

Development Consent

Section 4.16 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

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



Glenn Snow
Director
Transport and Water Assessments

Sydney 07/11/2023

SCHEDULE 1

Application Number:	DA 23/12346
Applicant:	ACFS Port Logistics
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 21 DP 1068292; 9 Bumborah Point Road, Matraville
Development:	Comprising of: • removal of five (5) existing stormwater pits and reconstruction of five (5) culvert riser pits; and • construction of six (6) additional stormwater pits.

DEFINITIONS

Applicant	ACFS Port Logistics or any other person carrying out any development to which this consent applies
BCA	Building Code of Australia
Blue Book	Managing Urban Stormwater: Soils & Construction (4 th edition, Landcom 2004)
CEMP	Construction Environmental Management Plan
Certifier	Has the same meaning as in Part 6 of the EP&A Act
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development and other infrastructure permitted by this consent
Council	Randwick City Council
Demolition	The removal of existing structures including pavement, geo-fabric and stormwater drainage structures
Department	NSW Department of Planning and Environment
Development	The development described in Schedule 1, the SEE, and additional information, for the removal of five (5) existing stormwater pits, reconstruction of five (5) culvert riser pits; and construction of six (6) additional stormwater pits as modified by the conditions of this consent.
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
Feasible	Means what is possible and practical in the circumstances
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Principal Certifier	Means the principal certifier and has the same meaning as in Part 6 of the EP&A Act

Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
SEE	The Statement of Environmental Effects titled ' <i>Statement of Environmental Effects Proposed modification to existing drainage infrastructure 9 Bumborah Point Road Matraville 2036, Lot 21 DP1068292</i> ,' prepared by Willowtree Planning Pty Ltd dated 31 August 2023, submitted with the application for consent for the development, including any additional information or reports provided by the Applicant in support of the application.
Site	The land defined in Schedule 1
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the <i>Protection of the Environment Operations Act 1997</i>
Works	Any physical activity for the purpose of the development

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the SEE;
 - (d) in accordance with the approved plans in the table below:

Table 1 | Approved Plans

Design Plans prepared by Mott Macdonald			
Dwg No.	Rev	Name of Plan	Date
703100695-MMD-01-XX-DR-C-3001	P2	Tyne ACFS Bumborah Point Terminal Redevelopment Drainage Overall Layout Plan	1/11/2023
703100695-MMD-01-XX-DR-C-3034	P2	Tyne ACFS Bumborah Point Terminal Redevelopment Drainage Details Sheet 4	1/11/2023
703100695-MMD-01-XX-DR-C-3035	P2	Tyne ACFS Bumborah Point Terminal Redevelopment Drainage Details Sheet 5	1/11/2023
703100695-MMD-01-XX-DR-C-3036	P2	Tyne ACFS Bumborah Point Terminal Redevelopment Drainage Details Sheet 6	1/11/2023
Survey Plan prepared by Axiom Spatial Surveyors			
Dwg No.	Rev	Name of Plan	Date
22616001: Sheet 1	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022
22616001: Sheet 2	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022
22616001: Sheet 3	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022
22616001: Sheet 4	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022
22616001: Sheet 5	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022
22616001: Sheet 6	00	Plan showing level and detail over Lot 21 in DP 1068292	17/11/2022

- (e) generally in accordance with the following documents:
- (i) Appendix 1: 'Tyne ACFS Bumborah Point Terminal Redevelopment Drainage Design Report [Ref: 703100695-MMD-01-XX-TN-C-0001],' prepared by Mott Macdonald, dated 29 March 2023, as amended by the Design Plans prepared by Mott Macdonald in Table 1
 - (ii) Appendix 6: 'Site Management Plan for the Bunnerong Power Station Site, Lots 11, 20, 21, 22 and 23 Bumborah Point Road, Port Botany prepared for Sydney Ports Corporation [Ref: 43027-015/ 43346010/ 4321 8123/ R001_REV8],' prepared by URS Australia Pty Ltd, dated 17 March 2010

- (iii) Appendix 9: 'Tyne ACFS Bumborah Point Terminal Redevelopment Desktop Flooding Report, Proposed modification to existing drainage infrastructure at 9 Bumborah Point Road, Matraville [Ref: 703100695-MMD-01-XX-TN-C-0002],' prepared by Mott Macdonald, dated 24 August 2023
 - (iv) Appendix 10: '9 Bumborah Point Road, Port Botany Modifications to existing stormwater pits – Methodology,' prepared by Statewide Civil, no date
 - (v) 'Response to Request for Information – prepared by Willoughtree Planning, dated 16 October 2023
 - (vi) Cost Summary Report prepared by Statewide Civil dated 19 May 2023
- 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 (a) above.
- 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. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in this consent, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Structural Adequacy

- A6. All new structures and any alterations or additions to existing structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

- 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.

Compliance

- A7. 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.

Incident Notification, Reporting and Response

- A8. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au, immediately after the Applicant becomes aware of any 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.
- A9. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

- A10. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au, within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary in writing to compliance@planning.nsw.gov.au, within seven days after they identify any non-compliance.
- A11. The 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.

- A12. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Revision of Strategies, Plans and Programs

- A13. Within three months of:

- (a) the submission of an incident report under conditions A8 and A9;
- (b) the approval of any modification of the conditions of this consent; or
- (c) the issue of a direction of the Planning Secretary under condition A2 which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.

- A14. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (but only where previously approved by the Certifier and if the condition allows). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) 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.

Compliance Reporting

- A15. A Pre-Construction Compliance Report must be prepared for the development and submitted to the Certifier for approval before the commencement of construction. A copy of the endorsed compliance report must be provided to the Planning Secretary at compliance@planning.nsw.gov.au before the commencement of construction.
- A16. The Pre-Construction Compliance Report must include:
- (a) details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and
 - (b) the expected commencement date for construction.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

No Works Prior To Construction Certificate

- B1. Work must not commence until a Construction Certificate in respect of the work has been issued.

All Conditions Under This Section to be Met

- B2. All relevant conditions under this section must be met prior to the issue of any relevant Construction Certificate.

Appointment of Certifier

- B3. Prior to the issue of any relevant Construction Certificate, the Applicant must:
- (a) appoint a Principal Certifier in accordance with the relevant provisions of the EP&A Act and EP&A Regulation, and
 - (b) The Principal Certifier must submit to the Planning Secretary and Council an "Appointment of Principal Certifier".

Long Service Levy

- B4. Prior to the issue of any relevant Construction Certificate, the Applicant must provide evidence to the Certifier that any long service levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid.

Building Code of Australia (BCA) Compliance

- B5. The proposed works must comply with the applicable Performance Requirements of the relevant sections of the BCA to achieve and maintain acceptable standards of structural sufficiency, safety, health and amenity for the ongoing benefit of the community. Compliance with the Performance Requirements can only be achieved by:
- (a) compliance with the Deemed to Satisfy Provisions of the BCA; or
 - (b) Performance Solution which demonstrates:
 - (i) compliance with all relevant Performance Requirements of the BCA or
 - (ii) the solution is at least equivalent to the Deemed to Satisfy Provisions; or
 - (c) a combination of B5 (a) and (b) above.

Prior to the issue of the first Construction Certificate, a report detailing compliance with the Building Code of Australia is to be submitted to the satisfaction of the Certifier.

PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION OR WORKS

Notification of Commencement

- C1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- C2. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Certified Drawings

- C3. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

Certified Plans

- C4. Plans certified in accordance with section 6.16 of the EP&A Act are to be submitted to the Certifier and the Planning Secretary prior to commencement of each stage of the works and must include details as required by any of the following conditions.

A copy of the Construction Certificate must be submitted to the Planning Secretary and Council.

Protection of Public Infrastructure

- C5. Prior to the commencement of construction, the Applicant must:
 - (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.

Construction Environmental Management Plan

- C6. Prior to the commencement of works which are part of the Development, a Construction Environmental Management Plan must be submitted to the satisfaction of the Principal Certifier. The Plan must address, but not be limited to the following and confirm to these conditions of consent where applicable:
 - (a) the date of commencement of works,
 - (b) hours of works,
 - (c) contact details of site manager,
 - (d) complaints procedure
 - (e) waste and recycling management including details on:
 - (i) the location for recycling of building materials,
 - (ii) the identification of any asbestos or other hazardous material and the location for disposal,
 - (iii) the location for disposal of building waste, and
 - (iv) the location for disposal of excess spoil.
 - (f) erosion and sediment control
 - (g) suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters, and
 - (h) the Safe Work Method Statement required by Appendix 6 of the SEE (condition A2 (e)(ii)).

Works may not commence until a Construction Environmental Management Plan has been approved by the Principal Certifier. The Applicant must comply with any Construction

Environmental Management Plan approved by the Principal Certifier under this condition. A copy of the documentation must be submitted to the Planning Secretary prior to the commencement of the works. This condition can be satisfied for the whole development or progressively for various sections of the development.

Soil and Water

- C7. As part of site establishment works, the Applicant must:
- (a) install erosion and sediment controls on the site to manage wet weather events; and
 - (b) divert existing clean surface water around operational areas of the site.
- C8. As part of site establishment works, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.

Contamination

- C9. Prior to the commencement of works, an **Unexpected Contamination Finds (UFP) Protocol** prepared by a suitably qualified and experienced expert must be prepared. The UFP Protocol should include detailed procedures for identifying and dealing with unexpected contamination, asbestos and other unexpected finds. The Applicant should ensure that the UFP Protocol includes details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved. The UFP Protocol must be submitted to the satisfaction of Certifier. The UFP Protocol must be implemented for the duration of construction works.

Demolition

- C10. The demolition work must comply with the provisions of Australian Standard AS2601:2001 – *Demolition of Structures*, *NSW Work Health & Safety Act 2011* and the *NSW Work Health & Safety Regulation 2011*. The work plans required by AS2601:2001 must be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement must be submitted to the Principal Certifier prior to the commencement of works.

All demolition work must be undertaken in accordance with the *Demolition Code of Practice* (NSW Work Cover July 2015).

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

Asbestos Notification Requirements

- C11. The following notification requirements apply to this consent:
- (a) The Applicant must notify adjoining landowners five (5) working days prior to disturbance of the capping layer. Such notification is to be a clearly written note giving the date works will commence, contact details of the developer/builder, licensed asbestos removalist and the appropriate regulatory authority.
 - (b) Five (5) working days prior to works, the Applicant is to provide written notification to Council advising of the asbestos removal date, details of the SafeWork licensed asbestos removalist and the list of landowners advised of the works.
 - (c) Where works contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

Work Involving Asbestos Removal

- C12. All asbestos removal work must be carried out by an asbestos removalist who is licensed to carry out the work in accordance with the *Work Health & Safety Act 2011* and the *Work Health & Safety Regulation 2011* unless specified in the Act and/or Regulation that a license is not required.

- C13. Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the *Work Health and Safety Regulation 2011*.

Stormwater Drainage

- C14. Stormwater drainage structures must be designed and constructed in accordance with AS/NZS 3500.3.

Capping Layer

- C15. Reinstatement of the marker layer and capping layer must be carried out in accordance with the documents listed in Condition A2.

PART D DURING CONSTRUCTION OR WORKS

Site Notice

- D1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
 - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
 - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, site/project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice(s); and
 - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

Approved Plans to be On-Site

- D2. A copy of the approved and certified plans, specifications and documents incorporating conditions of consent and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Construction Hours

- D3. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7.00am and 6.00pm, Mondays to Fridays inclusive; and
 - (b) between 8.00am and 1.00pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- D4. Where the development involves the use of jack hammers/rock breakers and the like, or other heavy machinery, such equipment may only be used between the hours of 7:00am to 5:00pm Monday to Friday only.

Implementation of Management Plan

- D5. The Applicant must carry out the construction of the development in accordance with the CEMP required by Condition C6.

Construction Traffic

- D6. All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

Disposal of Seepage and Stormwater

- D7. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Air Quality

- D8. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D9. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;

- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Emergency Management

- D10. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Waste Storage and Processing

- D11. All waste generated during construction 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.
- D12. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D13. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.
- D14. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- D15. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

Contamination

- D16. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.
- D17. Any new information which comes to light during construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the relevant authority.

Fill

- D18. Any excavated material to be removed from the site is to be assessed, classified, transported, and disposed of in accordance with the EPA's 'Waste Classification Guidelines Part 1: Classifying Waste'
- D19. Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* (NSW) and the *Protection of the Environment (Waste) Regulation 2005* (NSW). The Applicant must record details of volume and type of fill used and must make these records available to the Certifier upon request.
- D20. Any fill material subject to a Resource Recovery Exemption received at the site must be accompanied by documentation demonstrating that material's compliance with the conditions of the exemption, and this documentation must be provided to any officer of the Department or the Principal Certifying Authority on request.

PART E PRIOR TO OCCUPATION CERTIFICATE

Protection of Public Infrastructure

- E1. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, alter or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

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

Building Code of Australia (BCA) Compliance

- E2. Prior to the issue of any Occupation Certificate, evidence must be provided to the satisfaction of the Certifier that the proposed works have been completed in accordance with the Building Code of Australia (BCA) and Condition B5.

APPENDIX 1 ADVISORY NOTES

General

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.

Legal Notices

AN2. Any advice or notice to the consent authority must be served on the Planning Secretary.

Utilities and Services

AN3. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN4. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

SafeWork Requirements

AN5. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

AN6. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN7. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary via 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 A8 or, having given such notification, subsequently forms the view that an incident has not occurred.
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.
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.
4. 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.