

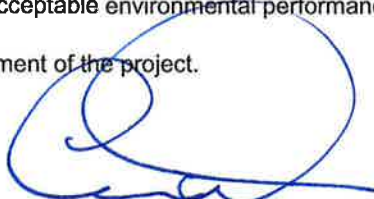
Project Approval

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

The A/Deputy Director-General approves the project referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

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.



A/Deputy Director-General

Sydney

24 October

2011

SCHEDULE 1

Application Number:	10_0128
Proponent:	Jacfin Pty Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 12 in DP 1157491 & Part Lot 15 in DP 1157491 (see Appendix 1)
Project:	Jacfin Ropes Creek Stage 1 Project: for the development of warehousing and distribution; and subdivision to create Lots 51, 52, 53 and 54 (E2 zone).

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DEFINITIONS

AHD	Australian Height Datum
Archbold Road Intersection	Archbold Intersection as defined under Concept Plan Approval MP 10_0127
CEMP	Construction and Environmental Management Plan
Council	Blacktown City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure
Director-General	Director-General of Department, or nominee
DPI	Department of Primary Industries
EA	Environmental Assessment titled <i>Lot 5 DP 262213, Ropes Creek Industrial Estate: Concept Plan and Concurrent Project Application for Employment Lands and Stage 1 Industrial Development</i> , prepared by JBA Urban Planning Consultants, dated November 2010.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Erskine Park Link Road	Erskine Park Link Road as defined under Concept Plan Approval MP10_0127
Evening	The period from 6pm to 10pm
Site Development Guidelines	The development controls as set out in Concept Plan Approval MP10_0127
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Local Road One	Local Road One as defined under Concept Plan Approval MP10_0127
Local Road Two	Local Road Two as defined under Concept Plan Approval MP 10_0127
Minister	Minister for Planning and Infrastructure, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Northern stub of Regional Road One	The northern stub of Regional Road One, to be constructed to two lanes, as shown in Appendix 1
OEH	Office of Environment and Heritage
Project	The development as described in the EA as it relates to the Jacfin Ropes Creek Stage 1 Project
Proponent	Jacfin Pty 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
Regional Road One	Regional Road One as defined under Concept Plan Approval MP10_0127
RTA	Roads and Traffic Authority
RTS	The Proponent's response to submissions and associated information
SCA	Sydney Catchment Authority
Site	The land referred to in Schedule 1 and Appendix A
Statement of Commitments	The Proponent's commitments in Appendix C
Temporary Access Road	Temporary Access Road as defined under Concept Plan Approval MP10_0127
Warehouse Building 1	The construction and operation of a 24,920m ² warehouse, including 1,820m ² of office space towards the south-eastern corner of the site.
Warehouse Building 2	The construction and operation of a 17,550m ² warehouse, including 1,350 m ² of office space, towards the north-eastern corner of the site.

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) Concept Plan approval (10_0127)
 - (c) site plans: PA01 Stage 1; DA01/B; 103B; DA02/B; Landscape Plan for Building 1; DA10/B; 102B; DA11/B, and Landscape Plan for Building 2 (see Appendix A);
 - (d) RTS and associated information;
 - (e) plan of subdivision (see Appendix B);
 - (f) statement of commitments (see Appendix C); and
 - (g) conditions of this approval.
3. If there is any inconsistency between the above documents, 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, programs, 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, programs, strategies or correspondence submitted by the Proponent.
5. The Proponent shall submit to the satisfaction of the Director-General detailed plans and drawings of Local Road Two, and the northern stub of Regional Road One and its intersection with the Erskine Park Link Road, prior to the issue of any construction certificate for the project.

Limits of Approval

6. This approval only relates to the Jacfin Ropes Creek Stage 1 Project at the proposed site, as described in the EA and as modified by the Concept Plan Approval.
7. This approval shall lapse if the Proponent does not physically commence the proposed development associated with this approval within 5 years of the date of this approval.

Management Plans/Monitoring Programs

8. 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.

Structural Adequacy

9. 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

10. 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) having consulted with RTA and Council; and
 - (b) submit a copy of this report to the Director-General, RTA and Council.

11. The Proponent shall:
- (c) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (d) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Service Providers/Additional Approvals

12. Prior to the construction of utility works, the Proponent shall obtain all relevant approvals from service providers.

Operation of Plant and Equipment

13. The Proponent shall ensure that all plant and equipment used for the Project is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

Contributions

14. The Proponent shall enter into a voluntary planning agreement in accordance with the letter of offer dated 6 October 2011, within 1 month of the later of the date of this approval or the day being the last day that the VPA is notified under section 93G of the Act.

Note: Notwithstanding any other conditions in this approval, a construction certificate or subdivision certificate cannot be issued unless the certifier is satisfied that the above planning agreement has been entered into.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

SOIL AND WATER

Discharge Limits

15. The Proponent shall comply with Section 120 of the *Protection of the Environment Operations Act 1997*.

Bunding

16. In accordance with relevant Australian Standards and OEH's *Storing and Handling Liquids: Environmental Protection* manual, all 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.

Note: The bunding requirements do not apply to liquids stored in minor package sizes within the warehouse where there is no potential for spilt liquids to reach pervious surfaces or the external drainage system. Appropriate spill kits must be maintained within the warehouse to manage any spillage.

Management

17. The Proponent shall prepare and implement a Stormwater and Drainage Management Plan for the project to the satisfaction of the Director-General. This plan must:
- (a) be submitted to the Director-General for approval at least one month prior to the construction of the stormwater and drainage system;
 - (b) be prepared in consultation with Council and SCA;
 - (c) be prepared in accordance with OEH's *Managing Urban Stormwater* guidelines and the Concept Plan (10_0127);
 - (d) include a stormwater drainage plan, including hydraulic calculations based on a 1 in 100 ARI;
 - (e) include detailed plans of the proposed stormwater, treatment and control infrastructure, and any stormwater outlets into a riparian zone or natural watercourse and their spillways;
 - (f) include a program to monitor stormwater quantity and quality; and
 - (g) describe the measures that would be implemented to maintain this infrastructure during the life of the project.

TRANSPORT

Access Arrangements

18. The Proponent shall submit to the satisfaction of the Director-General, prior to the issue of the first construction certificate for any development on-site, detailed plans and drawings prepared in consultation with the RTA and Council, for the:
- (a) connection to the Archbold Road Intersection and the northern stub of Regional Road One;
 - (b) Local Road Two; and
 - (c) creek crossing for Local Road Two.
19. The Temporary Access Road may be constructed in accordance with these conditions.
20. The Temporary Access Road, any associated shared paths and any intersections must be removed at no cost to any public authority, once the Erskine Park Link Road is constructed and open for use, in accordance with the Access Deed.
21. All allotments fronting Regional Road One (Boundary Lots) shall have an access denied boundary along the road reserve. A restriction on the use of land (Restriction) will be registered on the title search of each Boundary Lots which provides, to the satisfaction of the Director-General, that there is to be no access to Regional Road One from the Boundary Lot. The Restriction is to be favour to the Minister or a public authority as directed by the Director-General and the Minister or that public authority must consent to vary or release the Restriction.

Internal Roads, Queuing and Parking

22. The Proponent shall ensure that:
- (a) all internal roads, access, and parking on site complies with AS2890.1:2004 and AS2890.2:2002, or their latest versions;

- (b) all vehicles are to enter the site in a forward direction;
- (c) all vehicles are to be wholly contained on site before being required to stop;
- (d) 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
- (e) that the project does not result in any vehicles queuing on the public road network.

23. The Proponent shall provide parking at a rate of:

- (a) a minimum of 150 and a maximum of 198 sealed spaces for Warehouse Building 1; and
- (b) a minimum of 110 and a maximum of 152 sealed spaces for Warehouse Building 2.

Bicycle Racks

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

Work Place Travel Plan

25. Prior to the commencement of operations, the Proponent shall prepare a Work Place Travel Plan to encourage sustainable transport to and from the site, in consultation with Council and to the satisfaction of the Director-General.

Drive code of Conduct

26. The Proponent shall prepare and implement a Driver Code of Conduct, operable for the period between the commencement of operation and when the upgrade of Old Wallgrove Road (between Roberts Road and Wallgrove Road) is complete. This Plan must:
- (a) be prepared in consultation with Council and the RTA;
 - (b) be approved by the Director-General prior to commencement of operations; and
 - (c) detail operational traffic management measures including a driver code of conduct and truck route management plan.

NOISE

27. The Proponent shall comply with the restrictions in Table 1, unless otherwise agreed by the Director-General.

Table 1: Construction and Operation Hours for the Project

Activity	Day	Time
Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	7:00am to 4:00pm
	Sunday and Public Holidays	Nil
Operation	All days	24 hours

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.

28. The Proponent shall ensure that the combined operational noise from the project does not exceed the noise limits presented in Table 2.

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

Location	Day	Evening L _{Aeq} (15 min)	Night L _{A1} (1 min) or L _{A max}
All Surrounding Residential Receivers	35	35	35 49

Notes:

- Noise generated by the project is to be in accordance with the relevant procedures and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.

ENERGY

Energy Management Plan

29. Prior to the commencement of operation, the Proponent shall prepare and implement an Energy Management Plan for the project to the satisfaction of the Director-General. This plan must include energy consumption levels, predicted energy savings and any potential measures to reduce energy consumption in the long term.

WASTE

30. The Proponent shall ensure that all waste generated on the site during construction and operation is classified in accordance with the OEH's *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* and disposed of to a facility that may lawfully accept the waste.

HAZARDS

31. The Proponent shall ensure that all dangerous goods and hazardous substances are stored and handled on site in accordance with the Dangerous Goods Code and AS 1940-2004: *The storage and handling of flammable and combustible liquids*.

LANDSCAPING

32. 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 DPI, 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) provide a suitable management edge, to clearly distinguish between the landscaped areas of the Ropes Creek Industrial Estate and the E2 zones;
 - (e) ensure that the landscaped setbacks adjacent to the E2 zone, are consistent with the plantings in the E2 zone and consist of native species endemic to the local community;
 - (f) provide suitable protection for the vegetation in the E2 zones during the construction and operation of the project;
 - (g) include:
 - performance criteria for the proposed landscape strategy;
 - a detailed description of the measures that would be implemented to:
 - conserve any existing trees on-site;
 - 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;
 - (h) a program to monitor the effectiveness of these measures, and progress against the performance criteria;
 - (i) a protocol for reporting on the implementation of the plan, which is linked to the periodic review of the plan.

VISUAL

Fencing

33. The Proponent shall ensure that any fencing installed on site is consistent with the "Jacfin Ropes Creek Concept Plan Site Development Guidelines".

Signage

34. The Proponent shall not install any signage 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, which have been prepared in consultation with Council; and
 - (b) demonstrate that the proposed signage is consistent with the relevant requirements in the "Jacfin Ropes Creek Concept Plan Site Development Guidelines".

Landscaping

35. And proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.

Lighting

36. 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.

ABORIGINAL HERITAGE

37. 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 OEH and any relevant Aboriginal groups, and submitted to the Director-General for approval prior to the commencement of construction on the site;
 - (b) include both the land zoned IN1 General Industrial and E2 Environmental Management zoned;
 - (c) identify all known heritage items on the site and areas of archaeological significance;
 - (d) specify the procedures to be implemented for sub-surface investigations to salvage any artefacts on the site; and
 - (e) 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.

AIR QUALITY

Dust

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

SCHEDULE 4

ENVIRONMENTAL MANAGEMENT REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT STRATEGY

Operations

39. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must be submitted to the Director-General prior to the commencement of operations, and shall:
- (a) identify the statutory requirements that apply to the project;
 - (b) include a copy of the management plans and monitoring programs required in this approval;
 - (c) 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 including emergency evacuation procedures detailed in the NSW Rural Fire Service's *Planning for Bush Fire Protection 2006*;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project.

Construction

40. Prior to the commencement of construction works associated with the project, the Proponent shall prepare and implement a comprehensive Construction Environmental Management Plan (CEMP). The CEMP shall:
- (a) be submitted and approved by the Director-General prior to the commencement of site preparation works;
 - (b) include the following sub-plans:
 - Air and Dust Management Plan. The plan would outline the mitigation measures to control dust from exposed areas, stockpiles, plant and equipment and unsealed roads;
 - Waste Management Plan. The plan would include disposal requirements, measures to prevent the generation and measures to reduce, re-use or recycle waste where possible;
 - Soils and Water Management Plan. The Plan will address how potential construction impacts to soil and water quality will be mitigated and managed during construction works;
 - Traffic Management Plan. The plan will include truck movements to and from the site, interactions with the general public, parking and access requirements from construction and safety signage and training of personnel in traffic management.
 - Noise Management Plan. The plan would outline the mitigation measures to control noise

ENVIRONMENTAL REPORTING

Incidents

41. Within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.
42. Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that:
- (a) describes the date, time, and nature of the exceedance/incident;
 - (b) identifies the cause (or likely cause) of the exceedance/incident;
 - (c) describes what action has been taken to date; and
 - (d) describes the proposed measures to address the exceedance/incident.

AUDITING

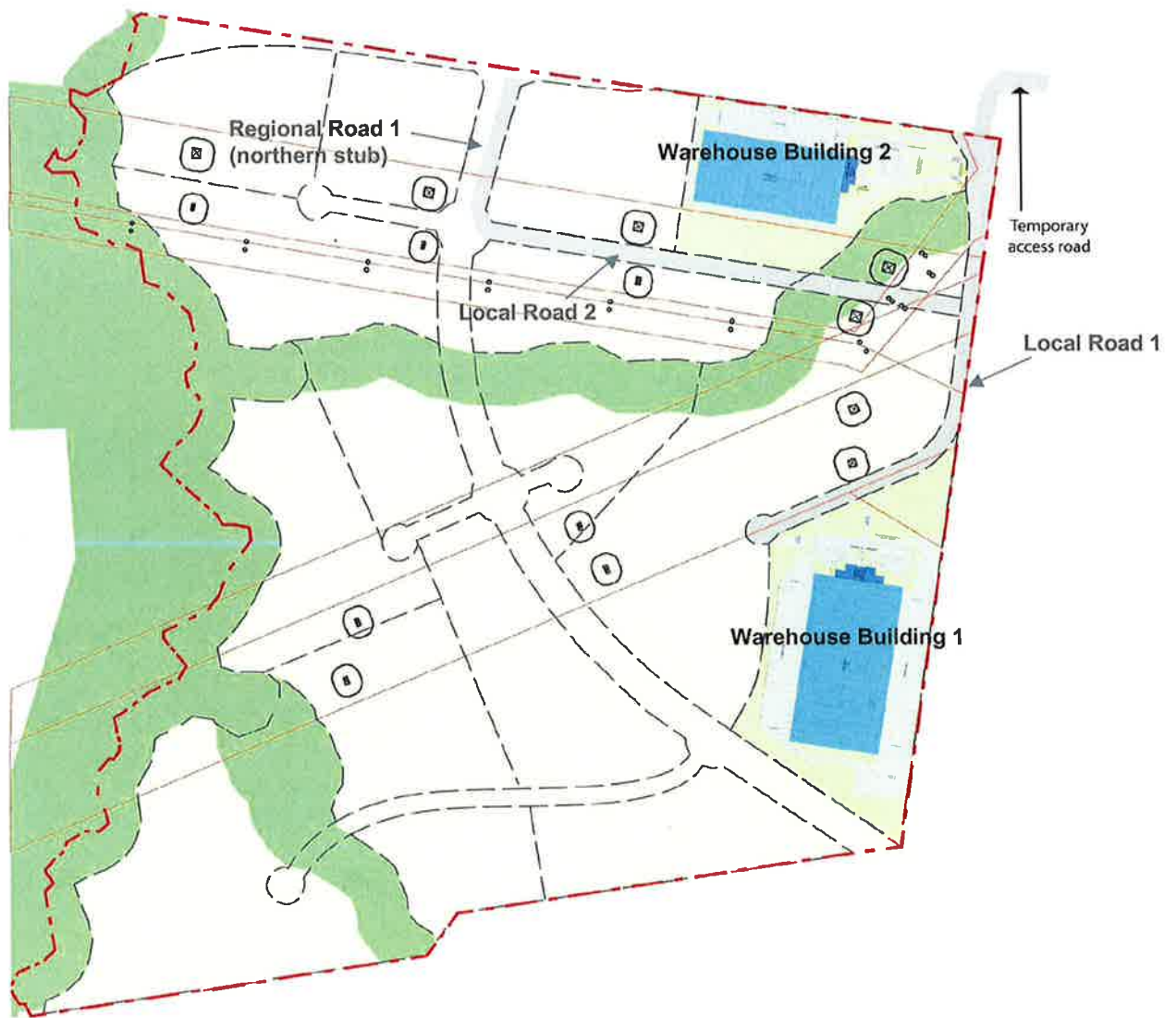
Pre-Operation Compliance Audit

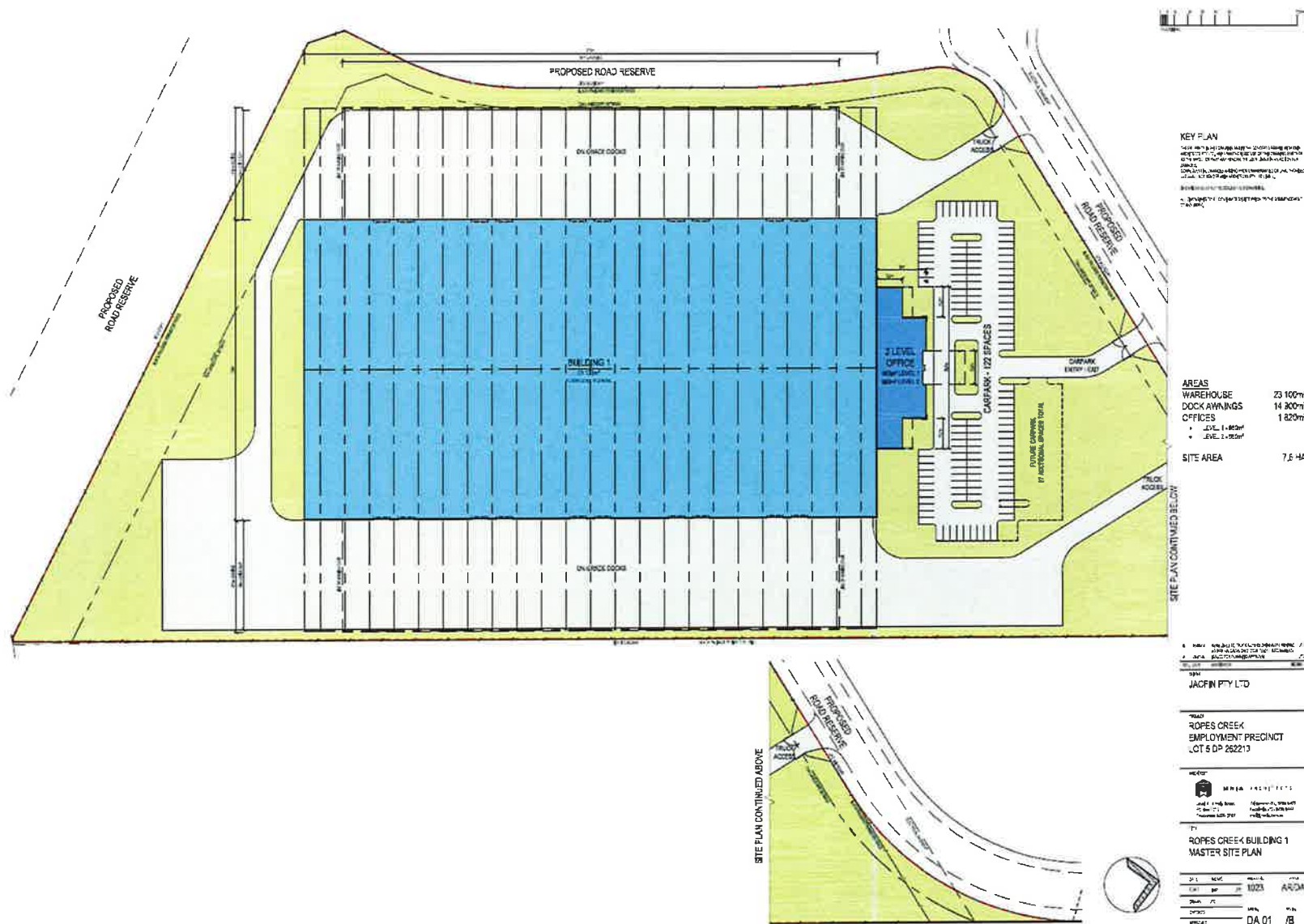
43. Within one month of commencement operations, the Proponent shall submit work as executed plans to the Department for all the development associated with the project. These plans must be prepared by a suitably qualified and experienced expert, and include plans showing the work as executed plans laid over

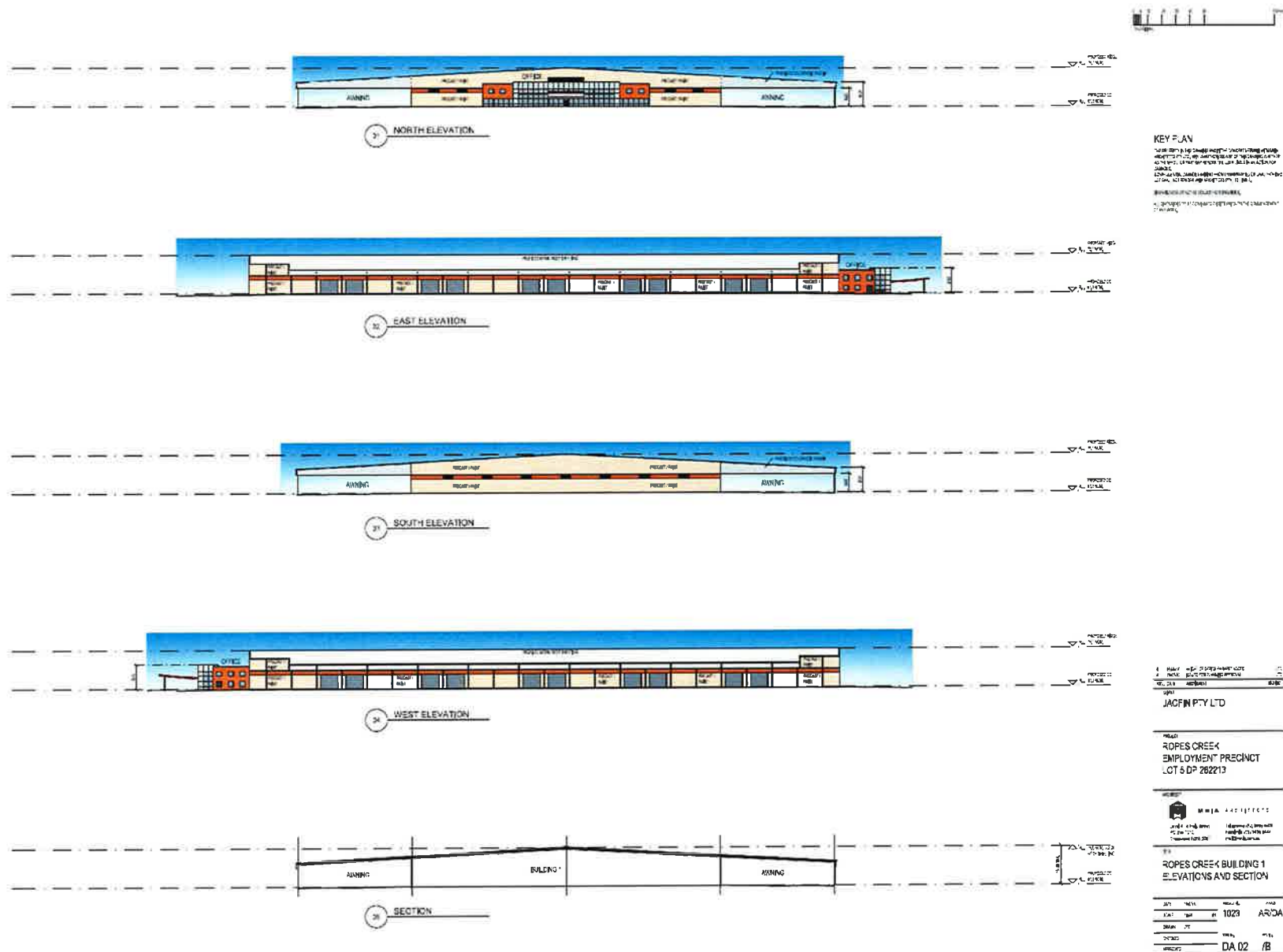
the approved plans to demonstrate that the development has been carried out in accordance with the approved plans.

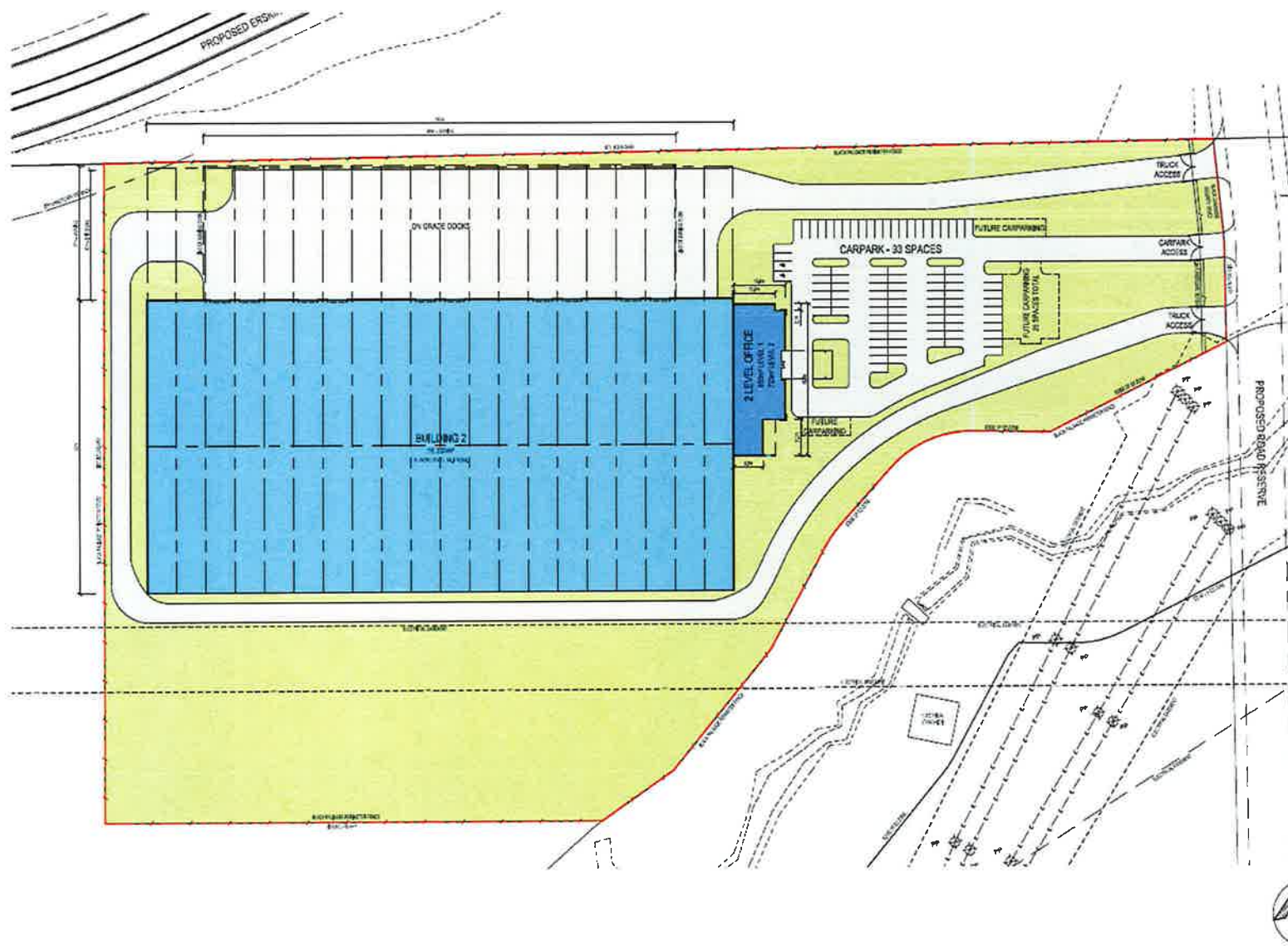
44. The Director-General may require an update on compliance with all, or any part, of the conditions of this approval. Any such update shall meet the reasonable requirements of the Director-General and be submitted within such period as the Director-General may agree.

APPENDIX A SITE PLANS









KEY PLAN

THIS KEY PLAN IS A SUMMARY OF THE MASTER SITE PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER DOCUMENT. THE MASTER SITE PLAN IS THE AUTHORITY FOR ALL INFORMATION RELATING TO THIS PROJECT.

AREAS	
WAREHOUSE	16 200m
DOCK AWNINGS	5 350m
OFFICES	1 350m
	• D.E. 1 = 150m
	• D.E. 2 = 150m
SITE AREA	5.3 H

1. THIS KEY PLAN IS A SUMMARY OF THE MASTER SITE PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER DOCUMENT. THE MASTER SITE PLAN IS THE AUTHORITY FOR ALL INFORMATION RELATING TO THIS PROJECT.

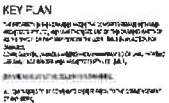
JACFIN PTY LTD

ROPE CREEK
EMPLOYMENT PRECINCT
LOT 5 DP 262213

ROPE CREEK
EMPLOYMENT PRECINCT
LOT 5 DP 262213

ROPE CREEK BUILDING 2
MASTER SITE PLAN

DATE	DATE	NO.	1023	AR/DA
DATE	DATE	NO.	1023	AR/DA
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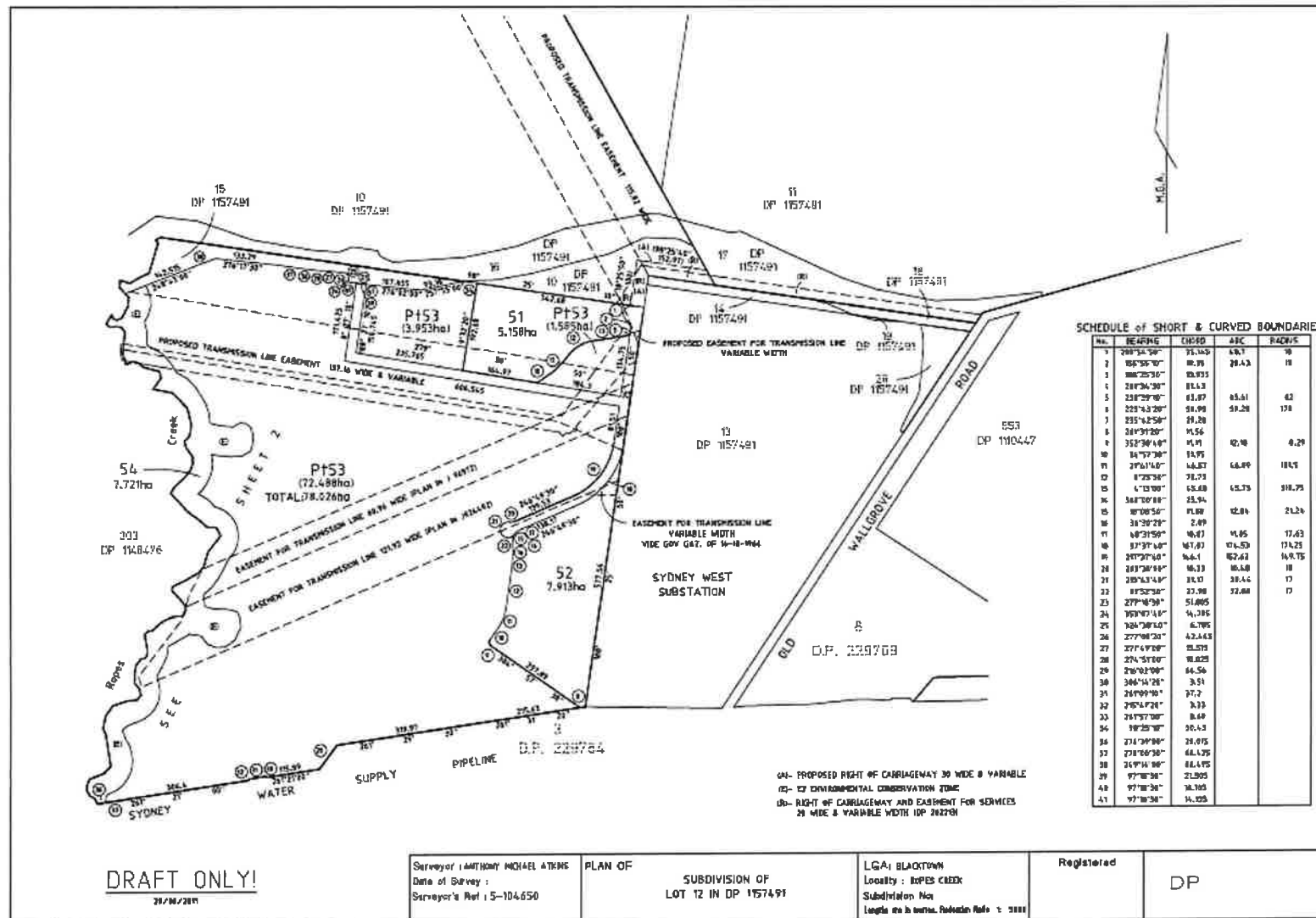
ROPE CREEK
EMPLOYMENT PRECINCT
LOT 5 DP 262213

NAB | A 424 | 1 800 368 3622
 1000 16th St. NW, Suite 1000
 Washington, DC 20004-4020

ROPPS CREEK BUILDING 2 ELEVATIONS AND SECTION

DATE	TIME	NAME	UNIT
FAL	08	BT	1023 ARJA
DVA	7C		
DEED		SUBJ	DA 11
DEED			B

APPENDIX B PLAN OF SUBDIVISION



**APPENDIX C
STATEMENT OF COMMITMENTS**

Subject	No.	Commitments	Timing
Construction Management	1.	A Construction and Environmental Management Plan will be prepared by the appointed building contractor and will be submitted to the Principal Certifying Authority for sign off. The CEMP will address the following issues: - Site Management; - Air Quality; - Noise and Vibration Management; - Soil and Water Management; - Construction Traffic Management; - Waste and Hazardous Materials Management; - Protection of E2 zoned land; and - Management of Indigenous Heritage.	Prior to works commencing.
	2.	The construction noise mitigation measures recommended by the Acoustic Consultant will be incorporated into the Construction and Environmental Management Plans.	Prior to works commencing.
Waste Management	3.	An Operational Waste Management Plan will be prepared for each of the warehouse buildings on the site.	Prior to the occupation of each warehouse.
	4.	If required a Hazard Assessment for the storage of hazardous goods will be undertaken.	Prior to the issue of a Construction Certificate relating to the construction of a hazardous material storage facility.
Signage and Lighting	5.	Future applications will be lodged providing detail on signage and lighting for Warehouse Buildings 1 and 2.	Prior to the occupation and use of each warehouse building.
Building Code of Australia	6.	The Stage 1 warehouse buildings will comply with the relevant provisions of the Building Code of Australia.	Prior to issue of a Construction Certificate.
Heritage	7.	The Aboriginal artefact in the Stage 1 Project Application area will be collected and agreement will be sought with the local Aboriginal community to determine a suitable safe location for the storage of the artefact.	Prior to earthworks commencing.
Contributions	8.	Jacfin will enter into an agreement with the Department of Planning as part of the Stage 1 Project Application, in accordance with Division 6 of Part 4 of the EP&A Act, to provide for regional infrastructure contributions, as outlined in Section 6.15 of this report.	Prior to the issue of an Occupation Certificate.
Crossings over E2 Zones	9.	Detailed plans showing the proposed crossing of Local Road Two over the E2 zone will be provided to the satisfaction of the Director-General.	Details to be provided prior to the issue of any construction certificate.
	10.	Any crossing over the E2 zone will be constructed in accordance with the design requirements of the NSW Office for Water.	Details to be provided prior to the issue of any construction certificate application.