

# 1 STATEMENT OF COMMITMENTS

## 1.1 Overview and Definitions

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

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

Applicable Council	The Council in which the site works are located (either Holroyd City Council or Blacktown City Council)
Approval	The Minister's development consent to the project (SSD 6801)
BCA	Building Code of Australia
Councils	Holroyd City Council and Blacktown City Council
Department	Department of Planning & Environment
DEXUS	DEXUS Quarry West Subtrust, part of the DEXUS Property Group, or its successors in title
EIS	<i>Environmental Impact Statement: QuarryWEST Project</i> , dated March 2015, as may be amended in any subsequent modification application
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning &amp; Assessment Regulation 2000</i>
Greystanes SEL concept approval	Greystanes Southern Employment Lands concept plan approval (Project Application No.06_0181)
Major Development SEPP	<i>State Environmental Planning Policy (Major Development) 2005</i>
Minister	Minister for Planning
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project	The development as described in the EIS
RMS	Roads and Maritime Services
RTS	<i>Response to Submissions: QuarryWEST Project</i> , dated July 2015, including any other additional information provided by DEXUS prior to determination
Secretary	Secretary of the Department (or delegate)
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>
TfNSW	Transport for NSW
UDP	Urban Design Plan for the Greystanes SEL concept plan, 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) EIS and RTS;
  - b) statement of commitments;
  - c) Greystanes SEL concept approval; and
  - d) 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 Secretary 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 Prior to the commencement of any construction works, DEXUS will:
- a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths, etc) in consultation with the Councils; and
  - b) submit a copy of this report to the Secretary and the Councils.
- 1.2.7 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

- 1.2.8 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**

- 1.2.9 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**

### **Subdivision**

- 1.3.1 DEXUS will subdivide the site generally in accordance with the subdivision plan in the EIS.

### **Design**

1.3.2 Deleted

1.3.3 Deleted

#### ***Estate Signage Strategy***

- 1.3.4 DEXUS will prepare a detailed Signage Strategy for the site, to the satisfaction of the Secretary. The strategy will:
- a) be prepared in consultation with the Councils, and be submitted to the Secretary 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***

- 1.3.5 DEXUS will prepare a detailed Fencing Strategy for the site, to the satisfaction of the Secretary. The strategy will:
- a) be prepared in consultation with the Councils, and be submitted to the Secretary 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 Secretary.

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

### **Soil and Water**

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

- 1.3.6 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) include measures to minimise soil erosion and the potential for the transport of sediment to downstream waters;
- e) include 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**

1.3.7 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 EIS and UDP; and
  - Stormwater Infrastructure Maintenance Plan (GHD, April 2008); and
- c) incorporate bio-retention basins, gross pollutant traps, and provide for all stormwater to be directed toward the western 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**

1.3.8 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**

#### **Construction Hours**

1.3.9 DEXUS will carry out construction on the site generally between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction will be generally be undertaken on site on Sundays or public holidays.

Construction works will be undertaken outside these times only if they are inaudible at any privately-owned residence.

#### **Operational Noise**

1.3.10 DEXUS will ensure that noise generated from the site does not exceed the noise impact assessment criteria in Table 1.

**Table 1: Noise Limits**

<b>Location</b>	<b>Day</b>	<b>Evening</b>	<b>Night</b>	
	<b><math>L_{Aeq(15min)}</math></b>	<b><math>L_{Aeq(15min)}</math></b>	<b><math>L_{Aeq(15min)}</math></b>	<b><math>L_{Amax}</math></b>
Any existing privately-owned residence	40	42	38	48

Notes:

- *With regard to time periods:*
  - *Day is the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays;*
  - *Evening is the period from 6pm to 10pm; and*
  - *Night is the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and public holidays.*
- *Noise will be assessed in accordance with the provisions of the NSW Industrial Noise Policy*

## **Air Quality**

### **Construction Traffic**

1.3.11 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**

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

### **Odour**

1.3.13 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**

1.3.14 DEXUS will ensure that energy efficiency measures are designed and implemented for all buildings to be constructed on site. The measures will be generally in accordance with the energy efficiency controls in the UDP and EIS.

## **Transport**

### **Traffic Management**

1.3.15 DEXUS will prepare a Construction and Operation Traffic Management Plan for the project detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control in consultation with TfNSW and the Councils and to the satisfaction of the Secretary, prior to the commencement of building works.

### **Internal and External Roads**

1.3.16 DEXUS will ensure that the 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.

1.3.17 DEXUS will:

- a) design and construct the internal roads to the satisfaction of Holroyd City Council; and
- b) ensure that the intersections with Reconciliation Road are designed and constructed to the satisfaction of the RMS,  
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 Road, DEXUS notes that the funding for some works is subject to the Deed of Agreement between RMS and Boral under the Greystanes SEL concept plan. 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 RMS.*

### **Vehicle Parking and Queuing**

1.3.18 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
- the project does not result in any vehicles queuing on the public road network.

### ***Bicycle Facilities***

- 1.3.19 DEXUS will provide pedestrian and cycleway access on internal roads in accordance with the approved local road design in the concept plan, prior to the commencement of operation of the applicable building(s).
- 1.3.20 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 with a floor area exceeding 4,000m<sup>2</sup>.

### **Visual Amenity**

#### ***Landscaping Maintenance***

- 1.3.21 During the project, DEXUS will:
- a) maintain the landscaping on the site to the satisfaction of the Secretary; and
  - b) ensure that the landscaping on the site does not impede driver sight distance of vehicles entering or leaving the site.

#### ***Lighting***

- 1.3.22 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**

- 1.3.23 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 the EIS.
- 1.3.24 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*.
- 1.3.25 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.

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 Secretary.

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

## **Environmental Management Strategy**

1.3.26 DEXUS will prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary. This strategy will:

- a) be submitted to the to the Secretary for approval prior to the commencement of any construction works;
- b) describe in broad terms the proposed environmental management strategy for the project;
- c) describe measures to minimise air quality, noise and other emissions during construction and operation;
- d) identify the person who would be responsible for overseeing the environmental management of the project, and provide contact details for this person; and
- e) 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, including an enquiries contact number;
  - resolve any disputes that may arise during the project; and
  - respond to any non-compliances.