

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Planning Secretary under delegation executed on 11 May 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



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A/Director

Industry Assessments

Sydney

10 October 2025

File: EF25/5067

SCHEDULE 1

Application Number:	DA25/5067
Applicant:	The Trustee for Armatree Farming Trust
Consent Authority:	Planning Secretary
Site:	7 Harry Sullivan Avenue and 12 Perry James Crescent Lot 9 and 10 DP1212873
Development:	Construction and operation of a rural supplies development

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DEFINITIONS

Additional Information	Correspondence by Premise Australia dated 1 August 2025 in response to the Department's request for information, including the document titled 'Hazardous Industry Assessment Report Rural Supply Premises Screening and Preliminary Hazard Analysis' prepared by Sherpa Consulting, dated 4 July 2025
Applicant	The Trustee for Armatree Farming Trust, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Carrier	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
Council	Moree Plains Shire Council
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the SEE, Additional Information and Supplementary Stormwater Information, including the works and activities comprising construction and operation of the development, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
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
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance Note: "Material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual 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) Note: This definition excludes "harm" that is either authorised under this consent or any other statutory approval Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements

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
Operation	The carrying out of the rural supplies premises as described in the SEE
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
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
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 POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the SEE and Additional Information;
 - (d) in accordance with the Development Plans in Appendix 1.
- 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).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

NOTIFICATION OF COMMENCEMENT

- A6. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction; and
 - (b) operation.
- A7. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

EVIDENCE OF CONSULTATION

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A9. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- 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.
- 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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A12. Prior to the commencement of construction of the development, the Applicant must consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure.
- 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;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Note: Council must be consulted on connections to utility services including for sewerage, drainage and approval under section 68 of the Local Government Act 1993.

DEMOLITION

- A14. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A15. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

EXTERNAL WALLS AND CLADDING

- A16. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A17. Prior to the issue 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
 - (b) an Occupation Certificate,
- 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.
- A18. 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.

COMPLIANCE

- A19. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A20. Prior to the issue of a Construction Certificate for any part of the development, a payment of \$8,700, being 1% of the proposed cost of carrying out the development (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 under section 7.12 of the EP&A Act and in accordance with the Moree Plains Shire Council Local infrastructure Contributions Plan 2025.

OPERATION OF PLANT AND EQUIPMENT

- A21. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A22. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A23. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A24. 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.

ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

HAZARDS AND RISK

Emergency Response

- B1. No later than two months prior to the commencement of operation of the development, or within such further period as the Planning Secretary may agree, the Applicant must develop a comprehensive Emergency Plan and detailed emergency procedures for the development. The Emergency Plan must:
- (a) be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning';
 - (b) include consideration of the safety of all people outside of the development who may be at risk from the development; and
 - (c) include notification and action to be taken for the caravan park, residential areas and the Moree airport.
- B2. The Applicant must:
- (a) not commence operation until the Emergency Plan required by condition B1 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Emergency Plan approved by the Planning Secretary for the duration of the development.
- B3. Prior to the commencement of operation of the development, the Applicant must prepare an Emergency Services Information Package, developed in accordance with the Fire and Rescue NSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*.

Dangerous Goods

- B4. The transport movement of dangerous goods to and from the development must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B5. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B6. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards; and
 - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B7. In the event of an inconsistency between the requirements of conditions B6(a) and B6(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

- B8. 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 *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

Work Health and Safety

- B9. No less than two months prior to the construction of the development, the Applicant must provide a letter to the Planning Secretary reporting the outcomes of consultation with Safework NSW on the arrangements of minimising work health and safety risks.

AIRPORT SAFEGUARDING

Wildlife Attraction

- B10. To minimise the risk of wildlife attraction at the development, the Applicant must:
- (a) ensure all waste is stored in enclosed containers;
 - (b) minimise bird perching opportunities through building design and/or anti-perching devices; and
 - (c) ensure all bird feed products are packaged and/or stored in enclosed containers.

Note: The Airports (Protection of Airspace) Regulation 1996 applies to any intrusions into prescribed airspace, which could include:

- constructing permanent structures, such as buildings, into the protected airspace;
- temporary structures such as cranes protruding into the protected airspace; or
- activities causing non-structural intrusions into the protected airspace, such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter.

If any of the above components would result in a further impact on protected airspace, approval will need to be obtained in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulation 1996. A referral must also be made to the Airport Manager of the Moree Regional Airport.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B11. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) detail the traffic control measures that are to be implemented to ensure road safety and efficiency during construction; and
 - (c) be included in the application for a Construction Certificate.

Roadworks and Access

- B12. Prior to the commencement of construction of the development, the Applicant must submit design plans to the satisfaction of Council which demonstrate the proposed site access driveways to the development from Harry Sullivan Avenue and Perry James Crescent are designed:
- (a) to accommodate the turning path of a 26 metre B-Double vehicle; and
 - (b) in accordance with the Moree Plains Development Control Plan 2013 and Moree Plains Shire Council's Vehicular Crossing (Driveway) Policy.
- B13. Prior to the issue of any Construction Certificate for any work within a road reserve, the Applicant must obtain approval for the works from Council under section 138 of the *Roads Act 1993*.
- B14. The Applicant must complete the construction of the site access driveways to Harry Sullivan Avenue and Perry James Crescent in accordance with the design plans prepared under condition B12 to the satisfaction of Council.

Parking

- B15. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with operation of the development does not utilise public and residential streets or public parking facilities.

Signage

- B16. Prior to the commencement of operation of the development, the Applicant must
- (a) install all traffic control signs identified on the plan titled 'Vehicle Turning Paths', Drawing No.C006 Revision A, prepared by Premise, dated 18 January 2024, with the exception of the 'No Truck' sign on the Perry James Crescent driveway; and
 - (b) install an 'Entry Only' sign facing east on the Harry Sullivan Avenue site driveway.

Operating Conditions

- B17. The Applicant must ensure:
- (a) supplier deliveries must be scheduled to avoid conflicts between heavy and light vehicle movements within the site; and
 - (b) no more than two heavy rigid vehicles are at the development at any given time.
- B18. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890.1:2004 *Parking facilities Off-street car parking* (Standards Australia, 2004), AS 2890.2:2018 *Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and AS 2890.6:2009 *Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (c) the development does not result in any vehicles queuing on the public road network;
 - (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
 - (e) all vehicles enter and exit the site in accordance with the signage installed in accordance with condition B16;
 - (f) all vehicles are wholly contained on site before being required to stop;

- (g) all loading and unloading of materials is carried out on-site; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B19. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material approved in writing by EPA is brought onto the site for use as fill;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary upon request.

Erosion and Sediment Control

- B20. Prior to the commencement of any construction for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.
- B21. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B20 for the duration of construction of the development.

Earthworks

- B22. Any earthworks carried out as part of the development must be carried out in a manner that is consistent with the recommendations of the 'Site Classification Report' prepared by SMK Consultants dated 25 March 2024.

Discharge Limits

- B23. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B24. Prior to the commencement of construction of the stormwater management system, the Applicant must finalise the detailed design of the stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be generally in accordance with the conceptual design in the SEE and Additional Information;
 - (c) meet the stormwater design requirements of Performance Criteria PC23 regarding pervious surfaces and on-site stormwater detention infrastructure in Section 6.1.2.7 of the Moree Special Activation Precinct Delivery Plan;
 - (d) be in accordance with applicable Australian Standards; and
 - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;
- B25. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B24) and ensure the system is operational.
- B26. The Applicant must maintain the stormwater management system installed on the site under condition B25 for the duration of the development.

AIR QUALITY

Dust Minimisation

- B27. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B28. During construction of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
 - (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.

NOISE

Hours of Work

- B29. The Applicant must comply with the hours detailed in Table 1.

Table 1 Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday – Friday	8 am to 5.30 pm
	Saturday	8 am to 12 pm
	Sunday	Closed

B30. Works outside of the hours identified in condition B29 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B31. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (ICNG) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented.

Operational Noise

B32. The Applicant must ensure the use and operation of the development does not give rise to any offensive noise (as defined in the POEO Act).

ABORIGINAL HERITAGE

Unexpected Finds Protocol

B33. 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) Heritage NSW must be contacted immediately.

B34. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

HISTORIC HERITAGE

Unexpected Finds Protocol

B35. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:

- (a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;
- (b) Heritage NSW must be contacted immediately; and
- (c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

B36. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY

Tree Protection Measures

B37. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of Australian Standard 4970:2009 – *Protection of Trees on Development* for the duration of the development.

WASTE MANAGEMENT

Waste Storage

B38. Waste must:

- (a) be secured and maintained within designated waste storage areas at all times;
- (b) be stored in a manner consistent with the requirements of condition B10; and
- (c) not leave the site onto neighbouring public or private properties.

Pests, Vermin and Priority Weed Management

B39. 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.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

VISUAL AMENITY

Landscaping

B40. Prior to the commencement of operation of the development, the Applicant must establish the landscaping identified on the following drawings prepared by Rawco Projects and Design:

- (a) drawing titled 'Site Plan' dated 11 April 2025, Sheet No.03, Issue E; and
- (b) drawing titled 'Block Layout' dated 11 April 2025, Sheet No.07, Issue E.

B41. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved drawings identified in condition B40 for the life of the development.

Lighting

B42. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019);
- (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; and
- (c) meets the design requirements of the *National Airports Safeguarding Framework Guideline E – Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*, including *Attachment 1 – Diagram of Maximum Intensity of Light Sources*, and the *Moree Regional Airport Master Plan 2014*, which require a maximum light emission intensity of zero candela for light sources measured at three degrees above the horizontal zone for development in Zone A (as identified on Figure 24 of the Moree Special Activation Precinct Master Plan).

Signage and Fencing

B43. All signage and fencing must be erected in accordance with the development plans included in the SEE.

Note: This condition does not apply to temporary construction and safety related signage and fencing.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (c) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (e) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (f) a protocol for managing and reporting any:
 - (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
 - (g) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan;
 - (b) Erosion and Sediment Control Plan; and
 - (c) Community Consultation and Complaints Handling.
- C4. The Applicant must include the CEMP in the application for a Construction Certificate.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
- (a) the submission of an incident report under condition C7;
 - (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(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed.
- C6. If identified as part of the review process (see condition C5) or considered necessary to improve the environmental performance of the development, 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 required under condition C5, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

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.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C7. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C8. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 2 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

- C9. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).
- C10. A non-compliance notification submitted under condition C9 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

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

ACCESS TO INFORMATION

- C11. At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent with the exception of any hazard and risk related studies;
 - (iv) contact details to enquire about the development or to make a complaint;
 - (v) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

<i>Architectural Drawings Prepared by Rawco Projects and Design</i>			
Sheet No.	Issue	Dated	Title
00	E	11.04.2025	Cover Sheet
01	E	11.04.2025	Floor Plan
02	E	11.04.2025	Elevations
03	E	11.04.2025	Site Plan
04	E	11.04.2025	Section & Details
05	E	11.04.2025	Roof Layout
06	E	11.04.2025	Erosion Control Plan
07	E	11.04.2025	Block Layout
<i>Civil Engineering Plans Prepared by Premise</i>			
Sheet No.	Revision	Dated	Title
C001	A	18.01.2024	Title Sheet & Site Locality
C002	A	18.01.2024	Existing Site Layout
C003	A	18.01.2024	Overall Site Layout Plan
C004	A	18.01.2024	Site Layout Plan, Sheet 1 of 2
C005	A	18.01.2024	Site Layout Plan, Sheet 2 of 2
C006	A	18.01.2024	Vehicle Turning Paths
C007	A	18.01.2024	Stormwater Layout Plan
C008	A	18.01.2024	Sewer Reticulation Layout Plan
C009	A	18.01.2024	Water Reticulation Layout Plan

APPENDIX 2 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C7), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, 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.
6. 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.