Project Approval

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

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedules 2 and 3.

These conditions are required to:

- prevent, minimise, and/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 project.

Kristina Keneally MP
Minister for Planning

Sydney 28 Oct 2009

SCHEDULE 1

Application Number:	07_0153
Proponent:	Jacfin Pty Ltd
Approval Authority:	Minister for Planning
Land:	Lot 11 DP 229784
Project:	Jacfin Warehouse Project

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DEFINITIONS

BCA	Building Code of Australia
Council	Penrith City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
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	Environmental Assessment titled *Environmental Assessment Report. Part 3A Project Application (No. 07_0153). Templar Road, Erskine Park. Industrial Warehouse Development*, prepared by JBA Urban Planning Consultants and dated July 2008, as modified by the plans shown in Appendix 1
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance criteria in this approval
Material Harm to the Environment	Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Project	The development as described in the EA
Proponent	Jacfin Pty Ltd, or its successors
Realigned Creek	The realigned creek located to the north of the site boundary and approved as part of MP 06_0208, dated 1 March 2007
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
Response to Submissions	The Proponent's response to issues raised in submissions dated November 2008
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1
Statement of Commitments	The Proponent's commitments in Appendix 4

SCHEDULE 2:
ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
   (a) EA;
   (b) site plans DA01-D, DA02-D, Templar Road Extension Bridge Detail and Stormwater Quantity and Quality Control Concept Plan (see Appendix 1);
   (c) Jacfin's response to the Planning Assessment Commission's recommendations, dated 14 October 2009;
   (d) statement of commitments (see Appendix 3); and
   (e) conditions of this approval.

3. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the 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, audits or correspondence that are submitted in accordance with this approval; and
   (b) the implementation of any actions or measures contained in these documents.

Structural Adequacy

5. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, 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

6. Prior to the 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.

7. 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.

Provision of Detailed Plans

8. Prior to the commencement of construction, the Proponent shall provide a copy of the detailed plans and specifications for the project to SCA.

Section 94 Contributions

9. Prior to the commencement of construction, the Proponent shall pay Council $797,941 for road and drainage works in the Erskine Park Employment Area.

   Notes: This contribution is subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics; and may be reduced by any amount already paid by the Proponent for works included in the relevant Section 94 contributions plan, consistent with section 94(6) of the EP&A Act.

Operation of Plant and Equipment

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

Approvals for Utility Works

11. Prior to the construction of any utility works, the Proponent shall obtain any relevant approvals for these works from the relevant service providers, including Sydney Water.

Staged Submission of Plans

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

Pre-Operation Compliance Audit

13. Prior to the commencement of operations, 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 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.

Dispute Resolution

14. In the event that a dispute arises between the Proponent and Council or a public authority, other than the Department, in relation to the reasonableness of any requirements proposed by Council or a public authority arising from the conditions of this approval, the matter can be referred by either party to the Director-General for resolution.

    Note: If the dispute cannot be resolved in 28 days, the Director-General will refer the matter to an Independent Dispute Resolution Process (see Appendix 3).

SCHEDULE 3:
SPECIFIC ENVIRONMENTAL CONDITIONS

BIODIVERSITY

Offset Strategy

1. The Proponent shall:
   (a) conserve 7 hectares of land adjacent to Ropes Creek in Lot 5 in DP262211, generally consistent with Figure 1 of Appendix 2; and
   (b) re-establish and enhance the vegetation on this land, using vegetation that is endemic to the Ropes Creek Corridor, and generally consistent with the plant schedule in the *Biodiversity Management Plan for the Erskine Park Employment Area*,

   to the satisfaction of the Director-General.

2. The Proponent shall prepare and implement an Offset Strategy for the project to the satisfaction of the Director-General. This strategy must:
   (a) be prepared by a suitably qualified and experienced expert whose appointment has been endorsed by the Director-General;
   (b) be submitted to the Director-General for approval within 12 months of the date of this approval;
   (c) describe the proposed offset for the project (see condition 1 above);
   (d) include:
      - performance and completion criteria for the proposed offset;
      - a detailed description of the measures that would be implemented to:
        - re-establish and enhance the vegetation within the offset area;
        - control weeds, feral pests, and access to the offset area;
        - maintain and conserve the vegetation in the offset area; and
        - protect the offset area from development in perpetuity;
      - a program to monitor the effectiveness of these measures, and progress against the performance and completion criteria;
      - a protocol for reporting on the implementation of the strategy, which is linked to the periodic review of the strategy;
   (e) describe who would be responsible for monitoring, reviewing, and implementing the strategy.

Landscape Buffer

3. The Proponent shall:
   (a) conserve the existing trees in the Landscape Buffer (see the maps in Appendix 1);
   (b) re-establish and enhance the vegetation in the Landscape Buffer, using vegetation that is endemic to the site, and generally consistent with the plant schedule in the *Biodiversity Management Plan for the Erskine Park Employment Area*; and
   (c) provide suitable protection for the vegetation in this buffer during the construction and operation of the project,

   to the satisfaction of the Director-General.

4. The Proponent shall prepare and implement a Landscape Management Plan for the project to the satisfaction of the Director-General. This plan must:
   (a) be prepared in consultation with Council, and submitted to the Director-General for approval prior to the commencement of construction on the site;
   (b) describe the landscape strategy for the site;
   (c) demonstrate how the implementation of this strategy would complement the other landscaping or offset strategies in the area, and contribute towards the implementation of the regional biodiversity corridor between Ropes and South Creek;
   (d) include:
      - performance criteria for the proposed landscape strategy;
      - a detailed description of the measures that would be implemented to:
        - conserve the existing trees in the Landscape Buffer (see maps in Appendix 1);
        - re-establish and enhance the vegetation on site, but particularly in the Landscape Buffer; and
        - maintain and protect this vegetation over the life of the project;
   (e) a program to monitor the effectiveness of these measures, and progress against the performance criteria;
   (f) a protocol for reporting on the implementation of the plan, which is linked to the periodic review of the plan.

TRANSPORT

Access Road

5. Prior to the commencement of construction on site, the Proponent shall:
   (a) revise the design of the access road, between the intersection with the Templar Road cul-de-sac and the northern embankment of the realigned creek, to provide a minimum road width of 13 metres; and
   (b) carry out a safety audit of the proposed intersection between the access road and the Templar Road cul-de-sac,

   to the satisfaction of Council.

6. The Proponent shall ensure that the bridge across the realigned creek is at least 11 metres wide, is designed and constructed in consultation with DWE, and is generally consistent with Figure 3 of Appendix 1.

Design of Internal Roads and Parking

7. 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

8. The Proponent shall ensure that:
   (a) all parking generated by the project is accommodated on site, and that no vehicles associated with the project 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

9. The Proponent shall provide parking for bicycles and associated facilities such as change rooms.

SOILS AND WATER

Discharge Limits

10. Except as may be expressly provided in an Environmental Protection Licence for the project, the Proponent shall comply with Section 120 of the *Protection of the Environment Operations Act 1997*.

Bunding

11. All liquid chemicals, fuels and oils shall be stored in appropriately-bunded 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 DECC's *Storing and Handling Liquids: Environmental Protection* manual.

Design of Stormwater Outlets & Spillways

12. The design of any stormwater outlets into a riparian zone or natural watercourse and their spillways must be a soft engineering design and must be consistent with the DWE's *Guidelines for controlled activities: Outlet structures.*

Rainwater Harvesting

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

    Note:
    a) 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 330KL/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.*

b) The relevant infrastructure may be provided on a progressive basis, in accordance with confirmation of the Regional Rainwater Harvesting Scheme's feasibility, and the status of the scheme. In this regard, the dual pipework for the warehouse buildings can be provided in conjunction with the building construction. The required storage tanks, and associated connecting pipes, can be installed in conjunction with the construction of the regional infrastructure (ie. regional trunk mains and connector pipes) by the relevant infrastructure provider.

14. 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.

Water Management

15. Within 3 months of the date of this approval, the Proponent shall verify that the stormwater management system for the project meets Council's water quality objectives and onsite detention requirements in accordance with the *Penrith Development Control Plan 2006*, to the satisfaction of the Director-General.

16. 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 and SCA, and submitted to the Director-General for approval prior to the commencement of construction on the site;
    (b) include a Sediment and Erosion Control Plan that must:
        - be consistent with the requirements of Landcom's (2004) *Managing Urban Stormwater: Soils and Construction*;
        - identify the activities on site that could cause soil erosion and generate sediment; and
        - describe what measures would be implemented to minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures; and maintain these structures over time:
    (c) include a Stormwater Management Scheme that must:
        - be generally consistent with the Stormwater Quantity and Quality Control Concept Plan (see Appendix 1);
        - be prepared in accordance with DECC's *Managing Urban Stormwater* guideline;
        - demonstrate that post development flows will not exceed pre-development flows;
        - includes detailed plans of the proposed stormwater detention, treatment and control infrastructure, and any stormwater outlets into a riparian zone or natural watercourse and their spillways; and
        - describes the measures that would be implemented to maintain this infrastructure during the life of the project;
    (d) describe the proposed rainwater harvesting strategy for the project (see condition 13 above).

NOISE

17. Unless the Director-General agrees otherwise in writing, the Proponent shall comply with the construction and operation hours in Table 1.

Table 1: Construction and Operation Hours for the Project

Activity	Day	Time
Construction	Monday – Friday	7am to 6pm
	Saturday	7am to 1pm
	Sunday and Public Holidays	Nil
Operation	All days	Any time

Notes:

- *Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any residence beyond the boundary of the site; and*
- *Emergency work to avoid the loss of life, property and/or prevent environmental harm may be undertaken outside the hours in Table 1.*

18. The Proponent shall ensure that the noise from the operation of the project does not exceed the noise limits presented in Table 2.

Table 2: Project Noise Limits (dB(A))

Day	Evening	Night		Location
$L_{Aeq\ (15\ minute)}$			$L_{A1\ (1\ minute)}$ or $L_{A\ max}$	
45	45	42	51	At any residence or other noise sensitive receiver

Notes:

a) To determine compliance with the $L_{Aeq\ (15\ minute)}$ noise level limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of a dwelling where the dwelling (rural situations) is more than 30 metres from the boundary. To determine compliance with the $L_{A1\ (1\ minute)}$ noise level limits in the above table, noise from the project is to be measured at 1 metre from the dwelling façade. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC 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.

b) The noise emission limits identified in the above table apply under meteorological conditions of:
- *wind speeds of up to 3 m/s at 10 metres above ground level; and*
- *temperature inversion conditions of up to 3ºC/100m, and wind speeds of up to 2 m/s at 10 metres above ground level.*

c) The noise limits do not apply if the Proponent has an agreement with the relevant owner of lands within these locations to generate higher noise levels and the Proponent has advised the Department in writing of the terms of this agreement.

19. Within 90 days of the commencement of operations on the site, the Proponent shall carry out a Noise Audit of the project to the satisfaction of the Director-General. This audit shall:
    (a) be undertaken by a suitably qualified and experienced person whose appointment has been endorsed by the Director-General;
    (b) be carried out during a period in which the project is operating at normal capacity;
    (c) assess whether the project is complying with the relevant noise impact assessment criteria in this approval;
    (d) provide details of any complaints received on the noise impacts of the project, and any action taken to respond to these complaints; and
    (e) identify additional measures that could be implemented to ensure compliance should any non-compliance be detected.

VISUAL

20. The Proponent shall ensure that the landscaping, fencing and signage on site do not to impede the desired sight lines of all road users, including pedestrians and cyclists.

Lighting

21. The Proponent shall ensure that all the lighting installed on the site:
    (a) complies with the latest version of Australian Standard *AS 4282(INT)-Control of Obtrusive Effects of Outdoor Lighting*; and
    (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties, including the adjoining biodiversity corridor, or the public road network.

Signage and Fencing

22. The Proponent shall ensure that the fencing between the site and the Warragamba-Prospect pipelines complies with the latest version of Australian Standard *AS 1725:2003*.

23. The Proponent shall not install any signage or fencing on site without the written approval of the Director-General. In seeking this approval the Proponent shall:
    (a) submit detailed plans of the proposed signage or fencing, which have been prepared in consultation with Council and where relevant the SCA; and
    (b) demonstrate that this signage or fencing is consistent with the relevant requirements in the DCP for the Erskine Park Employment Area or the latest version of Australian Standard *AS 1725:2003*.

DUST

24. The Proponent shall carry out all reasonable and feasible measures to minimise the dust generated by the project.

25. 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) public roads used by these trucks are kept clean.

ABORIGINAL HERITAGE

26. The Proponent shall prepare and implement an Aboriginal Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:
    (a) be prepared in consultation with the DECC and relevant Aboriginal groups, and submitted to the Director-General for approval prior to the commencement of construction on the site;
    (b) identify all known heritage items on the site and areas of archaeological significance;
    (c) specify the procedures to be implemented for sub-surface investigations to salvage any artefacts on the site; and
    (d) provide management procedures for the conservation of any identified artefacts during the sub-surface investigations or the construction of the project.

    Note: The appropriate Aboriginal groups are Deerubbin Local Aboriginal Land Council, Darug Custodian Aboriginal Corporation, Darug Tribal Aboriginal Corporation and Darug Aboriginal Cultural Heritage Assessments.

WASTE

27. The Proponent shall:
    (a) minimise the waste generated by the project; and
    (b) ensure that any waste generated by the project is appropriately stored, handled, and disposed of, to the satisfaction of the Director-General.

ENERGY EFFICIENCY

28. The proponent shall implement all reasonable and feasible measures to minimise energy use on the site.

29. The Proponent shall prepare and implement an Energy Efficiency 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 operations on the site;
    (b) describe the measures that would be implemented to minimise energy use on the site; and
    (c) include a program for monitoring the effectiveness of these measures, and a protocol for the periodic review of the plan.

ENVIRONMENTAL MANAGEMENT STRATEGY

30. 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 on the site:
    (b) provide the strategic context for environmental management of the project;
    (c) identify the statutory requirements that apply to the project;
    (d) describe the procedures that would be implemented to:
        - keep the local community and relevant agencies informed about the construction and operation of the project;
        - receive, handle, respond to, and record any complaints about the project;
        - resolve any disputes that may arise during the course of the project;
        - respond to any non-compliance; and
        - respond to emergencies; and
    (e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.

INCIDENT REPORTING

31. The Proponent shall notify the Director-General of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the incident, the Proponent shall provide the Director-General with a detailed report on the incident.

APPENDIX 1:
SITE LAYOUT PLANS

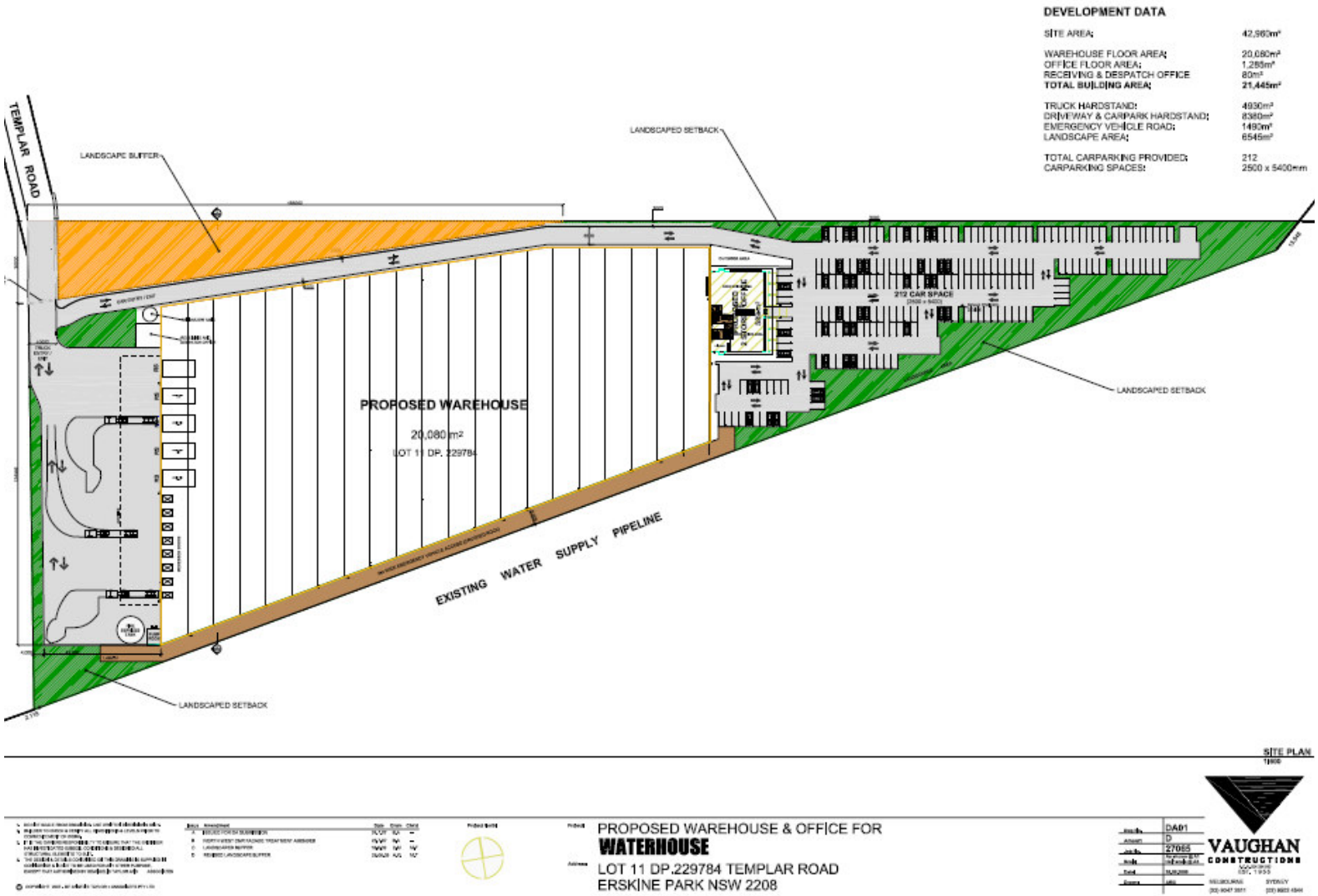


Figure 1: Site Layout

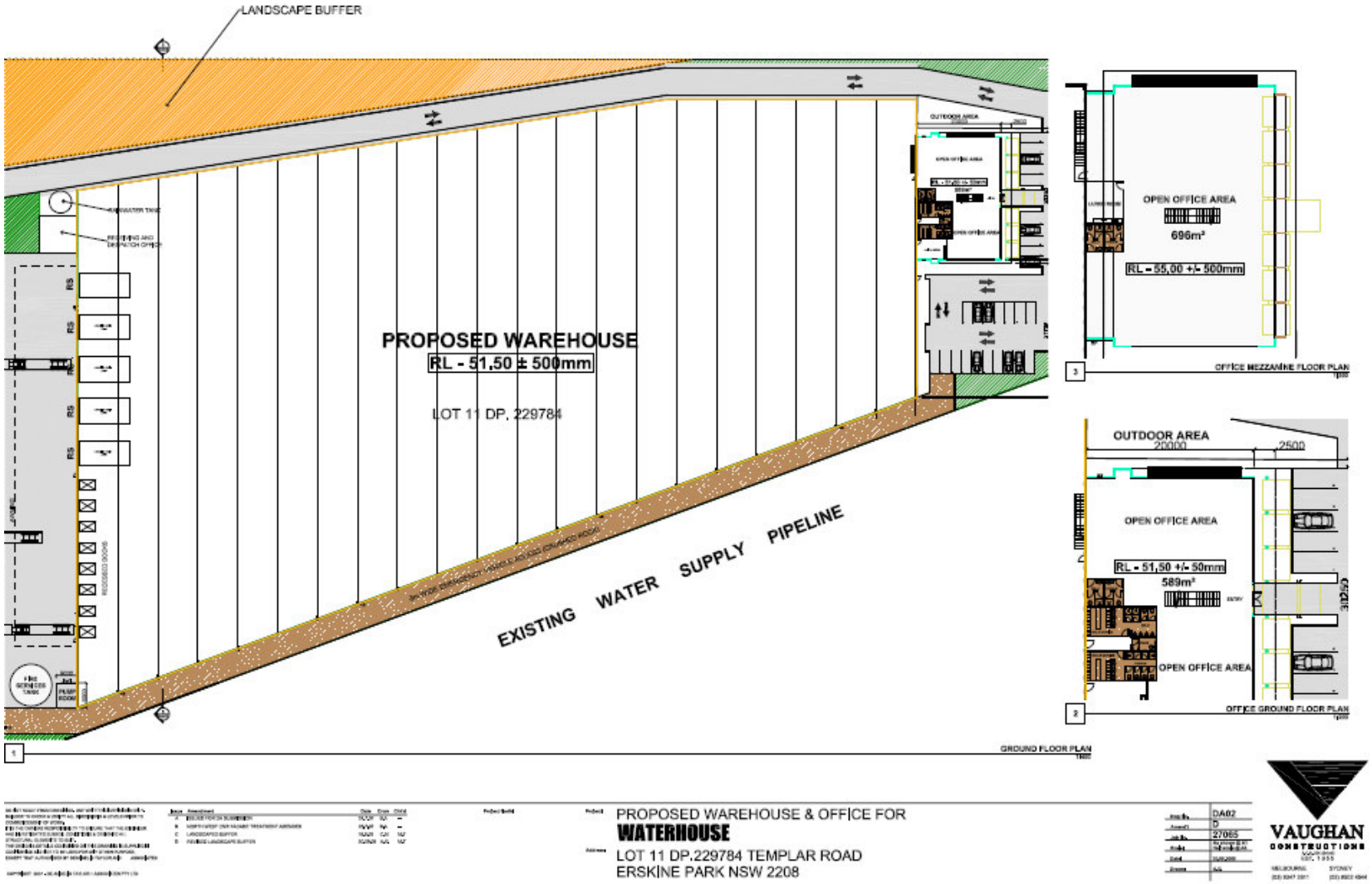


Figure 2: Warehouse Layout

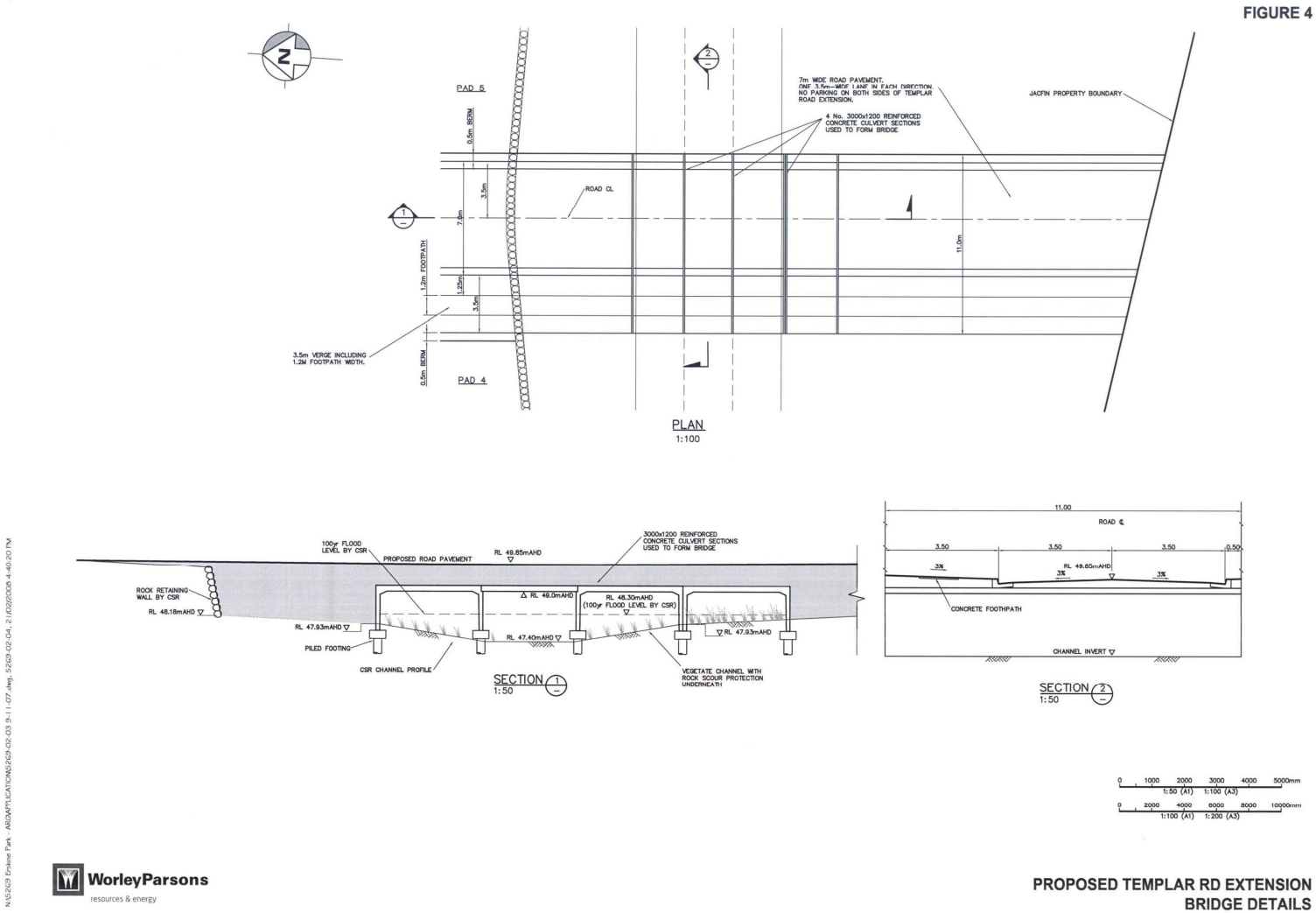
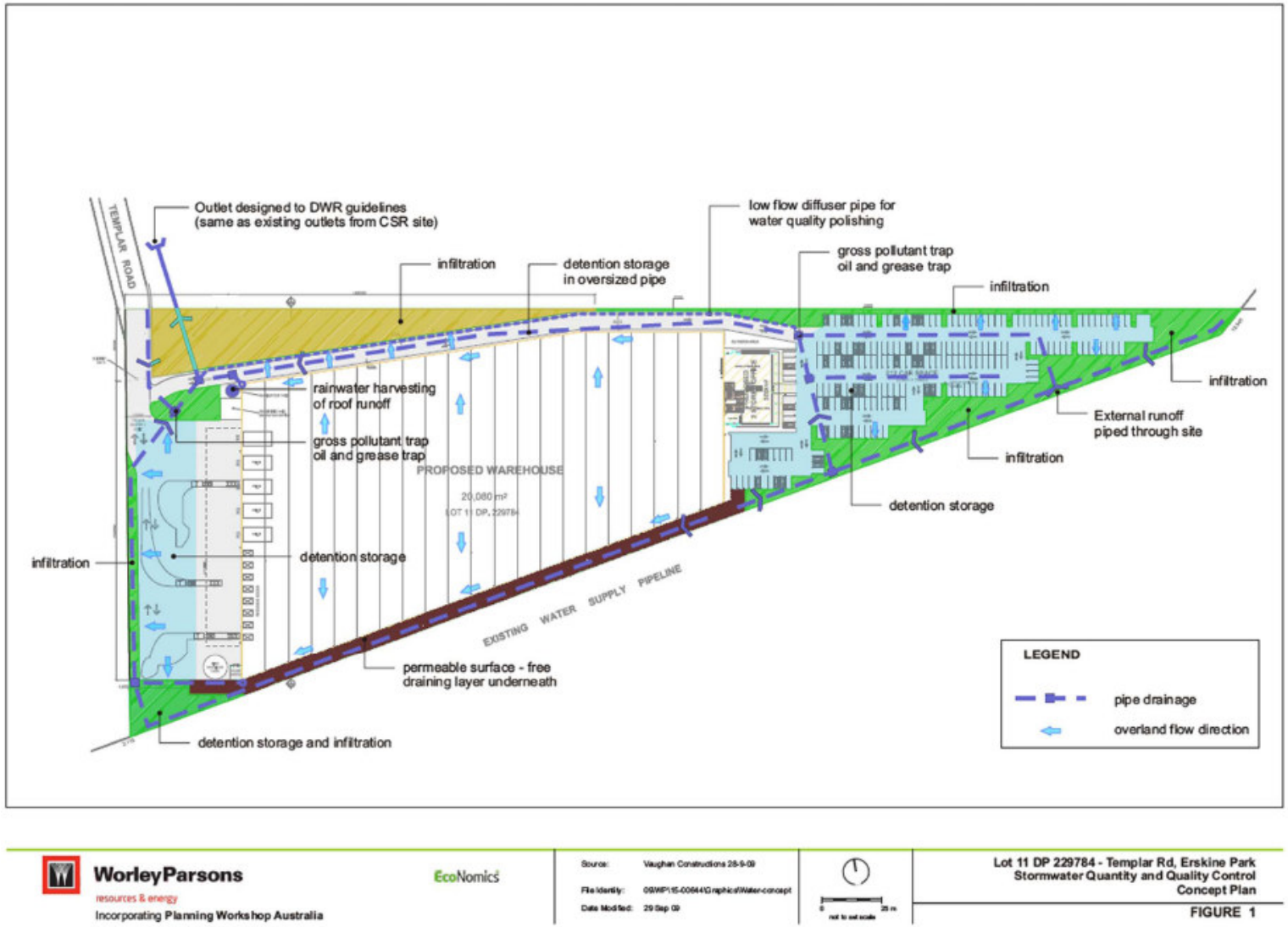


Figure 3: Bridge Design



WorleyParsons
resources & energy
Incorporating Planning Workshop Australia

EcoNomics

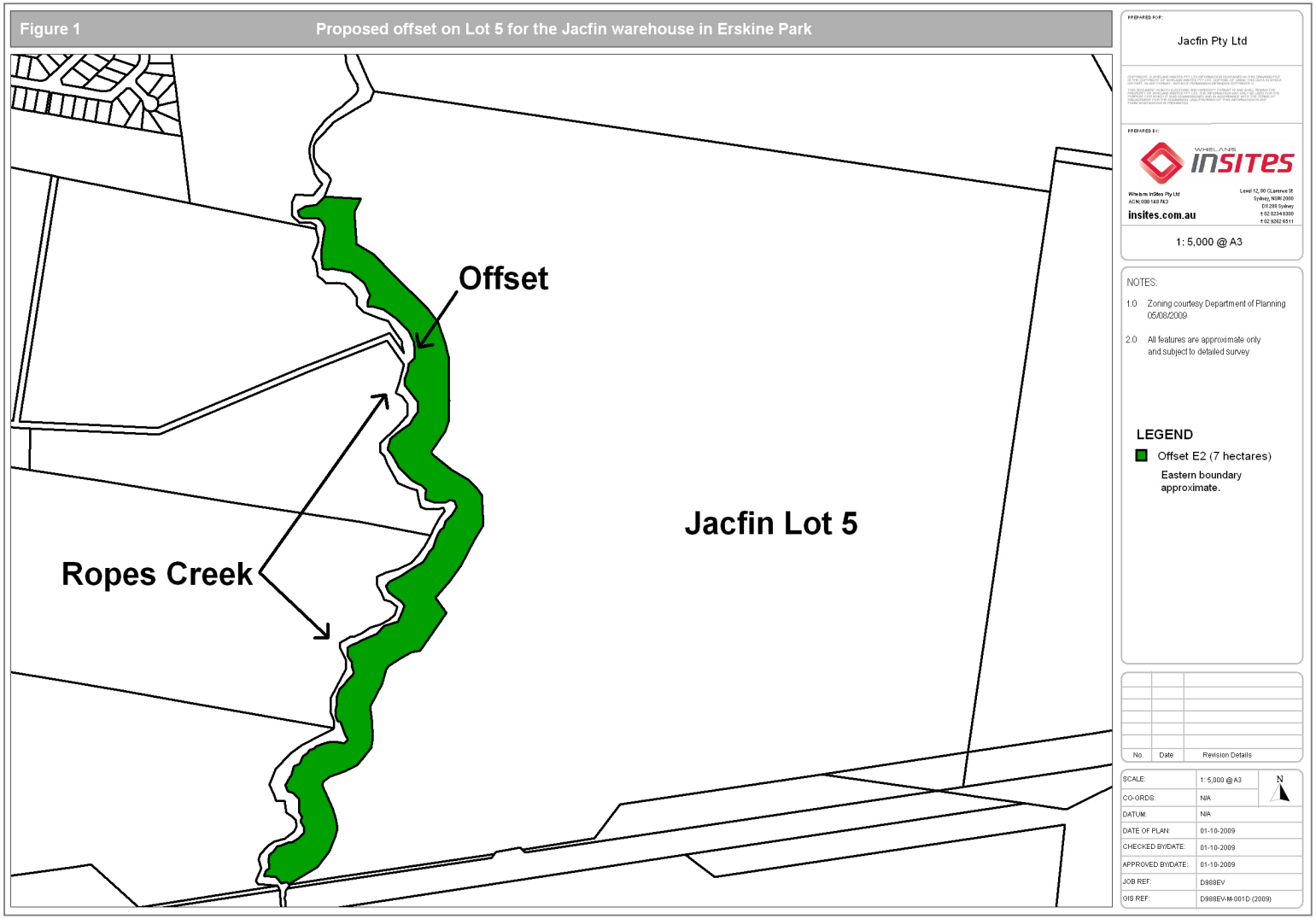
Source: Vaughan Constructions 28-9-09
File Identity: 09WP115-00644\Graphics\Water-concept
Date Modified: 29 Sep 09

Lot 11 DP 229784 - Templar Rd, Erskine Park
Stormwater Quantity and Quality Control
Concept Plan
FIGURE 1

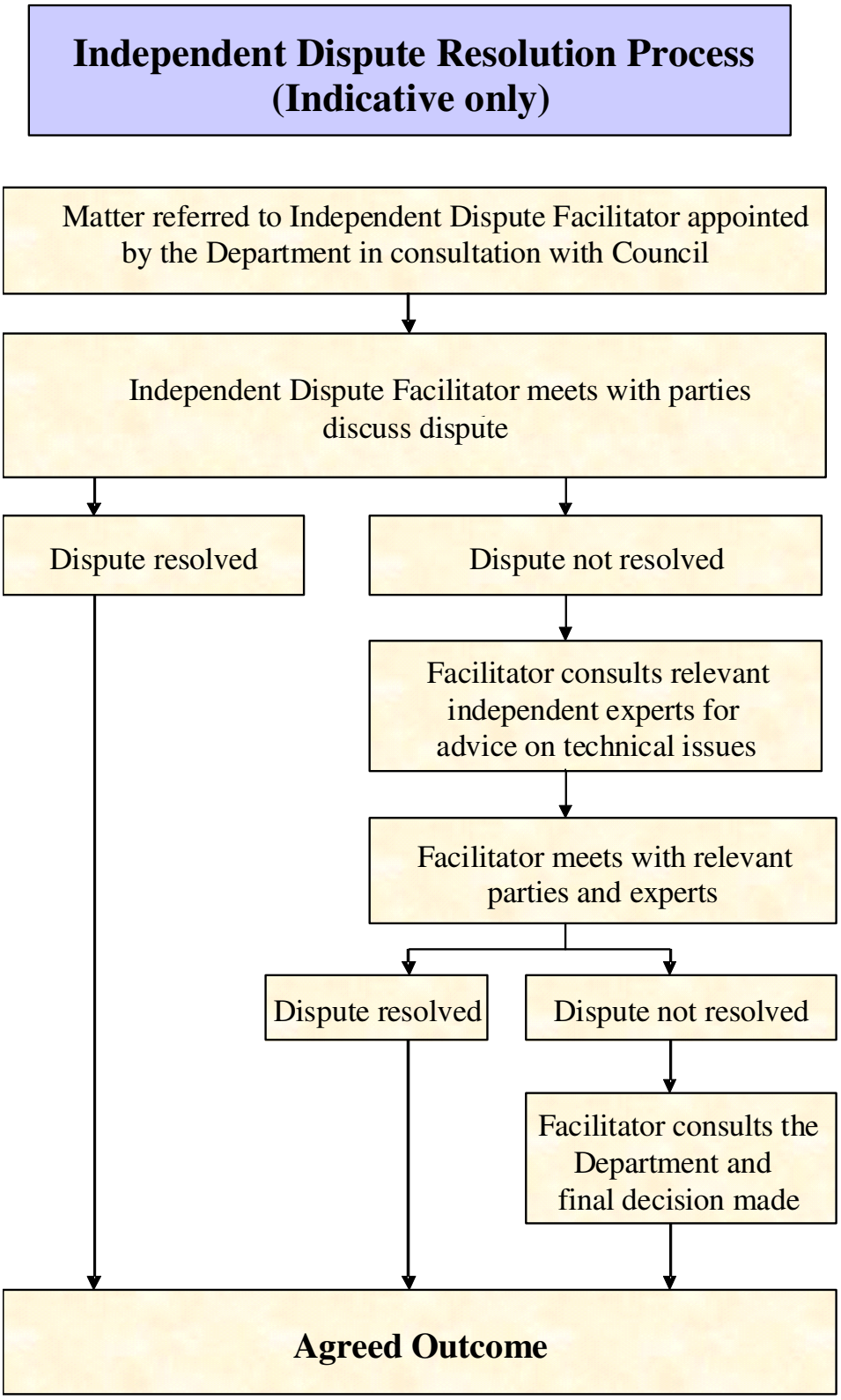
Figure 4: Stormwater Quantity and Quality Control Concept Plan

APPENDIX 2:
OFFSET AREA

Figure 1 Proposed offset on Lot 5 for the Jacfin warehouse in Erskine Park



APPENDIX 3:
INDEPENDENT DISPUTE RESOLUTION PROCESS



APPENDIX 4:
STATEMENT OF COMMITMENTS

Further Revised Statement of Commitments

This revised Statement of Commitments supersedes the draft Statement of Commitments at section 7.0 of Jacfin's Environmental Assessment Report Part 3A Project Application (No. 07_0153) as lodged with the Department of Planning on 10 June 2008 and the revised Statement of Commitments lodged with the Department of Planning on 26 November 2008.

Subject	Commitments	Approved by	Timing
Approved Project	The development for the industrial warehouse and ancillary offices is to be carried out generally in accordance with the architectural drawings prepared by Vaughn Constructions (Plan DA01 Amendment D dated 28 September 2009, Plan DA02 Amendment D dated 28 September 2009 and Plan DA03 Revision B dated 25 July 2007) and the Environmental Assessment Report prepared by JBA Urban Planning Consultants Pty Ltd dated July 2008.	Approved with Project Application	No timing. General Statement of Commitment
Stormwater	The stormwater pipe outlet into the CSR artificial creek is to be located upstream of the access road creek crossing. The outlet is to be designed to DNR guidelines and have rock scour protection matching the designs for the CSR outlets to the creek.	Approved with Project Application	No timing. General Statement of Commitment
Water re-use / rainwater tank	The rainwater tank is to be plumbed directly to the toilet facilities on site. Allowance is to be made to permit connection by the State Government to a possible future regional water reuse system.	Approved with Project Application	No timing. General Statement of Commitment
Traffic and Parking	The proposed parking layout will be provided in accordance with the design requirements of AS2890.1-2004 for cars and AS2890.2-2002 for heavy vehicles. The 212 parking spaces are to include both employee and visitor spaces. 1-2% of total car parking spaces are to be designed and designated as disabled parking spaces in accordance with AS2890.1. The southern access road is to be constructed of gravel.	Approved with Project Application	No timing. General Statement of Commitment
Road Signposting	The road signposting associated with the development is to be provided at no cost to the RTA. Driveway access points to the site are to be appropriately signposted for trucks (entry / exit) and exclusively car (entry / exit).	Approved with Project Application	No timing. General Statement of Commitment
Bushfire	Bunding and absorption materials are to be stored on site and used to minimise the spread of contamination runoff during fire-fighting activities. The stormwater management system is to hold any contaminated water from fire suppression activities on site and allow for its removal for proper disposal. The northern and eastern elevation of office building component of the	Approved with Project Application	No timing. General Statement of Commitment

Subject	Commitments	Approved by	Timing
	proposed warehouse are to be constructed to comply with Level 3 specifications as defined by the Australian Standard AS 3959 – 1999 – Construction of buildings in Bushfire Prone Areas. The northern and eastern elevation of the office component of the proposed warehouse are to contain glazed windows and doors for heat control purposes (designed to withstand 40kWm2 radiant heat levels). The development is to provide static water supply tanks and hydrants/fire hose reels which are to be installed in accordance with the Building Code of Australia and Australian Standard AS 2419.1 – 2005.		
Construction and Waste Management	A construction and waste management plan is to be prepared to address noise and waste management issues associated with the Project construction.	Department of Planning	Prior to the issue of Construction Certificate
Construction Traffic Management Plan (CTMP)	A Construction Traffic Management Plan (CTMP) is to be developed.	Penrith City Council	Prior to the issue of Construction Certificate
Contributions	The proponent is to pay contributions in accordance with the current section 94 Contributions Plan for Erskine Business Park Employment Area based on the development area as identified in the project application. The payment of contributions may be staged and is payable prior to the release of the Construction Certificate.	Penrith City Council	Prior to the issue of Construction Certificate
Fire Management for Biodiversity Corridor	A detailed Hazard Management Plan, including maintenance program for landscaping is to be prepared.	Department of Planning	Prior to the issue of Construction Certificate
Erosion and Sediment Control	A detailed erosion and sediment control plan is to be submitted and approved by the principal certifying authority, based on the erosion and sediment control provisions within the Penrith DCP and the “Blue Book” for Managing Urban Stormwater. During construction, all reasonable and feasible measures are to be taken to minimise soil erosion and the discharge of sediment from the site to downstream waters.	Principal Certifying Authority (PCA)	Prior to issue of Construction Certificate and during construction
Materials and Finishes	Finalised colours and materials are to be submitted to the Department of Planning for approval prior to the issue of the Construction Certificate. The palette of colours and materials are to: • be consistent with those required for the Erskine Business Park Employment Area by the Penrith DCP (eg: earth tones such as stone colours, browns, muted greens, sand, dark red / plums; and cool tones	Approved with Project Application	Prior to issue of Construction Certificate

Subject	Commitments	Approved by	Timing
	such as soft greys, grey / blues); • include external materials that do not exceed 20%, consistent with DCP requirements. • be energy efficient; and • have regard to the requirements of Planning for Bushfire Protection 2006 for selection of materials in bushfire prone areas.		
Waste Management Plan	A Waste Management Plan is to be prepared and submitted prior to the issue of the Construction Certificate.	Department of Planning	Prior to issue of Construction Certificate
Access Road/Creek Crossing	The proposed access road is to be provided in the initial construction phase, prior to construction of the warehouse facility. The creek crossing is to conform to the DWE requirements for crossings. The access road intersection with Templar Road is to accommodate access and turning movements by B-Double trucks. The access road, north of the creek crossing, is to have a 13m wide carriageway.	Approved with Project Application	Prior to the construction of warehouse facility
Access Road Safety	Plans depicting the safety of the intersection with the existing Templar Road cul-de-sac are to be submitted with the Road Safety Audit.	Penrith City Council	Prior to the issue of Construction Certificate
Aboriginal Heritage	A target landscape which includes Zones 2 and 3 is to be chosen for sub-surface investigation (salvage) as mitigation against the development proposal. DLALC, DCAC, DTAC, DACHA and (the newly formed) DLO are to be invited to be involved in this selection of this sub-surface investigation areas and to provide representatives to participate in the archaeological investigation. Their wishes, as expressed in their reports on the area's cultural significance are to be considered. DLALC, DCAC, DTAC, DACHA and DLO may wish to monitor ground disturbance works associated with the construction of the proposed development impacts. These groups are to be consulted with prior to construction.	Approved with Project Application	Prior to Construction
Services	The requirements of relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development are to be complied with.	Relevant Service Provider	During construction
Security Fencing	Security fencing is to be erected along the site boundaries.	Approved with Project Application	Prior to issue of Construction Certificate

Subject	Commitments	Approved by	Timing
Construction	The construction works are to be generally restricted to the hours outlined in the Penrith DCP 2006, section 6.14 Erskine Park Employment Area, clause 6.9.2 Requirements, being: • Monday to Friday, 7.00 a.m. to 6.00 p.m. • Saturday, 7.00 a.m. to 1.00 p.m. • No work on Sundays or Public Holidays	Approved with Project Application	During Construction
Landscaping	Landscaping is to be in accordance with the approved Landscape Management Plan prior to occupation of the premises and will be maintained for the life of the development.	Department of Planning	Prior to issue of Occupation Certificate and on-going
Hours of Operation	The final hours of operation for the premises are to be unrestricted.	Approved with Project Application	Following the issue of Occupation Certificate and on-going
Lighting	Provision is to be made for external lighting during the detailed design phase and which is to comply with the relevant requirements of *Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS4282).* A compliance certificate by a suitably qualified consultant demonstrating compliance is to be provided prior to issue of the Occupation Certificate	Department of Planning	Prior to issue of Occupation Certificate
Signage	Final details of the approved signage panel (including colours and proposed wording) is to be submitted for approval.	Department of Planning	Prior to issue of Occupation Certificate
Noise	Prior to the issue of the Occupation Certificate a noise assessment on the proposed operator is to be undertaken by a suitably qualified consultant to demonstrate that the noise criteria set out in Condition 17 of Schedule 3 of the Project Approval can be met. If the proposed noise levels for the use are predicted to be higher than the criteria nominated then further assessment/mitigation measures are to be undertaken.	Department of Planning	Prior to issue of Occupation Certificate
Evacuation, Bushfire and other emergencies	An Evacuation Plan is to be prepared and submitted to Penrith City Council prior to issue of an Occupation Certificate.	Penrith City Council	Prior to issue of Occupation Certificate
Water Quality Measures On-going Maintenance	The water quality measures are to conform to an ongoing maintenance program, as follows: • Periodic (6 monthly) inspection and manual removal of any gross pollutants and coarse sediment that is deposited in the water quality treatment train and replacement of vegetation as necessary; and	Approved with Project Application	Ongoing

Subject	Commitments	Approved by	Timing
	• Periodic (3 monthly) and episodic (post storm greater that 1 yr ARI) inspection and removal of trapped pollutants from all GPT's. There is to be a 90% reduction in generated oils and grease through the installation of appropriate water treatment devices.		
Sydney Water Servicing	A section 73 Certificate and a Trade Waste Permit are to be obtained.	Sydney Water	Prior to the issue of Occupation Certificate
Earthworks etc along boundary with Sydney Catchment Authority	Details (including plans) of proposed earthworks, retaining walls or other constructions along the Sydney Catchment Authority (SCA) boundary are to be provided to SCA before such works commence.	Approved with Project Application	Prior to issue of Construction Certificate
Storage Facilities	Goods, plant, equipment and other material are to be stored appropriately and screened from view surrounding developments.	Approved with Project Application	Ongoing
Air Quality	Appropriate dust control measures are to be implemented during the preparation and construction stages of the development.	Approved with Project Application	Ongoing
Ecology	The following environmental biodiversity contributions are to be provided: • 7 ha of supplementary plantings of canopy tree species and understorey shrubs along Ropes Creek (on land owned by Jacfin being Lot 5 in DP262213). These plantings are to use native species typical of the Cumberland Plain Woodland and River-flat Eucalypt Forest on Coastal Floodplains communities, which are characteristic of the subject site area; and • the control of weeds and introduced grasses in the planting area to facilitate both the growth of those planted specimens and the regrowth of native understorey and groundcover species.	Approved with Project Application	Prior to issue of Occupation Certificate