

Modification of Project Approval

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

As delegate of the Minister for Planning, the Independent Planning Commission modifies the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



**Professor Snow Barlow (Chair)
Member of the Commission**

Sydney

4 November 2019

SCHEDULE 1

Project Approval:	MP 08_0255 granted by the Minister for Planning on 11 January 2012
For the following:	Elf Mushroom Farm and Substrate Plant Project
Proponent:	Elf Farm Supplies Pty Ltd and Elf Mushrooms
Consent authority:	Minister for Planning and Public Spaces
On land comprising:	Substrate Plant Site Lot 14 DP 1138749 and part Lot 13 DP 1138749 108 Mulgrave Road, Mulgrave Mushroom Farm Site Lot 138 DP 752037 521 The Northern Road, Londonderry
Modification:	MP 08_0255 MOD 2: modification to the Mushroom Farm Site only to: <ul style="list-style-type: none">• increase the main building footprint from 400m by 79m to 460m by 200m (total GFA of 88,178m²)• increase the number of growing rooms from 55 to 66• integrate the proposed workshop, loading dock, spent substrate store, office and reception and spent compost drying area into the reconfigured main building• increase parking spots from 55 to 123 car spaces• increase the amount of fill required from 100,000m³ to 113,000m³• decrease the operation workforce from 165 to 113 workers at full capacity

SCHEDULE 2

The above approval is modified as follows:

- (a) The definitions table is amended by the insertion of the **bold and underlined** words/numbers and the deletion of the ~~struck-out~~ words as follows:

OEH <u>EESG</u>	Office of Environment and Heritage <u>Environment, Energy and Science Group of the Department of Planning, Industry and Environment.</u>
EPA	Environment Protection Authority of OEH
NOW <u>DPIE Water</u>	NSW Office of Water <u>Department of Planning, Industry and Environment Water Division</u>
Noise Wall Project	As described in the EA, <u>and as modified by MOD 2</u> The development described in the EA as modified by MOD 1 <u>and MOD 2</u>

- (b) The definitions table is amended by inserting the following definitions in alphabetical order:

<u>MOD 2</u>	<u>The modification as described in the Environmental Assessment titled <i>MUSHROOM FARM Proposed Section 75W Modification to Concept Plan (MP 08-0225) Elf Mushroom Farm</i> dated August 2016, prepared by Urban City Consulting, as amended by the Response to Submissions titled <i>ENVIRONMENTAL ASSESSMENT MUSHROOM FARM Proposed Section 75W Modification to (MP 08-0225) Elf Mushroom Farm</i> prepared by Urban City Consulting and dated August 2018 including the letter from Northern Auto Wreckers dated 28 August 2018, as revised by the additional Response to Submissions sent by email on 21 February 2019 from Greg Hall of Urban City Planning and email received from Greg Hall on 6 June 2019.</u>
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<u>OTMP</u>	<u>Operational Traffic Management Plan</u>
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- (c) Schedule 2 – Administrative Conditions, Condition 2 is amended by the insertion of the **bold and underlined** words/numbers and the deletion of the ~~struck-out~~ words as follows:

2. The Proponent shall carry out the project generally in accordance with the:
- EA;
 - statement of commitments (see Appendix 1);
 - site layout plans and drawings in the EA; ~~and~~
 - MOD 1; **and**
 - MOD 2.**

- (d) Schedule 2 – Administrative Conditions, Condition 8 is amended by the insertion of the **bold and underlined** words/numbers and the deletion of the ~~struck-out~~ words as follows:

LIMITS ON APPROVAL

Mushroom Farm Site

8. The proponent shall ensure that the Mushroom Farm Site does not produce more than 220 tonnes of mushrooms per week. **Records of weekly mushroom production levels and details of the break-down of total volume distributed shall be kept on site at all times and made immediately available to the Secretary on request.**

- (e) Schedule 3 – Specific Environmental Conditions – Mushroom Farm Site, Condition 1 is amended by the insertion of the **bold and underlined** words as follows:

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

1. The Proponent shall prepare and implement a Construction Environmental Management Plan for the Mushroom Plant site to the satisfaction of the Secretary. This Plan must:
- (a) be prepared in consultation with ~~NOW~~ **DPIE Water** and EPA;
 - (b) be submitted for approval prior to commencement of construction, and include:
 - a noise and vibration management plan including a noise monitoring program that can be used to demonstrate compliance with the construction noise criteria in Condition 15 below;
 - an air quality management plan;
 - a soil and water management plan, including details of the erosion and sediment control measures to be used on site;
 - a flora and fauna management plan;
 - a heritage management plan, including the programs/procedures to be implemented in the event that previously unidentified relics are discovered (Condition 21)
 - a waste management plan; and
 - **a construction traffic management plan which addresses haulage routes, traffic safety and the number of truck movements required to import the identified fill for the site.**
- (f) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 6 is amended by the insertion of the **bold and underlined** words/numbers and the deletion of the ~~struck-out~~ words/numbers as follows:

Hazard and Risk

6. The Proponent shall:
- (a) provide and manage a ~~24~~ **25** metre wide APZ between the buildings on the Mushroom Farm site and any bushfire hazard;
 - (b) implement suitable measures to minimise the risk of fire on the Mushroom Farm site;
 - (c) extinguish any fires on the Mushroom Farm site promptly;
 - (d) maintain adequate fire-fighting capacity on the Mushroom Farm Site; and
 - ~~(e) construct the proposed office building in compliance with section 7 (BAL 29 40) Australian Standard AS 3959-2009 Construction of buildings in bush fire-prone areas and section A3.7 Addendum Appendix 3 of Planning for Bushfire Protection 2006.~~

- (g) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 13 is amended by the insertion of the **bold and underlined** words as follows:

Water Management Plans

- 13(i) The Proponent shall prepare and implement an operational Water Management Plan for the Project on the Mushroom Farm site in consultation with EPA, Penrith City Council and ~~NOW~~ **DPIE Water** to the satisfaction of the Secretary. The plan must
- be submitted to the Secretary for approval prior to the commencement of operations;
 - include a **detailed Stormwater Operation and Management Plan** that includes **the measures outlined in the Stormwater Management report prepared by Barker Ryan and Stewart reference 20070166 Revision G dated 11 April 2016 as supplemented by addendum Stormwater Management report prepared by Harris Environmental Consulting dated 15 March 2018; and**
 - a** Recycled Water Management Plan.

13(ii) Prior to the commencement of construction, the Proponent shall seek approval from Penrith Council under Section 68 of the Local Government Act to install and operate the Onsite Sewage Management System. The application shall include an Effluent Management Plan detailing monitoring and maintenance arrangements.

- (h) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 14 is amended by the insertion of the **bold and underlined** words as follows:

Construction Noise Mitigation

~~14. The Proponent shall install the northern environmental bund prior to commencement of any other construction works at the Mushroom Farm site.~~

~~Installation of the northern environmental bund must be completed within a period of not more than 3 months.~~

- (i) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 15 is amended by the insertion of the **bold and underlined** words/numbers and the deletion of the ~~struck-out~~ words/numbers as follows:

Construction Noise Criteria

15. The Proponent shall ensure that the construction noise generated at the Mushroom Farm site does not exceed the criteria in Table 4.

Table 4: Construction Noise Criteria dB(A)

Receiver / Location	Day L _{Aeq} (15 minutes)
Receiver 1 – 493 <u>503</u> The Northern Road, Londonderry	49
Receiver 2 - 509 The Northern Road, Londonderry	54
Receiver 3 – 1 Thomas Road, Londonderry	54
Receiver 4 – 6-16 Timothy Road, Londonderry	45

Notes:

- Noise generated by the Project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy for Industry.
- The construction noise criteria do not apply to any works associated with the installation of the northern environmental bund (Condition 14 above).

- (j) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 16 is deleted and replaced with the following:

Operational Noise Criteria

16. The Proponent shall ensure that the operational noise generated by the Mushroom Farm site does not exceed the criteria in Table 5.

Table 5: Project Noise Trigger Levels dB(A)

Receiver/Location	Shoulder period * (5-7am) L _{Aeq} (15 minute)	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Sleep Disturbance L _{A1} (1 minute)	
					Night	Shoulder period (5am – 7am)
R1 503 The Northern Rd*	44	44	44	38	52	54
R2 509 The Northern Rd	47	48	45	38	52	57
R3 1 Thomas Rd	47	48	45	38	52	57
R4 6-16 Timothy Rd	40	40	40	38	52	52

Notes:

- Noise generated by the Project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy for Industry.
* “Shoulder period” noise trigger level should not exceed Day or Evening noise trigger levels.

- (k) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 18 is amended by the insertion of the **and property owner of 1 Thomas Road, Penrith (identified as location “R3”)** words/numbers as follows:

Noise Management Plan

18. The Proponent shall prepare and implement a Noise Management Plan for the Mushroom Farm site in consultation with EPA **and property owner of 1 Thomas Road, Penrith (identified as location “R3”)** to the satisfaction of the Secretary. The Plan must be submitted to **and approved by** the Secretary for approval prior to commencement of operations **construction** and include a noise monitoring protocol for evaluating compliance with the noise impact assessment criteria **in Conditions 15 and 16** of this approval.

The Noise Management Plan **must** also include **all mitigation measures for both the construction and operations identified in the acoustic reviews titled ‘Acoustic Review Modified Operations Mushroom Farm Londonderry’ dated 5 April 2016 prepared by Atkins Acoustics and Associates Pty Ltd and ‘Acoustic Review (Amended Development Application) Modified Operations, Mushroom Farm, 521 The Northern Road, Londonderry’ dated 5 February 2019 prepared by Acoustic Consulting Engineers Pty Ltd. Mitigation measures must be**

implemented at the commencement of construction or as identified in the reports.

The Noise Management Plan must also include measures that restrict operations along the southern side of the building during night-time hours to mitigate intermittent noise impacts associated with truck movements and air brake release.

- (l) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 20 is amended by the insertion of the **bold and underlined** words/numbers as follows:

Vegetation Management Plan

- 20(i) The Proponent shall prepare and implement a Plan for the Vegetation Management Area to the satisfaction of the Secretary. This plan must be prepared in consultation with ~~OEH~~ **EESG** by a suitably qualified and experienced expert/s whose appointment has been approved by the Secretary. The plan must:
- be submitted to **and approved by** the Secretary ~~for approval~~ prior to the commencement of construction on the Mushroom Farm site;
 - identify all vegetation that is present within the vegetation management area (as shown in Appendix 5);
 - include the recommendations of the ‘Addendum Flora and Fauna Assessment 521 The Northern Road Londonderry’ dated 7 July 2015 and prepared by Fraser Ecological Consulting;**
 - include details of the mechanism that will be used to ensure that the vegetation within the area is protected in perpetuity;
 - describe the management measures that will be implemented to maintain and enhance the vegetation within the area over time, including fencing of *Dillwynia tenuifolia* and *Persoonia nutans*. **This should also include management measures aimed at ensuring that the implementation and management of the APZ protects the *Dillwynia tenuifolia* and *Persoonia nutans*;**
 - provide details of all trees scheduled for removal noting that trees to be felled with a Diameter at Breast Height (DBH) of 30cm or greater, once felled, are to be sawn into 2-6m lengths and relocated into the proposed conservation area identified in Appendix 5; and**
 - include a detailed weed condition map as a baseline from which site rehabilitation/management can be measured.

Note: all vegetation rehabilitation work is to be supervised by an appropriately qualified and experienced person with minimum qualifications of TAFE Certificate III in Bush Regeneration or Conservation and Land Management - Natural Area Restoration and 4 years bush regeneration experience.

- (m) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, after Condition 20(i), insert the following new condition:

Fauna Inspection

20(ii) Prior to the commencement of works, including the removal of any trees associated with the approved development, an inspection for resident threatened fauna (including an inspection of hollows) must be undertaken by a qualified wildlife handler/expert and any fauna found relocated.

- (n) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 22 is amended by the insertion of the **bold and underlined** words and the deletion of the ~~struck-out~~ words as follows:

VISUAL AMENITY

22. Prior to commencement of construction works, the Proponent shall prepare and implement a Landscape Management Plan for the Project to the satisfaction of the Secretary. This Plan must:
- (a) be prepared in consultation with Penrith City Council;
 - (b) **be submitted to and approved by** the Secretary prior to commencement of construction works;
 - ~~(c) where practicable, provide for the early planting of advanced plants along the northern and southern boundaries to minimise the visual impacts of the Project; and~~
 - (d) use predominantly endemic species,
 - ~~(e) where practicable, provide for the early planting of advanced plants along the northern, and southern boundaries to minimise the visual impacts of the Project;~~
 - (f) provide for the maintenance of landscaping on site; **and**
 - (g) **provide for the early planting of advanced plants along the northern, southern and eastern boundaries to screen and soften the expanse of the main structure.**
- (o) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, after Condition 22, insert the following new condition:

22A. Prior to the commencement of construction works of the main building, the Proponent shall prepare a schedule of materials and finishes. To reduce glare and minimise visual intrusiveness, the visible light reflectivity from the materials and finishes must not exceed 20% reflectivity. The schedule of materials and finishes and evidence that these are consistent with the 20% reflectivity must be submitted to and endorsed by the Secretary prior to the issue of the relevant Construction Certificate.

- (p) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 28 is amended by the insertion of the **bold and underlined** number as follows:

Car Parking

28. The Proponent **must** engage a suitably qualified and experienced expert to prepare a car parking study to re-evaluate parking requirements for stages 2 to 5 of the Project on the Mushroom Farm site. The study shall:
- (a) be submitted to the satisfaction of the Secretary prior to commencement of construction works for stage **2**; and
 - (b) provide recommendations as to whether the car parking is sufficient.
- (q) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, Condition 29 is amended by the insertion of the **bold and underlined** words/numbers as follows:
29. The Proponent shall ensure that:
- (a) **the layout of the proposed parking areas (including driveways, grades, turn paths, sight distances requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) must comply with AS 2890.1–2004, AS2890.6-2009 for cars and AS2890.2 for heavy vehicles;**

- (b) vehicles associated with the Project do not park or queue on the public road network at any time; and
 - (c) all vehicles enter and leave the site in a forward direction.
- (r) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, after Condition 29, insert the following new condition:

Operational Traffic Management Plan

30. **Prior to the commencement of operation, the Proponent must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Secretary.**

The Plan must be prepared by a suitably qualified and experienced person(s) as approved by the Secretary and must:

- (a) **be prepared in consultation with Council and RMS;**
 - (b) **detail the measures to be implemented to ensure road safety and network efficiency;**
 - (c) **detail heavy vehicle routes, access and parking arrangements;**
 - (d) **detail measures aimed at minimising conflict between heavy vehicle and light vehicles accessing the site;**
 - (e) **include a Driver Code of Conduct;**
 - (f) **include onsite traffic control measures; and**
 - (g) **include measures to minimise traffic noise in particular from reversing, loading and unloading and noise from exhaust brakes.**
- (s) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, after Condition 30, insert the following new conditions:

Bushfire Protection

31. **At the commencement of building works and for the perpetuity of the development, a minimum 25 metre distance shall be maintained as an inner protection (IPA) as outlined in Section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006', and the NSW Rural Fire Services document 'Standards for asset protection zones'.**
32. **All new construction shall comply with Sections 3 and 8 (BAL 40) of Australian Standard AS3959-2009 'Construction of buildings in bush fire prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.**
33. **The provision of water, electricity and gas is to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.**
34. **Property access roads must comply with section 4.2.7 of 'Planning for Bushfire Protection 2006'.**
35. **Emergency and evacuation arrangements must comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.**
- (t) Schedule 4 – Specific Environmental Conditions – Mushroom Farm Site, after Condition 35, insert the following new condition:

Integrated Bushfire and Vegetation Management

36. **Prior to the commencement of construction works on the Mushroom Farm Site, the Proponent must demonstrate to the satisfaction of the Secretary that:**

- (a) **a minimum 25 metre wide APZ; and**
- (b) **appropriate landscaping to screen and soften the appearance of the structure**

can both be provided.

(u) Schedule 5 – Environmental Management and Reporting, Condition 3 is amended by the insertion of the **bold and underlined** words and the deletion of the ~~struck-out~~ words as follows

3. ~~By the end of September 2016,~~ **Within 6 months of commencement of operations, and** annually thereafter, unless otherwise agreed by the Secretary, the Proponent shall review the environmental performance of the Project to the satisfaction of the Secretary. This review must:
- (a) describe the operations that were carried out during the reporting period;
 - (b) analyse the monitoring results and complaints records of the Project during the reporting period, which includes a comparison of these results against the:
 - i. relevant statutory requirements, limits or performance measures/ criteria;
 - ii. monitoring results of previous years; and
 - iii. relevant predictions in the EA
 - (c) identify any non-compliance during the reporting period, and describe what actions were (or are being) taken to ensure compliance;
 - (d) identify any trends in the monitoring data over the life of the Project; and
 - (e) describe what measure(s) will be implemented during the next reporting period to improve the environmental performance of the Project.

(v) Schedule 5 – Environmental Management and Reporting, Condition 3A is amended by the insertion of the **bold and underlined** numbers and the deletion of the ~~struck-out~~ numbers as follows

- 3A. Within six months of the approval of MOD 42, and every two years thereafter, unless otherwise agreed by the Secretary, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:
- (a) be conducted by suitably qualified, experienced and independent team of experts (including an odour expert), whose appointment has been endorsed by the Secretary;
 - (b) include consultation with the relevant agencies;
 - (c) include a full odour audit of the Project, taking into consideration the relevant technical guidelines and any odour complaints made since the previous audit;
 - (d) assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any other licenses and approvals that apply to the project, (including any assessment, plan or program required under these approvals);
 - (e) review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate;
 - (f) recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals.

Within six weeks of the completing of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

(w) Replacing Appendix 1- Statement of Commitments with the revised Statement of Commitments as shown below:

Revised Statement of Commitments

Proposed Mushroom Growing Farm

521 The Northern Road Londonderry

August 2019

Outcome	Commitment	Timing
Environmental Management	Prepare and subsequently implement and environmental management plan for construction, consistent with the environmental assessment and conditions of the approval as amended by this application	Prior to the issue of any Construction Certificate
	Identify and clearly mark vegetation on site to be retained and not be removed.	Prior to any construction works commencing on site
	Instruct all contractors involved with the construction on site the requirements of the environmental management plan prepared for the site	Prior to and during any construction works on site.
Minimise Soil erosion and sediment depositions	Implement erosion and sediment controls consistent with the environmental management plan and keeping them in place on the site until the works are completed or the areas are rehabilitated and the need for the controls are no longer required.	Prior to any construction works commencing on site and maintained until no longer required on site.
	Progressively rehabilitate areas that are disturbed during the construction phase with grass or landscaping as outlined in the environmental management plan	During the construction phase.
Control Nuisance Dust	Implement the following dust mitigation measures as follows: <ul style="list-style-type: none"> • Restrict vehicles to a defined route on the site; • Limit vehicle speeds on site for unsealed surfaces; • Maintain the haul routes on site for the fill trucks in a damp state; • Apply temporary stabilisation material to any exposed surface that is unlikely to be disturbed for a period of longer than 3 months and • Rehabilitate finished exposed surfaces as soon as practically possible to reduce the potential for wind generated dust nuisance. 	During the construction phase.
Minimise construction noise	Implement the following construction noise mitigation measures.	During the construction phase.

	<ul style="list-style-type: none"> • Construct the proposed northern acoustic mound as soon as practical in the construction phase on the development; • Select appropriate plant and equipment having regard to controlling noise emissions including reversing alarm noise; • Reduce operating speeds of equipment where practical and switch off idle plant when not in active use on the site; • Arrange vehicular access to work areas on site to allow for forward vehicle travel and minimising reversing or manoeuvring wherever possible; • Provide site induction for all contactors and personnel on the correct use of plant and equipment to minimise any potential noise impact; • Regular inspection on site of the plant and equipment to ensure the noise criteria are met; • Comply with standard construction hours for working on the site; • Establish a noise complaint procedure with contact phone number and logging and response protocols; • Review the use of mobile plant reversing alarms including altering work practices and or replacing with less intrusive devices where practical. 	
Manage Construction Traffic	Prepare in consultation with the Roads and Maritime Services (RMS) and implement a traffic management plan for the construction phase including suitable signage on The Northern Road of heavy vehicle entry.	Prior to any construction commencing on site.
	Construct the intersection of the site access and The Northern Road to a Type CHR in accordance with the Austroads Guide to Road Design Part 4A: <u>Unsignalised and Signalised Intersection</u>	Prior to the issue of any occupation certificate for the development.
Minimise Visual Impact	Implement the following measures to reduce visual impact: <ul style="list-style-type: none"> • External building colours and finishes to reduce glare and minimise visual obtrusiveness; • Construct and landscape mounds along the northern property boundary and The Northern Road Boundary as shown on the amended approved plans as soon as practically possible once the construction works have commenced on the site. 	During construction phase and prior to the issue of any occupation certificate for the development.

	<ul style="list-style-type: none"> • Plant the proposed landscape mounds and areas using a mixture of semi advanced trees, shrubs and ground covers to achieve early coverage and height enhancement; • Maintain the planting on the mound and other landscape areas and replace any vegetation that has died until the landscaping has been established; • Retain as much as possible of the existing mature native plantings along The Northern Road front setback area. • Provide additional plantings in the front setback area of The Northern Road especially in the south eastern corner to restrict view from vehicles travelling north along The Northern Road; • Provide additional plantings along the southern property boundary to reduce the view of the development from the adjoining residence; • During the construction minimise the areas of physical disturbance to the site at any one time and revegetate the disturbed areas that are visible from beyond the site that are not required as hardstand. 	
<p><i>Protect Cultural Heritage</i></p>	<p>Implement the following management practices/protocols:</p> <ul style="list-style-type: none"> • Should an Aboriginal object be identified on site during the construction phase, work is to cease, and notification be given the Office of Heritage and Environment. (OEH) A qualified archaeologist and representative of the Deerubbin LALC be engaged and notified. The archaeologist is to develop an appropriate mitigation or management strategy in consultation of with OEH and the LALC and the EMP be amended. • Should skeletal remains be discovered during construction works the works are to cease immediately on site and be reported to the Police. If the remains are of Aboriginal origin notification be given the Office of Heritage and Environment. (OEH) A qualified archaeologist and representative of the Deerubbin LALC be engaged and notified. 	<p>During the construction phase.</p>

<p>Protect Flora and Fauna</p>	<p>Implement the flora and fauna measures as outlined in the report prepared by Fraser Ecological Consulting:</p> <ul style="list-style-type: none"> • Prepare a Vegetation Management Plan (VMP) prior to issue of any Construction Certificate • avoid removing remnant trees wherever possible; • providing fencing between retained areas and the proposed development to prevent degradation from livestock and other potential impacts including building and road construction and asset protection zone establishment. • collect stormwater from the development in dams; • plant local native species from the Castlereagh Woodlands along The Northern Road frontage and elsewhere for landscaping to enhance the remnant of this community; • maintain pasture and suppress weeds.; • ‘Integrated Bushfire and Vegetation Management Plan’ be prepared to ensure that the threatened plants and their potential habitat are protected in perpetuity whilst ensuring the APZ complies with Inner Protection Area requirements of Planning for Bushfire Protection 2006. The plan would be prepared by an ecological restoration consultant in conjunction with a bushfire consultant to ensure compliance with the Rural Fire Service’s GTAs. The works would be done by a qualified and experienced bush regeneration company under the supervision of the project ecologist. Signage would be installed to remind contractors what actions are not permitted in the APZ to ensure protection of <i>Persoonia nutans</i> (Nodding Geebung) and <i>Dillwynia tenuifolia</i>. • All erosion and sediment controls (i.e. geotextile sediment fence and straw bales) shall be in place before any works begin so as to protect sedimentation of the riparian zone. Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with EPA guidelines. All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised. 	<p>Prior to issue of any construction certificate. Prior to works commencing on site. During construction phase.</p>
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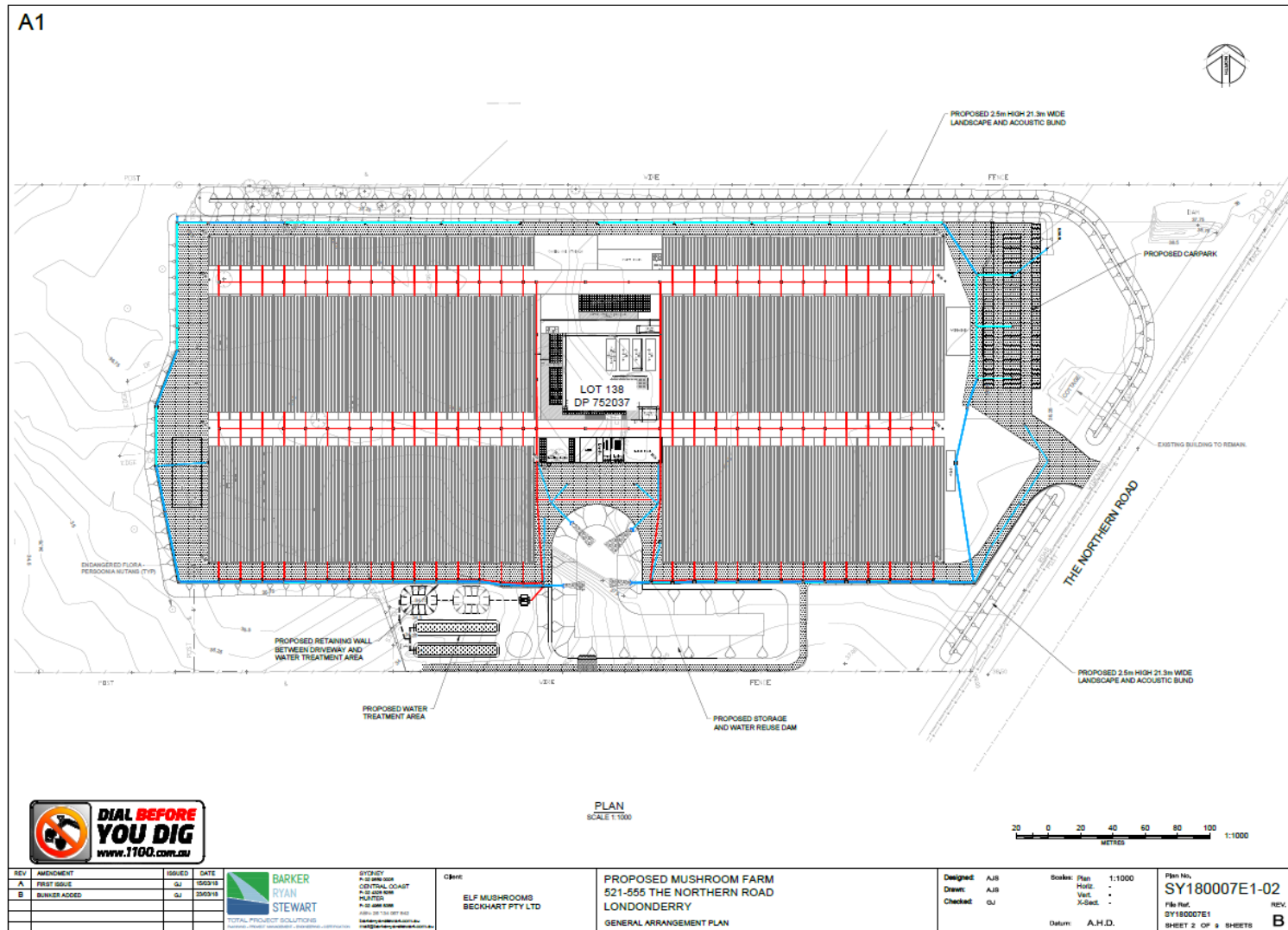
	<ul style="list-style-type: none"> The site will be managed in accordance with the <i>Protection of the Environment Operations Act 1997</i> by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development. <p>Pre-construction works refers to all site preparation activities prior to the commencement of</p> <ul style="list-style-type: none"> construction works on site. These works would include tagging of all threatened plants by an ecologist, on-site consultation with bushfire consultant about APZ establishment works to clearly identify what vegetation is required to be retained and removed. Includes installation of signage to notify contractors of the presence of threatened plant species and what actions are not permitted within the APZ. Primary restoration works, as defined under this VMP, include the completion of primary and secondary weed control and protective fencing. Practical completion of the primary restoration phase is determined by the project ecologist at which point all primary restoration actions need to have been completed. 	
Environmental Management	Prepare an operational management plan for the mushroom farm consistent with the conditions of the development consent as amended the relevant revised commitments	Prior to the issue of any occupation certificate.
Minimise Operational Noise	Operate the mushroom farm to maintain the noise levels at nearby sensitive receptors within the EPA NSW Noise Policy for Industry	During operation of the mushroom farm
	<p>Implement the following noise mitigation measures:</p> <ul style="list-style-type: none"> Implement noise control recommendations during construction and operational phases including mechanical plant to acoustic performance measures, walls and roof of plantroom to minimum acoustic performance, roof cladding acoustic requirements as outlined in the report prepared by Acoustic Consulting Engineers dated 5th February 2019. Limit vehicle speeds to maximum 20kph. Potential acoustic <u>enclosure</u> to sections of the development area Refer Acoustic Assessment Report dated 20th August 2018 which provides alternate solution to reduce the potential impact on the property known as 1 	<p>During construction phase.</p> <p>Prior to the issue of any occupation certificate.</p> <p>During operation of the mushroom farm.</p>

	<p>Thomas Road which adjoins the property to the south if there is an issue with noise from the operation of the mushroom farm causing a problem with this dwelling .</p> <ul style="list-style-type: none"> • Incorporate the operational noise management measures into the operational management plan. 	
Reducing Offensive Odour	<p>Implement the following odour controls as follows:</p> <ul style="list-style-type: none"> • Keep spent substrate retained on site for refining under cover to prevent any further wetting; • Turn and blend spent substrate from time to time to assist in aeration; • Manage and maintain the wash down water recycling system to prevent potential odour generation; • Include in the Operation Management Plan a procedure for recording and responding to any complaints that may be received pertaining to the operation of the mushroom farm; 	<p>Prior to the issue of any occupation certificate. During operation of the mushroom farm.</p>
Effectively manage operational water	<p>Install the approved water management system to manage water generated from the operation of the mushroom farm and prevent any discharge of the process water and maximise the collection, reuse of the recycled water in the operation.</p>	<p>During operation of the mushroom farm.</p>
	<p>Provide an on-site wastewater (sewerage) system to cater for the likely peak potential loads of the fully development operation.</p>	<p>During operation of the mushroom farm.</p>
	<p>Provide adequate wash down water system that will recycle and reuse the water in the mushroom farm operation.</p>	<p>During the operation of the mushroom farm.</p>
Bushfire Protection	<p>Implement the following measures to minimise bushfire risk to the mushroom farm:</p> <ul style="list-style-type: none"> • Provide a 25metre APZ to be retained for all elevations; • Provide landscaping in a manner not to compromise the integrity of the APZ. • Construction level of BAL 40 to be provided for the building; • Driveway, turning circles, suitable surface material, suitable width to be constructed for RFS vehicles; • Provide on-site a static water supply 20,000Litres (water tank, not dependent upon electricity for pumping) to supplement the reticulated supply including suitable water delivery line; 	<p>During Construction phase. Prior to issue of occupation certificate. During operation of the mushroom farm.</p>

	<ul style="list-style-type: none"> • Provide suitable hoses capable of reaching all elevations of the building; • Underground provision of services where possible. If gas to be installed to be undertaken and maintained to Australian Standards; • Preparation of a Bushfire Emergency Evacuation Plan; 	
<i>Monitor Operation and Performance</i>	Continue to monitor operation of the mushroom farm as identified in the operational management plan	During operation of the mushroom farm.

(x) Replacing Appendix 3 with the revised Mushroom Farm Site Layout as shown below:

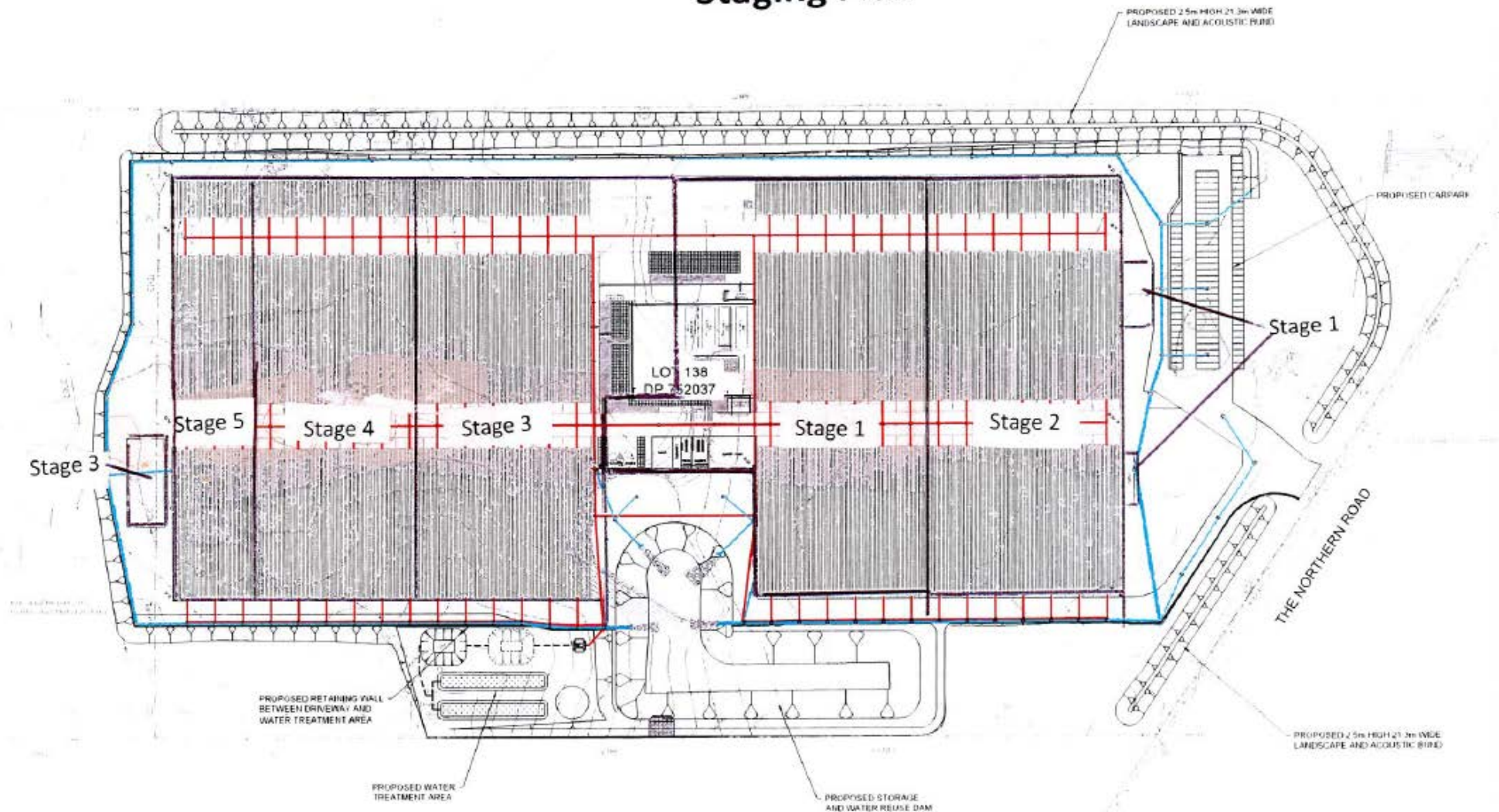
APPENDIX 3 MUSHROOM FARM SITE LAYOUT AS MODIFIED



(y) Replacing Appendix 4 with the revised Stages Mushroom Farm Site as shown below:

APPENDIX 4 STAGES MUSHROOM FARM SITE

Staging Plan



End of Modification