

1 STATEMENT OF COMMITMENTS

1.1 Overview and Definitions

If approved and acted upon, DEXUS will undertake the *DEXUS Estate* project in accordance with the following commitments.

The following defines some of the terms and abbreviations used in the Statement of Commitments:

Approval	The Minister's approval to the project (Project Application No.08_0259)
BCA	Building Code of Australia
Council	Holroyd City Council
Department	Department of Planning
DEXUS	DEXUS Funds Management Limited, or its successors in title
Director-General	Director-General of the Department (or delegate)
EA	<i>Environmental Assessment: DEXUS Estate Project</i> , dated June 2009
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
Major Projects SEPP	<i>State Environmental Planning Policy (Major Projects) 2005</i>
Minister	Minister for Planning
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project	The development as described in the EA
RTA	Roads and Traffic Authority
SEPP 33	<i>State Environmental Planning Policy No.33 – Hazardous and Offensive Development</i>
Site	Land to which the project application applies
Site Audit Statement	As defined in the <i>Contaminated Land Management Act 1997</i>
Site Auditor	As defined in the <i>Contaminated Land Management Act 1997</i>
UDP	Urban Design Plan for the Greystanes Southern Employment Lands concept plan (Project Application No.06_0181), as amended (Issue J, July 2008)

1.2 Administrative Commitments

Commitment to Minimise Harm to the Environment

1.2.1 DEXUS will implement all reasonable and feasible 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

1.2.2 DEXUS will carry out the project generally in accordance with the:

- a) EA;
- b) statement of commitments; and
- c) conditions of the approval.

1.2.3 If there is any inconsistency between the above, the conditions of the approval will prevail to the extent of the inconsistency.

1.2.4 DEXUS will 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 the approval; and
- b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

Structural Adequacy

- 1.2.5 DEXUS will ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.

Note: Under Part 4A of the EP&A Act, DEXUS 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

- 1.2.6 DEXUS will:
- a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.

Operation of Plant and Equipment

- 1.2.7 DEXUS will 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.

Staging

- 1.2.8 DEXUS will:
- a) not commence any construction works on site until it has taken possession of the applicable part of the site in accordance with the staged release of the site from Boral; and
 - b) not commence operations of any building on site until all infrastructure necessary for the operation of that building has been completed.

1.3 Specific Environmental Commitments

Design

Building Design

- 1.3.1 DEXUS will prepare detailed architectural design plans for all buildings to be constructed on site, to the satisfaction of the Director-General. The plans will:
- a) be prepared in consultation with Council, and be submitted to the Director-General for approval by the prior to the commencement of the relevant building works;
 - b) be generally consistent with the architectural and urban design plans in the EA;
 - c) be prepared in a manner that achieves the design excellence standards in the Major Projects SEPP, including achieving:
 - a high standard of architectural design, materials and detailing appropriate to the building type and location;
 - form and external appearance of the building (including rooftop design and screening of roof services) to improve the quality and amenity of the public domain; and
 - relevant sustainable design principles as outlined in the UDP; and
 - b) include details of internal circulation including swept path analysis.

Landscape Design

- 1.3.2 DEXUS will prepare detailed landscape plans for all buildings and road works to be constructed on site, to the satisfaction of the Director-General. The plans will:
- a) be prepared in consultation with Council, and be submitted to the Director-General for approval by the prior to the commencement of the relevant works; and
 - b) be generally consistent with the landscape masterplan in the EA, and the landscape concept in the UDP.

Note: The landscape masterplan in the EA will prevail to the extent of any inconsistency with the landscape concept in the UDP.

Estate Signage Strategy

- 1.3.3 DEXUS will prepare a detailed Signage Strategy for the site, to the satisfaction of the Director-General. The strategy will:
- a) be prepared in consultation with Council, and be submitted to the Director-General for approval prior to installation of any permanent signage on the site;
 - b) be generally consistent with the signage controls in the UDP; and
 - c) include detailed designs/guidelines for estate signage and business identification signage within the site.

Note: This commitment does not apply to temporary construction-related and safety-related signage.

Estate Fencing Strategy

- 1.3.4 DEXUS will prepare a detailed Fencing Strategy for the site, to the satisfaction of the Director-General. The strategy will:
- a) be prepared in consultation with Council, and be submitted to the Director-General for approval prior to installation of any permanent fencing on the site;
 - b) include detailed designs/guidelines for estate fencing within the site;
 - c) be generally consistent with the fencing controls in the UDP, including provisions to locate fencing to the primary street frontage behind the setback line, unless required for safety and/or security reasons and agreed to by the Director-General in consultation with Council.

Note: This commitment does not apply to temporary construction-related and safety-related fencing.

Soil and Water

Erosion and Sediment Control

- 1.3.5 DEXUS will prepare and implement Erosion and Sediment Control Plans for all works involving ground disturbance (apart from minor works – eg. signage installation). The plans will:
- a) be prepared by a suitably qualified engineer prior to the commencement of the relevant works;
 - b) be consistent with the requirements of Landcom's (2004) *Managing Urban Stormwater: Soils and Construction* manual;
 - c) identify activities that could cause soil erosion and generate sediment;
 - d) describe measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
 - e) describe the location, function, and capacity of erosion and sediment control structures; and
 - f) describe what measures would be implemented to maintain the structures over time.

Stormwater Management

- 1.3.6 DEXUS will prepare and implement Stormwater Management Plans for all buildings and road works to be constructed on site. The plans will:

- a) be prepared by a suitably qualified engineer prior to the commencement of the relevant works;
- b) be prepared generally in accordance with the:
 - Stormwater management strategy as depicted in the UDP (and the Stormwater Management Report (Parsons Brinckerhoff, Sept 2006) from which the strategy is derived); and
 - Stormwater Infrastructure Maintenance Plan (GHD, April 2008); and
- c) incorporate gross pollutant traps for all development lots, and provide for all stormwater to be directed toward the eastern perimeter channel, in accordance with the stormwater management strategy.

Note: The Stormwater Management Plans would comprise design plan/s and accompanying design notes only. Detailed management provisions are provided in the wider estate stormwater management reports.

Site Contamination

- 1.3.7 Prior to the commencement of construction works, DEXUS will ensure that a Site Audit Statement from an accredited Site Auditor has been prepared for the relevant part of the site. The Site Audit Statement must certify that the relevant part of the site is suitable for commercial/industrial landuse.

Noise

- 1.3.8 DEXUS will only carry out construction on the site between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction will be allowed on site on Sundays or public holidays.

Note: Construction works which are inaudible at any residence may be carried out outside these times.

Air Quality

Construction Traffic

- 1.3.9 During construction, DEXUS will 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 clean.

Dust Management

- 1.3.10 During the project, DEXUS will carry out all reasonable and feasible measures to minimise the dust generated by the project.

Odour

- 1.3.11 DEXUS will not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

Energy and Greenhouse Gas

- 1.3.12 DEXUS will carry out the project generally in accordance with the recommendations of the Energy and Greenhouse Gas Assessment, as contained in Appendix J of the EA.

Transport

1.3.13 DEXUS will ensure that the internal road network and parking associated with the project are designed and constructed in accordance with the latest versions of the Australian Standards AS 2890.1:2004, AS 2890.2:2002 and AUSTROADS.

Internal Roads

1.3.14 DEXUS will:

- a) design and construct the internal roads to the satisfaction of Council; and
- b) ensure that the intersections with Reconciliation Drive are designed and constructed to the satisfaction of the RTA, prior to the commencement of operation of any building that requires access from that road or intersection.

Notes:

- *The internal road network may be constructed on a staged basis.*
- *With regard to the intersections with Reconciliation Drive, DEXUS notes that Boral is responsible for the physical intersection works (ie. pavement and services) within the Reconciliation Drive corridor, whilst responsibility for signalisation of the intersections will be shared between Boral and DEXUS (and potentially other estate developers). Nevertheless, DEXUS will ensure that the intersections servicing the DEXUS Estate are designed and constructed by the responsible party prior to building operation, unless otherwise approved by the RTA.*

Vehicle Parking and Queuing

1.3.15 During the project, DEXUS will ensure that:

- 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
- that the project does not result in any vehicles queuing on the public road network.

Bicycle Facilities

1.3.16 DEXUS will provide suitable parking for bicycles and associated facilities such as change rooms (including lockers and, where space permits, showers) at the facility, prior to the commencement of operation of any building.

Visual Amenity

Landscaping Maintenance

1.3.17 During the project, DEXUS will:

- a) maintain the landscaping on the site to the satisfaction of the Director-General; and
- b) ensure that the landscaping on the site does not impede driver sight distance of vehicles entering or leaving the site.

Lighting

1.3.18 DEXUS will ensure that all lighting associated with the project:

- 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 or the public road network.

Wastes and Hazards

1.3.19 During the project, DEXUS will:

- a) implement all reasonable and feasible measures to minimise the waste generated by the project; and
- b) carry out the project in accordance with the Waste Management Plan, as contained in Appendix M of the EA.

1.3.20 During the project, DEXUS will ensure that all dangerous goods and hazardous substances storage and handling on site are undertaken in accordance with the Dangerous Goods Code and *AS 1940-2004: The storage and handling of flammable and combustible liquids*.

1.3.21 Prior to construction of any building involving the bulk storage of dangerous goods, DEXUS will undertake an analysis of the proposed storage in accordance with SEPP 33 and the Department's *Applying SEPP 33* guidelines, to the satisfaction of the Director-General.

If the analysis indicates that the proposed storage does present a potential hazard, DEXUS will prepare additional hazard studies in accordance with SEPP 33, the *Applying SEPP 33* guidelines and the Department's *Hazardous Industry Planning Advisory Paper (HIPAP)* guidelines. These studies would be prepared prior to construction of the building involving bulk storage of dangerous goods, to the satisfaction of the Director-General.

Note: Additional hazard studies may include a Preliminary Hazard Analysis, Fire Safety Study, Safety Management System, etc.

Environmental Management Strategy

1.3.22 DEXUS will prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy will:

- a) be submitted to the Director-General for approval prior to the commencement of any construction works;
- 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;
- 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.