

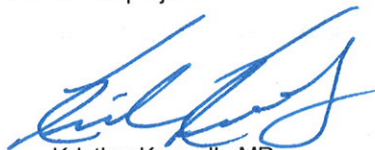
# Project Approval

## 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,

*8 Nov.*

2009

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### SCHEDULE 1

<b>Application Number:</b>	08_0259
<b>Proponent:</b>	DEXUS Funds Management Limited
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 308 DP 1035614 and Lot 140 DP 1061621
<b>Project:</b>	DEXUS Estate Industrial Park - Greystanes Southern Employment Lands

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## DEFINITIONS

Act	<i>Environmental Planning and Assessment Act, 1979</i>
Approval	The Minister's approval to the project (Project Application No 08_0259)
Architectural Design Plans	Architectural Design Plans as submitted as Appendix D of the EA
BCA	Building Code of Australia
Council	Holroyd City Council
Concept Plan	Boral Greystanes SEL Concept Plan (MP06_0181)
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning or its successors in title
Director-General	Director-General of the Department of Planning, or delegate
EA	Environmental Assessment titled <i>DEXUS Estate Industrial Park Project - Greystanes Southern Employment Lands - June 2009</i> prepared for DEXUS Funds Management Limited by Rockliff PD
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6pm to 10pm
Greystanes SEL	Greystanes Southern Employment Lands
Landscape Masterplan	Landscape Masterplan as submitted as Appendix F of the EA
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	DEXUS Funds Management Limited, or its successors in title
Response to Submissions	The Proponent's response to issues raised in submissions
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1
Statement of Commitments	The Proponent's statement of commitments as revised 19 August 2009
Stormwater Infrastructure Maintenance Plan	Stormwater Infrastructure Maintenance Plan (GHD April 2008) for the Greystanes Southern Employment Lands concept plan (Project Application No.06_0181)
Stormwater Management Strategy	Stormwater Management Strategy for the Greystanes Southern Employment Lands concept plan (Project Application No.06_0181)
Urban Design Package	Urban Design Package as submitted as Appendix E of the EA
UDP	Urban Design Plan for the Greystanes Southern Employment Lands concept plan (Project Application No.06_0181), as amended (Issue J, July 2008)

## SCHEDULE 2: 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) statement of commitments;
  - c) Greystanes SEL concept approval; and
  - d) 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 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 or correspondence submitted by the Proponent.

### 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 and Council.
7. The Proponent shall:
  - 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.

### Utilities

8. Prior to the construction of any utility works, the Proponent shall obtain the relevant approvals from service providers, including Sydney Water, Integral Energy and Council.

### Operation of Plant and Equipment

9. 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.

### Management Plans/Strategies

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

### **Pre-Operation Compliance Audit**

11. 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.
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## SCHEDULE 3: SPECIFIC ENVIRONMENTAL CONDITIONS

### SUBDIVISION

1. The Proponent may subdivide the land in general accordance with the subdivision plan DX\_GMP08.01 Rev F (29.05.2009) in the EA. However, prior to obtaining a subdivision certificate, the Proponent shall prepare a final subdivision plan for the land in consultation with Council, and to the satisfaction of the Director-General.

### DESIGN

#### Architectural Design

2. The Proponent shall prepare detailed architectural design plans for the building(s) to be constructed on site, to the satisfaction of the Director-General. The plans shall:
  - a) be prepared in consultation with Council, and be submitted to the Director-General for approval prior to construction of the building(s);
  - b) be generally consistent with the Architectural Design Plans and Urban Design Package in the EA;
  - c) be prepared in a manner that achieves the design excellence standards in the Major Development 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 building articulation, rooftop design and screening of roof services) to improve the quality and amenity of the public domain;
    - relevant sustainable design principles as outlined in the UDP; and
    - comply with the recommended strategies contained in the document titled *'Visual Impact Assessment Amended Building Height Controls June'* as Appendix I of the EA;
  - d) include details of business identification in accordance with the Estate Signage Strategy as required in Condition 5; and
  - e) include details of internal circulation including swept path analysis.

#### Landscape Design and Maintenance

3. Prior to the commencement of construction, the Proponent shall prepare and submit a detailed landscape plan(s) for the building(s) and/or road works to be constructed on site, to the satisfaction of the Director-General. The landscape plan(s) shall:
  - a) be prepared by a suitably qualified person, in consultation with Council;
  - b) be generally consistent with the Landscape Masterplan and the landscape concept in the UDP; and
  - c) detail the timing of these works.
4. The Proponent shall:
  - a) maintain the landscaping on 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.

#### Estate Signage

5. Prior to installing any permanent signage on the site, the Proponent shall prepare and implement a detailed Estate Signage Strategy, to the satisfaction of the Director-General. The strategy shall:
  - a) be generally consistent with the signage controls in the UDP; and
  - b) include detailed design/guidelines for estate signage and business identification signage within the estate.

#### Estate Fencing

6. Prior to installing any permanent fencing the Proponent shall prepare and implement a detailed Estate Fencing Strategy for the site, to the satisfaction of the Director-General. The strategy shall:
  - a) be prepared in consultation with Council
  - b) include detailed designs/guidelines for estate fencing within the site; and
  - 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.

## **Estate Lighting**

7. The Proponent shall ensure that the 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.

## **TRAFFIC AND TRANSPORT**

### **Design of Internal Roads**

8. Prior to the commencement of construction, the Proponent shall prepare a Construction and Operation Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control in consultation with Council and to the satisfaction of the Director-General.
9. Prior to the commencement of operation of any building that requires access from that road or intersection, the Proponent shall ensure;
  - a) the internal road network is designed, constructed and maintain to the satisfaction of Council and in accordance with the latest versions of the Australian Standards *2890.1:2004 and 2890.2:2002*, and AUSTROADS for heavy vehicles; and
  - b) the intersections with Reconciliation Drive are designed and constructed to the satisfaction of the RTA.

#### *Notes:*

- *The internal road may be constructed on a staged basis*
- *With regard to the intersections with Reconciliation Drive, the Department understands 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 shall ensure that the intersections servicing the DEXUS Estate are designed and constructed by the responsible party prior to building operations unless otherwise approved by the RTA.*

### **Public Access and Facilities**

10. Prior to operation of the building(s) the Proponent shall provide pedestrian and cycleway access on internal roads in accordance with the approved local road design in the Concept Plan.
11. The Proponent shall 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(s).

### **Vehicle Queuing and Parking**

12. The Proponent shall ensure that all parking (including parking numbers, driveways, grades, aisle widths, aisle lengths, turning paths, sight distance requirements and parking bay dimensions) associated with the project are;
  - a) in accordance with the EA; and
  - b) in accordance with the latest versions of the Australian Standards *2890.1:2004 and 2890.2:2002*, and AUSTROADS for heavy vehicles.
13. 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.

## **SOIL AND WATER**

### **Erosion and Sedimentation**

14. Prior to the commencement of construction the Proponent shall prepare and implement Erosion and Sediment Control Plans for all works involving ground disturbance (apart from minor works eg. signage installation), to the satisfaction of the Director-General. The plans shall;
  - a) be prepared by a suitably qualified expert prior to the commencement of the relevant works;

- b) be prepared in accordance with Landcom's (2004) *Managing Urban Stormwater; Soils and Construction Manual* (ie. the blue book);
  - 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.
15. During construction the Proponent shall implement and maintain all erosion and sediment control measures detailed in the approved Erosion and Sediment Control Plans.

### Stormwater Management

16. Prior to commencement of construction, the Proponent shall prepare and implement Stormwater Management Plans for all building(s) and road works on the site, to the satisfaction of the Director-General. The plans shall:
- a) be prepared by a suitably qualified expert;
  - b) be prepared generally in accordance with;
    - Stormwater Management Strategy (as depicted in the UDP (and the Stormwater Management Report (Parsons Brinckerhoff, Sept 2006) from which the strategy was derived); and
    - Stormwater Infrastructure Maintenance Plan (GHD, April 2008) included in the UDP; and
  - c) incorporate gross pollutant traps for all development lots; and provide for all stormwater to be directed towards the eastern perimeter channel, in accordance with the Stormwater Management Strategy.

*Notes:*

- 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.

### Drainage

17. Any works proposed as part of the development must not obstruct the free drainage of seepage water to the Widemere East collection basin or the perimeter trench drains.

### Contamination

18. Prior to the commencement of construction the Proponent is to submit to the Director-General a Site Audit Statement from an accredited Site Auditor. The Site Audit Statement must certify that the relevant part of the site is suitable for commercial/industrial landuse. If the Site Audit Statement indicates that the land is not suitable for commercial/industrial landuse appropriate remediation of the site is to be undertaken.

### NOISE

#### Construction and Operation Hours

19. The Proponent shall only carry out construction on site between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction shall be undertaken on Sundays or public holidays.

*Notes: Construction works which are inaudible at any residence may be carried out outside these limits.*

20. The proponent shall ensure that any noise generated from the site does not exceed the noise impact assessment criteria in Table 1.

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

Location	Day		Evening		Night		
	L <sub>Aeq</sub> (period)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (period)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (period)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (1 min)
At any residence or other noise sensitive receiver	60	48	50	38	45	37	47

*Notes:*

- 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.
- 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.

## **AIR QUALITY**

### **Construction Traffic**

21. 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 clean.

### **Dust Management**

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

### **Odour**

23. The Proponent shall not cause or permit the emission of any offensive odour from the site.

*Note: Offensive odour is defined under the Protection of the Environment Operations Act 1997.*

## **ENERGY AND GREENHOUSE GAS**

### **Energy Management Plan**

24. Prior to commencement of construction of the building(s), the Proponent shall prepare a specific Energy Efficiency Plan. This plan must:
- a) be developed in accordance with the Energy and Greenhouse Gas Assessment included as Appendix J of the EA and the UDP;
  - b) be submitted to the Director-General for approval prior to the commencement of construction of each building;
  - c) describe the measures that would be implemented to minimise energy use on the site including energy consumption levels, predicted energy savings and options for alternative energy sources including solar power generation, potential for third party access to roofs for solar generation, and co-generation; and
  - d) include a program for monitoring the effectiveness of these measures, and a protocol for the periodic review of the plan.

## **WASTE MANAGEMENT**

25. During construction and operation the Proponent shall;
- 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 projects Waste Management Plan titled *Waste Management Plan for DEXUS Estate Industrial Park Project - Generic Warehouse* (refer Appendix N of the EA).
26. Prior to operation of the building(s) the Proponent shall prepare a specific Waste Management Plan. This plan must:
- a) be submitted to the Director-General prior to operation;
  - b) be consistent with the Waste Management Plan titled *Waste Management Plan for DEXUS Estate Industrial Park Project - Generic Warehouse* (refer Appendix N of the EA);
  - c) detail the measures that will be implemented to minimise waste generation associated with the operation of the building; and
  - d) include a program for monitoring the effectiveness of these measures.

## HAZARDS

27. Prior to commencement of construction of any building(s) involving the storage of hazardous materials or dangerous goods in quantities that meet specific thresholds as defined in *State Environmental Planning Policy No. 33 - Hazardous and Offensive Development* (SEPP 33), the Proponent shall undertake a Preliminary Hazards Analysis in accordance with SEPP 33, to the satisfaction of the Director-General.

If the analysis indicates that the proposed storage does present a potential hazard, the Proponent shall 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, and to the satisfaction of the Director-General.

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

28. During operation of the project, the Proponent shall ensure that all dangerous good 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*.

## **SCHEDULE 4: ENVIRONMENTAL MANAGEMENT AND INCIDENT REPORTING**

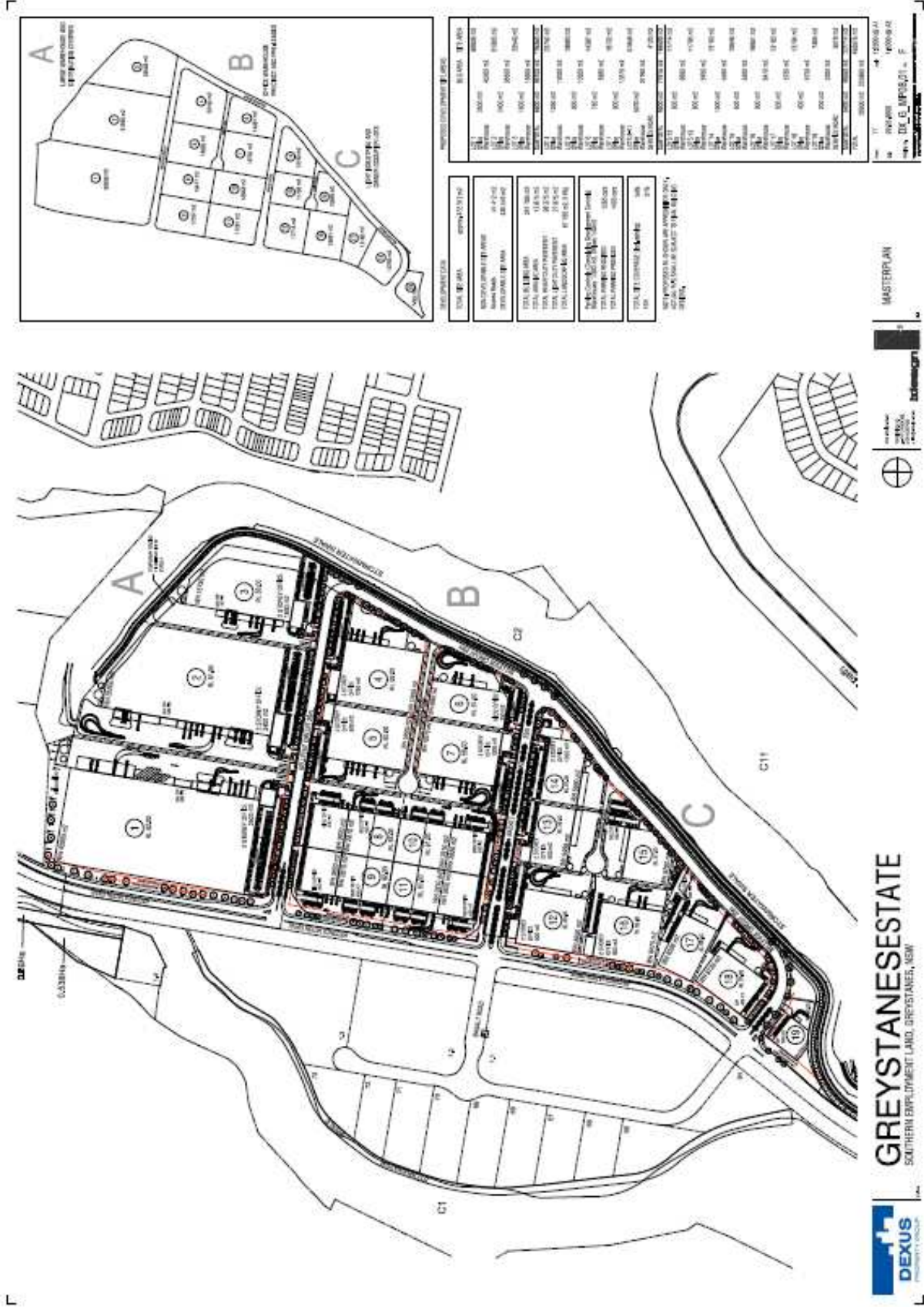
### **ENVIRONMENTAL MANAGEMENT STRATEGY**

1. 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 prior to commencement of any construction works;
  - b) provide the strategic framework for environmental management of the project;
  - c) identify the statutory requirements that apply to the project;
  - d) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.
  - e) describe in general how the environmental performance of the project would be monitored and managed;
  - f) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the project;
    - respond to any non-compliances; and
    - respond to emergencies;
  - g) include:
    - copies of the various strategies and plans that are required under the conditions of this approval once they have been approved; and
    - a clear plan depicting all the monitoring currently being carried out within the project area.

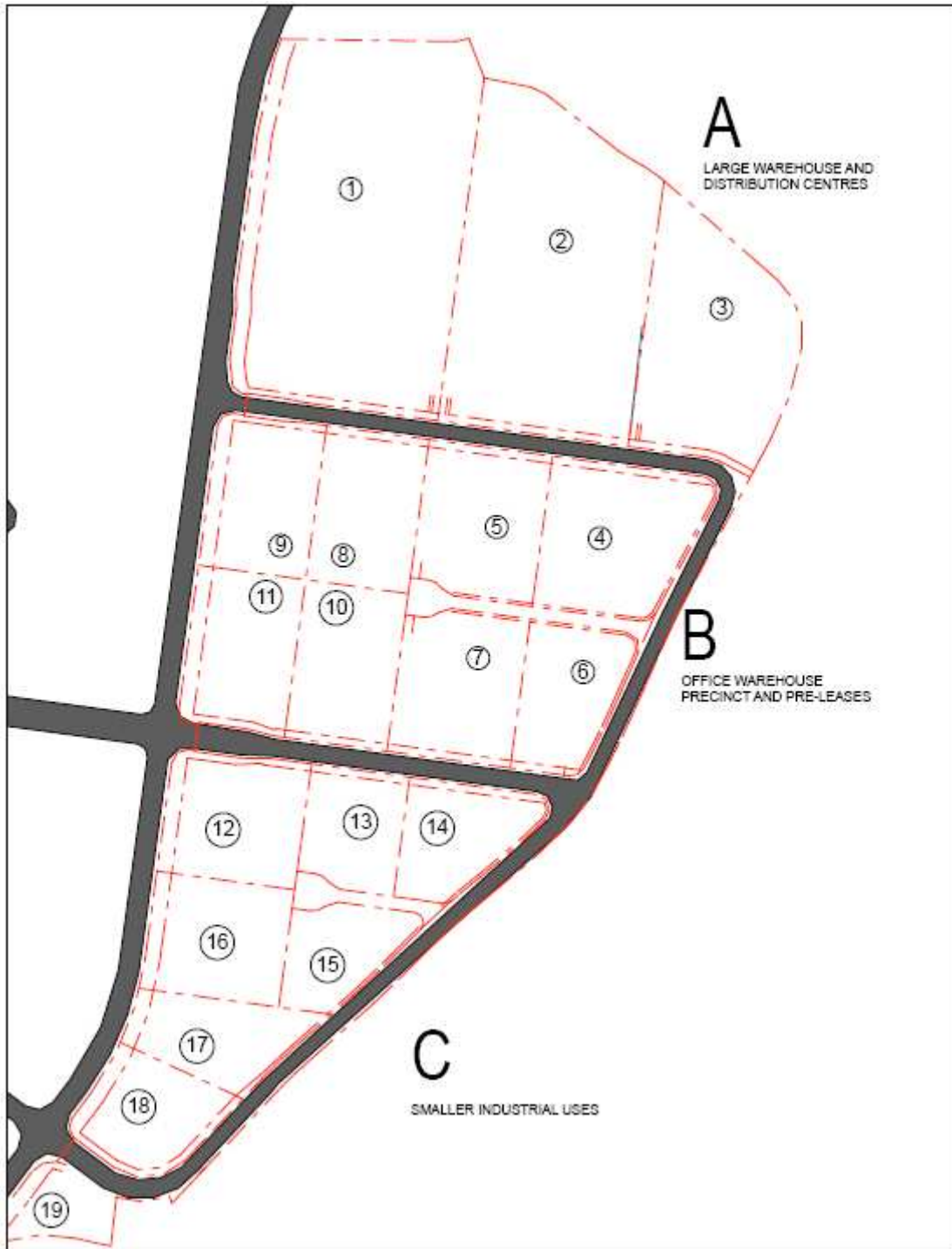
### **INCIDENT REPORTING**

2. The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident.
  3. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.
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APPENDIX 1: SITE PLAN



APPENDIX 2: SUBDIVISION PLAN



APPENDIX 3: HEIGHT DISTRIBUTION PLAN

