</i>	<ul style="list-style-type: none"> Waste Management Plan (EIS Appendix N) 	Compliant
B41	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.	<i>All phases</i>	<ul style="list-style-type: none"> Waste Management Plan (EIS Appendix N) 	Compliant
B42	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal.	<i>All phases</i>	<ul style="list-style-type: none"> Waste Management Plan (EIS Appendix N) 	Compliant
B43	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	<i>All phases</i>	<ul style="list-style-type: none"> Waste Management Plan (EIS Appendix N) 	Compliant
B44	CONTAMINATION Unexpected Finds Prior to the commencement of earthworks for the development, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.	<i>During Construction</i>	<ul style="list-style-type: none"> Bulk Earthworks/Warehouse 1: Douglas Partners 16/2/2021 (CC1 Item 34) 	Compliant
B45	Asbestos The Applicant must ensure that any asbestos encountered during the remediation and construction works is monitored, handled, transported and disposed of by appropriately qualified	<i>During Construction</i>		Not Triggered



<i>Cond.</i>	<i>Compliance Requirement</i>	<i>Development Phase</i>	<i>Evidence and Comments</i>	<i>Compliance Status</i>
	<p>and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:</p> <ul style="list-style-type: none"> (a) <i>Work Health and Safety Regulation 2017</i>; (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016; (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and (d) <i>Protection of the Environment Operations (Waste) Regulation 2014</i>. 			
B46	<p>VISUAL AMENITY Landscaping</p> <p>Prior to the commencement of construction of the development, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of the Construction Environmental Management Plan in Condition C2 and must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced person(s); (b) detail the species to be planted on-site; (c) include a Street Tree Plan which must: <ul style="list-style-type: none"> (i) include cross-sections showing dimensions of tree pits; (ii) detail tree species (iii) detail root protection barriers (iv) detail soil specifications (v) detail the location of tree pits in relation to services, intersections and future driveway, light poles, stormwater pits, sewerage infrastructure and utilities; and (vi) detail street tree maintenance. (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works; and (e) be consistent with the Applicant’s Management and Mitigation Measures at Appendix 3. 	<i>Prior to Construction</i>	<ul style="list-style-type: none"> • Warehouse 1 CEMP (approved 3/3/2021) • Warehouse 2 CEMP (approved 13/12/2022) • Warehouse 4 CEMP (approved 23/2/2021) 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
B47	The Applicant must: (a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary. (b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and (c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B46 for the life of the development.	<i>Prior to Operation</i>	<ul style="list-style-type: none"> Warehouse 1 CEMP (approved 3/3/2021) Warehouse 2 CEMP (approved 13/12/2022) Warehouse 4 CEMP (approved 23/2/2021) 	Compliant
B48	Lighting The Applicant must ensure the lighting associated with the development: (a) complies with the latest version of AS 4282-1997 - <i>Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.	<i>During Construction</i>	Architectural Design/Compliance Certificate: <ul style="list-style-type: none"> Warehouse 4: SBA Architects 10/2/2022 (OC3 Item 76) Warehouse 1: SBA Architects 24/1/2022 (OC1 Item 14) Warehouse 2: Reid Campbell 27/9/2023 (OC1 Item 63) 	Compliant
B49	Signage and Fencing All signage and fencing must be erected in accordance with the development layout plans included in Appendix 1. <i>Note: This condition does not apply to temporary construction and safety related signage and fencing.</i>	<i>During Construction</i>	Architectural Design/Compliance Certificate: <ul style="list-style-type: none"> Warehouse 4: SBA Architects 10/2/2022 (OC3 Item 76) Warehouse 1: SBA Architects 24/1/2022 (OC1 Item 14) Warehouse 2: Reid Campbell 27/9/2023 (OC1 Item 63) 	Compliant
B50	COMMUNITY ENGAGEMENT The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.	<i>All phases</i>	Sydney Business Park consults with neighbours and sensitive receivers as required in relation to day to day management and issues	Compliant
PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING				
C1	ENVIRONMENTAL MANAGEMENT Management Plan Requirements	<i>All phases</i>	CEMPs approved for each stage of construction	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <ul style="list-style-type: none">(a) detailed baseline data;(b) details of:<ul style="list-style-type: none">(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);(ii) any relevant limits or performance measures and criteria; and(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;(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:<ul style="list-style-type: none">(i) impacts and environmental performance of the development; and(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;(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:<ul style="list-style-type: none">(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);(ii) complaint;(iii) failure to comply with statutory requirements; and(h) a protocol for periodic review of the plan.			



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<i>Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans</i>			
C2	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN 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.	Construction	<ul style="list-style-type: none"> • Bulk Earthworks CEMP (approved 15/2/2021) • Warehouse 1 CEMP (approved 3/3/2021) • Warehouse 2 CEMP (approved 13/12/2022) • Warehouse 4 CEMP (approved 23/2/2021) 	Compliant
C3	As part of the CEMP required under Condition C2 of this consent, the Applicant must include the following: (a) Construction Traffic Management Plan (see Condition B1); (b) Erosion and Sediment Control Plan (see Condition B11); (c) Construction Noise Management Plan (see Condition B18); (d) Unexpected Finds Protocol (see Condition B44); (e) Landscape Management Plan (see Condition B46); and (f) Community Consultation and Complaints Handling.	Construction	<ul style="list-style-type: none"> • All included in approved CEMPs 	Compliant
C4	The Applicant must: (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.	Construction	<ul style="list-style-type: none"> • Warehouse 4: 23/2/2021 (CC1 Item 6) • Warehouse 1: 3/3/2021 (CC1 Item 36) • Warehouse 2: 13/12/2022 (CC1 Item 33) 	Compliant
C5	REVISION OF STRATEGIES, PLANS AND PROGRAMS Within three months of: (a) the submission of a Compliance Report under condition C11; (b) the submission of an incident report under condition C7; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,		<ul style="list-style-type: none"> • Reviews undertaken but no significant issues or incidents warranting revision of any strategies, plans or programs during the reporting period 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing that a review is being carried out.			
C6	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review. <i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i>	<i>All phases</i>	<ul style="list-style-type: none"> No revisions undertaken during the reporting period 	Compliant
C7	REPORTING AND AUDITING Incident Notification, Reporting and Response The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.	<i>All phases</i>	<ul style="list-style-type: none"> No incidents identified during the reporting period 	Not Triggered
C8	Non-Compliance Notification The Planning Secretary must be notified in writing to the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	<i>All phases</i>	<ul style="list-style-type: none"> No non-compliances identified during the reporting period 	Compliant
C9	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.	<i>All phases</i>	<ul style="list-style-type: none"> No non-compliances identified during the reporting period 	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
C10	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	<i>All phases</i>	<ul style="list-style-type: none"> No non-compliances identified during the reporting period 	Not triggered
C11	<p>Compliance Reporting</p> <p>Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:</p> <p>(a) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(b) describe what measures will be implemented over the next year to improve the environmental performance of the development</p>	<i>All phases</i>	<ul style="list-style-type: none"> Compliance Report 3 dated May 2026 	Compliant
C11A	Unless otherwise agreed in writing by the Planning Secretary, the Applicant must record in a logbook, the manufacturer, model and type details of all refrigerated transport containers that have visited Warehouse 2 and submit this logbook as part of the Compliance Report in Condition C11.	<i>All phases</i>	<ul style="list-style-type: none"> Confirmation via email that refrigerated transport containers are not being used by Warehouse 2 tenant 	Compliant
C12	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.	<i>All phases</i>	<ul style="list-style-type: none"> Compliance reports have been made publicly available via the SBP website. 	Compliant
C13	<p>Monitoring and Environmental Audits</p> <p>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</p>	<i>All phases</i>	Reference condition only	Not Triggered



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	<p>incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.</p> <p><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></p>			
C14	<p>ACCESS TO INFORMATION</p> <p>At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> (i) the documents referred to in Condition A2 of this consent; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans and programs required under the conditions of this consent; (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (v) 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; (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; (vii) a summary of the current stage and progress of the development; 	All phases	<ul style="list-style-type: none"> • Appropriate information is provided on the proponent’s website as required <p>https://sydneybusinesspark.com.au/privacy-policy/</p>	Compliant



Cond.	Compliance Requirement	Development Phase	Evidence and Comments	Compliance Status
	(viii) contact details to enquire about the development or to make a complaint; (ix) a complaints register, updated monthly; (x) the Compliance Report of the development; (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; (xii) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.			

APPENDIX B

COMPLIANCE REPORT DECLARATION FORM


Project Name	Sydney Business Park Stage 3
Project Application Number	SSD 10477
Description of Project	The construction and operation of four warehouse and distribution facilities, ancillary parking and infrastructure and two estate roads.
Project Address	Lots 3001 to 3007 in DP 1272401 Hollinsworth Road, Marsden Park
Proponent	Marsden Park Developments Pty Ltd (trading as Sydney Business Park)
Title of Compliance Report	Operation Compliance Report
Date	May 2026

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

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. compliance with all relevant conditions of consent was assessed when preparing the Compliance Report;
- iv. the findings of the Compliance Report are reported truthfully, accurately and completely;
- v. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- vi. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

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

Name of Authorised Reporting Officer	Ray Manio
Title	CEO , Sydney Business Park
Signature	
Qualification	BComm - Maj Accounting Sub Maj Law. & CPA
Company	Marsden Park Developments Pty Ltd
Company Address	15 Hollinsworth Road, Marsden Park NSW 2765