

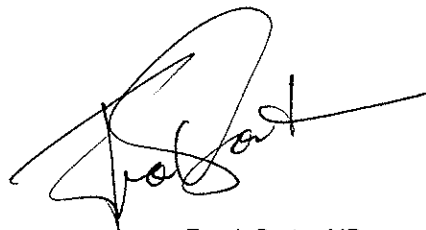
# Project Approval

## Section 75J of the *Environmental Planning and Assessment Act 1979*

I approve the project referred to in schedule 1, subject to the conditions in schedule 2.

These conditions are required to:

- prevent and/or minimise environmental impacts;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the project.



Frank Sartor MP  
Minister for Planning

Sydney

20 Dec

2007

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### SCHEDULE 1

<b>Application No:</b>	07_0093
<b>Proponent:</b>	Goodman International Limited
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 141 DP 843899
<b>Project:</b>	Construction and use of four distribution centres and associated infrastructure at the Interlink Industrial Estate in Erskine Park.

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## SCHEDULE 2

### DEFINITIONS

BCA	Building Code of Australia
Council	Penrith City Council
DCP	Penrith Development Control Plan 2006
DECC	Department of Environment and Climate Change
Department	Department of Planning
Director-General	Director-General of the Department (or delegate)
DWE	Department of Water and Energy
EA	<i>Environmental Assessment: Development Lots 1, 2, and 5, Interlink Industrial Estate, Mamre Road</i> prepared by Goodman International Limited, and dated 23 October 2007
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning &amp; Assessment Regulation 2000</i>
Interlink Industrial Estate	Includes Lots 1, 2, 3, 4, 5 and 6 of Lot 141 in DP 843899
Minister	Minister for Planning
Proponent	Goodman International Limited (or its successors in title)
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Site	Land to which the project application applies

### ADMINISTRATIVE CONDITIONS

#### Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the project.

#### Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
  - a) EA;
  - b) site plans INT DA02(D), INT DA03(D), INT DA04(D), INT DA101(C), INT DA102 (C), INT DA103(C), INT DA104(C), INT DA105(C), INT DA201(D), INT DA202(D), INT DA203(D), INT DA204(D), INT DA301(C), INT DA302(C), INT DA303(C), INT DA 304(C), INT DA305(C), INT DA401(C), INT DA402(C), INT DA403(C), INT DA404(C), INT DA405(C) and DA-0731-01 (see appendix A);
  - c) statement of commitments (see appendix B); and
  - d) conditions of this approval.
3. If there is any inconsistency between the documents in 2 a) – c), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
  - a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
  - b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

#### Management Plans/Monitoring Programs

5. With the approval of the Director-General, the Proponent may submit any management plan required by this approval on a progressive basis.

## **Structural Adequacy**

6. The Proponent shall ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.

*Notes: Under Part 4A of the EP&A Act, the Proponent 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 project.*

## **Protection of Public Infrastructure**

7. Prior to commencement of construction, the Proponent shall:
  - a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) in consultation with Council; and
  - b) submit a copy of this report to the Director-General.
8. The Proponent shall:
  - a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.
9. Prior to the construction of any utility works, the Proponent shall obtain the relevant approvals from service providers, including Sydney Water.

## **Operation of Plant and Equipment**

10. The Proponent shall ensure that all plant and equipment used on the site is:
  - a) maintained in a proper and efficient condition; and
  - b) operated in a proper and efficient manner.

## **Pre-Operation Compliance Audits**

11. Prior to the commencement of operations on each lot, the Proponent shall submit work as executed plans to the Department for all the development associated with the project. These plans must be prepared by a suitably qualified and experienced expert, and must include plans showing the work as executed plans laid over the approved plans to demonstrate that the development has been carried out in accordance with the approved plans.

## **SPECIFIC ENVIRONMENTAL CONDITIONS**

### **SOIL AND WATER**

#### **Erosion and Sediment Control**

12. During construction, the Proponent shall carry out all reasonable and feasible measures to minimise soil erosion and the discharge of sediment from the site to downstream waters.

#### **Design of Stormwater Outlets**

13. The Proponent shall ensure that the design of any stormwater outlets into a riparian zone or natural watercourse, and their spillways, is a soft engineering design and consistent with the requirements of DWE's *Watercourse and Riparian Area Planning, Assessment and Works Design Guideline*.

#### **Bunding**

14. All chemicals, fuels and oils shall be stored in appropriately banded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. The bund(s) shall be designed and installed in accordance with:
  - a) the requirements of all relevant Australian Standards; and
  - b) the DECC's *Environmental Protection Manual Technical Bulletin Bunding and Spill Management*.

## Rainwater Harvesting

15. Prior to operations on each lot, unless otherwise agreed by the Director-General, the Proponent shall provide the necessary infrastructure on site to enable roof and hardstand stormwater to be collected, stored and discharged separately to the satisfaction of the Director-General.

*Note: Unless the Director-General agrees otherwise, the roof stormwater infrastructure should include:*

- a rainwater collector system with a design capacity for the 1 in 20 year (critical duration) storm event; and
- roof water reservoirs or storage tanks with a capacity of at least 440KL/ha of roof services or 190 KL/ha gross land area (whichever is larger), and the ability to discharge flows (by way of pumped rising mains or gravity mains) to any regional rainwater harvesting infrastructure at a rate of 11.6 l/s per megalitre of storage.

16. During operations, the Proponent shall participate in any regional rainwater harvesting initiatives to the satisfaction of the Director-General.

*Note: This participation will involve making the roof stormwater infrastructure on site available for connection to any regional rainwater harvesting infrastructure.*

## Soil and Water Management

17. The Proponent shall prepare and implement a Soil and Water Management Plan for the project to the satisfaction of the Director-General. This plan must;

- a) be prepared in consultation with Council;
- b) be submitted to the Director-General for approval prior to construction;
- c) include:
  - an Erosion and Sediment Control Plan that has been prepared in accordance with the relevant requirements of Landcom's *Managing Urban Stormwater – Soils and Construction* guidelines;
  - the detailed plans for:
    - the design of the stormwater outlets;
    - the proposed stormwater management scheme in accordance with the DECC's *Managing Urban Stormwater* guidelines with consideration of any retaining walls or flood barrier walls;
    - the proposed rainwater harvesting infrastructure;
    - the specifications for the pipelines and water storage basins;
  - a program for monitoring the effectiveness of the proposed management measures.

## TRANSPORT

### Design of Internal Road and Parking

18. The Proponent shall ensure that the internal road network and parking associated with the project are designed, constructed and maintained in accordance with the latest versions of the Australian Standards AS 2890.1:2004 and AS 2890.2:2002.

### Vehicle Queuing and Parking

19. The Proponent shall ensure that:
- a) all parking generated by the project is accommodated on site, and that no vehicles associated with the project shall park on the public road system at any stage; and
  - b) that the project does not result in any vehicles queuing on the public road network.

### Bicycle Racks

20. The Proponent shall provide suitable parking for bicycles at each of the buildings on Lots 1, 2 and 5 of the Interlink Industrial Estate.

### Parking Review

21. Prior to the commencement of construction of Stage 2 of the development on Lot 1 of the Interlink Industrial Estate, the Proponent shall commission a suitably qualified expert to review the parking requirements of the development, and provide a copy of this review to the Department. If this review recommends the provision of additional car parking spaces on site, then the Proponent shall revise the detailed plans for the car parking on site, and provide additional car parking spaces to the satisfaction of the Director-General.

## VISUAL

### External Finishes

22. Prior to the commencement of construction of the facades of Building 5A and Building 1, the Proponent shall revise the detailed plans for the facades in consultation with Council, and to the satisfaction of the Director-General. These revisions must improve the articulation and external appearance of the proposed roller doors on Building 5A and the north western corner of Building 1.

### Signage

23. The Proponent shall not install any signage on site without the written approval of the Director-General. In seeking this approval the Proponent shall:
- submit detailed plans of the proposed signage, which have been prepared in consultation with Council and, for any signage visible from Mamre Road, the RTA; and
  - demonstrate that the proposed signage is consistent with the relevant requirements in the DCP.

### Landscaping

24. Within 2 months of the date of this approval, the Proponent shall revise the Landscape Management Plan in consultation with Council and to the satisfaction of the Director-General. The plan must:
- specify the number and species of trees to be planted along key boundaries, ensuring that these plantings will break the roofline of the proposed facilities;
  - include the landscaping of the corner of Mamre road and James Erskine Drive with appropriately advanced trees;
  - provide for the maintenance of landscaping on the site to the satisfaction of the Director-General; and
  - ensure that the landscaping on the site does not impede driver sight distance of vehicles entering or leaving the site.
25. Any proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.

### Lighting

26. The Proponent shall ensure that the lighting associated with the project:
- complies with the latest version of Australian Standard *AS 4282(INT)-Control of Obtrusive Effects of Outdoor Lighting*; and
  - is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

## NOISE

27. The Proponent shall only carry out construction on the site between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction is allowed on site on Sundays or public holidays.  
*Note: Construction activities may be conducted outside these hours provided that the activities are not audible at any residence beyond the boundary of the site.*
28. During the project, the Proponent shall ensure that noise from the project and all other development on the Interlink Industrial Estate does not exceed the noise limits presented in Table 1.

**Table 1: Project Noise Limits (dB(A))**

Noise Assessment Location	Day	Evening	Night
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)
Horseshoe Circuit	48	46	39
Blackwell Avenue	48	43	39

*Notes:*

- For the purposes of this condition, day is defined as the period from 7am to 6pm, Monday to Saturday, and 8am to 6pm, Sundays and Public Holidays. Evening is defined as the period from 6pm to 10pm. Night is defined as the period from 10pm to 7am, Monday to Saturday, and 10pm to 8am, Sundays and Public Holidays.
- Noise emission limits apply under meteorological conditions of wind speeds up to 3 m/s at 10 metres above ground level or temperature inversions conditions of 3 °C/100m and wind speed up to 2 m/s at 10

*metres above the ground. To determine compliance with this condition, noise from the development must be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary.*

- *However, where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.*

## **AIR**

29. During construction, the Proponent shall ensure that:
  - a) all trucks entering or leaving the site with loads have their loads covered;
  - b) trucks associated with the project do not track dirt onto the public road network; and
  - c) the public roads used by these trucks are kept a clean.
30. During the project, the Proponent shall carry out all reasonable and feasible measures to minimise the dust generated by the project, and comply with the measures detailed in the estate-wide Dust Management Plan.

## **WASTE**

31. During the project, the Proponent shall implement reasonable and feasible measures to minimise the waste generated by the project.
32. The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director General. This plan must:
  - a) be submitted to the Director-General for approval prior to the commencement of construction;
  - b) be consistent with the requirements in the DCP;
  - c) detail the measures that will be implemented to minimise waste generation associated with the project; and
  - d) include a program for monitoring the effectiveness of these measures.

## **ENVIRONMENTAL MANAGEMENT SYSTEM**

28. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:
    - a) be submitted to the Director-General for approval prior to the commencement of construction;
    - b) describe in broad terms the proposed environmental management strategy for the project;
    - c) identify the person who would be responsible for overseeing the environmental management of the project, and provide contact details for this person; and
    - d) describe the procedures that would be implemented to:
      - keep the relevant agencies informed about the progress of the project;
      - receive, handle, respond to, record and report any complaints about the project;
      - resolve any disputes that may arise during the project; and
      - respond to any non-compliances.
  29. The Proponent shall update this strategy to the satisfaction of the Director-General:
    - a) prior to operations on the site; and
    - b) every 3 years thereafter, or as directed by the Director-General.
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