

Major Projects application



NSW GOVERNMENT
Department of Planning

Date received: 07/07/06

Project Application No. 06-0191

1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your Project.

Please be aware that you may need to conduct a Planning Focus Meeting before lodging this application involving the Department, relevant agencies, Council or other groups identified by the Department. If you are required to conduct a Planning Focus Meeting, you will need to provide details and outcomes arising from the meeting.

To ensure that your application is accepted as being duly made, you must

- complete ALL parts of this form, and
- submit all relevant information required by this form.

All applications must be lodged with the Director-General, by courier or mail.

Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
DX 10181 Sydney Stock Exchange
t: 02 9228 6111
f: 02 9228 6455

2. Details of the proponent

Company/organisation/agency

Orica Australia Pty Ltd

ABN

99 004 117 828

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Graeme

Family name

Richardson

STREET ADDRESS

Unit/street no.

16-20

Street name

Beauchamp Road

Suburb or town

Matraville

State

NSW

Postcode

2036

POSTAL ADDRESS (or mark 'as above')

AS ABOVE

Suburb or town

State

Postcode

Daytime telephone

9352 2005

Fax

9352 2371

Mobile

0412 616151

Email

graeme.richardson@orica.com

3. Identify the land you propose to develop

STREET ADDRESS

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area

REAL PROPERTY DESCRIPTION

OR: detailed description of land attached: ☒

The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the Major Project applies to more than one piece of land, please use a comma to distinguish between each real property description.

Where the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000* and in lieu of completing the above, a description or detailed plan of the land affected must be included with the documents required with Part 4 below.

4. Proposed Major Project – Description and other Requirements

Provide a brief title for your Project that includes all significant components. If the application relates to only part of a Project, include a clear title that describes the relevant part.

Southlands Remediation and Development Project and associated road works

Is the application related only to a part of a Project? ☐ Yes ☒ No

You are also required to provide a Project Description Report and address any matters required by the Director-General in accordance with 75E of the Act. Failure to do so may lead to your application being rejected.

Is a Project Description attached:

Hard copy:

☒ Yes ☐ No

Electronic version:

☒ Yes ☐ No

(NB: An electronic copy is required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format).

Is the Project Description Report consistent with the requirements of any Guideline produced by the Department (including any draft)? ☒ Yes ☐ No

Does the Project Description Report include additional matters required by the Director-General, such as evidence of a Planning Focus Meeting and consultation? ☐ Yes ☐ No *N/A*

CONCEPT APPROVAL

If you are applying for a **concept approval**, the Department's *Concept Approval Guideline* should be consulted and the matters identified therein must be addressed as part of your application.

Does the Project Description Report submitted address the relevant guidelines for Concept Approvals?

☒ Yes ☐ No

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed Major Project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

250

Operational jobs (full-time equivalent)

1400

(based on City of Botany
Bay employment
generation rate for
warehousing)

5. Approvals from state agencies

Does the proposed Major Project require any of the following: (tick all appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☒ a consent under section 138 of the *Roads Act 1993*

6. Application fee

You are required to pay a fee for the assessment of a Major Project. This fee is based on the estimated cost of the Major Project.

The Department requires that you pay a proportion of the total fee with this application and you should consult with the Department before lodging this application to determine the proportion to be paid.


Estimated Project Cost

\$110 Million

7. Owner's Consent

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the Proponent:

Signature



Name

Mr Graeme Richardson

Date

5 July 2006

Signature



Name



Date



Note: The Department will not accept an application for a Major Project without having the signature of the owner of the land, unless the Major Project is subject to Clause 8F of the *Environmental Planning and Assessment Regulation 2000*.

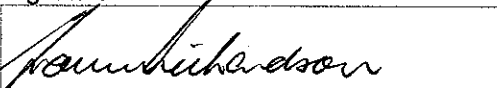
**Refer attached owners consents from Macquarie Goodman Corporation.
Maritime Container Services consent to be provided separately.**

8. Proponent's Signatures

As the proponent(s) of the proposed Major Project and in signing below, I/we hereby:

- provide a description of the proposed Project and address all matters required by the Director-General pursuant to Section 75E of the Act, and
- apply, subject to satisfying Clause 8D of the *Environmental Planning and Assessment Regulation 2000*, for the Director-General Environmental Assessment Requirements pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979*, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

Mr Graeme Richardson

Date

5 July 2006

In what capacity are you signing if you are not the proponent

General Manager.

*Botany Transformation
Project
Area.*

Name, if you are not the proponent

Southlands Part 3A Application – Site Subject to Application

<i>Land Description</i>	<i>Area</i>
<i>Southlands</i>	
Lot 1 in DP 254392	2,850 m ²
Lot 1 in DP 1078077	95,300 m ²
Lot 1 in DP 85542	61,300 m ²
Lot 11 in DP 109505	23,430 m ²
<i>Sub Total</i>	<i>182,880 m²</i>
<i>Discovery Cove</i>	
Lot 1 DP 873898	75,680 m ²
<i>Total</i>	<i>258,560 m²</i>

Note: A strip of land through the MCS property is also required for site access in addition to the areas noted above. This parcel of land is noted as part Lot 2 in DP 740704.

17 February 2005

Rebecca Khair
Macquarie Goodman
Level 10
60 Castlereagh St
SYDNEY NSW 2000

Dear Rebecca

**Re: Owner's Consent enabling Macquarie Goodman to submit Development Applications
& Applications for Construction Certificates**

Please accept this letter as consent for Macquarie Goodman to execute and lodge the relevant documentation as agent of and on behalf of Trust Company of Australia Limited in regard to the above referenced matters.

Trust Company of Australia Limited by its attorney Simon Hindson pursuant to Power of Attorney Registered No. 670 Book 4279 dated 10 July 2000 (who states by executing this document that the attorney has received no notice of revocation of the power of attorney).


.....
Signature of Attorney

Simon Hindson
Name of Attorney


.....
Signature of Witness

Evie Rozali
Name of Witness

granted by

(ACN 004 027 749)

704209608

\$88.00

24/07/2000 10:41

BE 804

Solicitors & Attorneys

Level 6

7 Macquarie Place

SYDNEY NSW 2000

Tel: 9390 8100

Fax: 9247 2866

D.X. 10263 SSE

Certified as a true and complete copy
of the contents of the instrument of
which it purports to be a copy

17/04

17/02/09

BY THIS POWER OF ATTORNEY made on the date set out in Item 1 of the Annexure the Company described in Item 2 of the Annexure (the "Grantor") appoints the persons described in Item 3 of the Annexure (the "Attorneys") as its true and lawful attorneys, jointly and/or severally, for them, and in their name, and as their act and/or deed, to execute under hand and deliver (which delivery may be conditional or unconditional), the documents described in Item 4 of the Annexure (the "Documents") and:

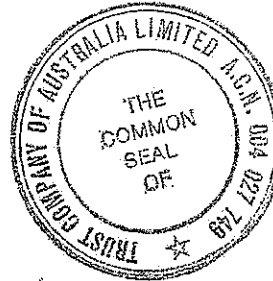
- (a) to complete any blanks in the Documents;
- (b) to make such amendments or additions to the Documents which, in the Attorneys' opinion, are appropriate;
- (c) to do, execute and perform any other deed, matter, act or thing which, in the opinion of the Attorneys, ought to be done, executed or performed in connection with any Document; and
- (d) to execute under hand or under seal and deliver (which delivery may be conditional or unconditional), any other instruments supplemental to or varying any of the Documents, previously approved of by the Grantor.

AND THE GRANTOR DECLARES THAT:

1. The powers and authorities conferred by this Power of Attorney shall remain in full force and effect until revoked by written notice to the attorneys.
2. The Grantor shall from time to time and at all times ratify and confirm whatever the Attorneys lawfully do, or cause to be done, pursuant to this Power of Attorney and shall indemnify the Attorneys from and against all actions, suits, claims, demands, damages, liabilities, losses, costs and expenses that may be made or brought against, or suffered or incurred by, the Attorneys arising out of, or in connection with, the lawful exercise of any of the powers and authorities conferred by this Power of Attorney.
3. The Grantor shall, promptly upon execution and delivery of this Power of Attorney, properly stamp and register this Power of Attorney as required by any applicable law and the grantor authorises any person or corporation who is a party to any documents to stamp and register this Power of Attorney on behalf of the grantor, and all reasonable costs associated with such stamping and registration shall be paid by the Grantor to such person or corporation within a reasonable time after demand for payment is made.

EXECUTED as a deed on the date specified in Item 1 of the Annexure.

THE COMMON SEAL of
TRUST COMPANY OF
AUSTRALIA LIMITED
was affixed by
authority of its Board of
Directors in the presence of:



Signature of Authorised Person

J Sweeney
Director

Office held

JONATHAN SWEENEY
Name of Authorised Person (Print Name)

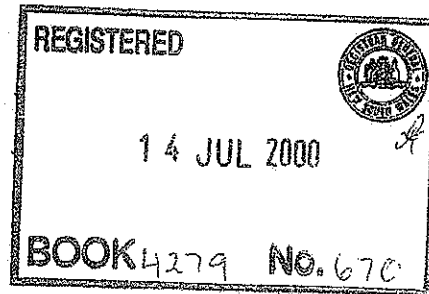
Signature of Authorised Person

M J Britton
Authorised Countersigning Officer

Office held

MICHAEL BRITTON
Name of Authorised Person (Print Name)

N1211/00



ANNEXURE

ITEM 1 (the Date): 10th July 2000

ITEM 2 (the Grantor): TRUST COMPANY OF AUSTRALIA LIMITED (ACN 004 027 749)

ITEM 3 (the Attorney): Jonathan Westaby Sweeney;
Michael John Britton;
Geoffrey David Corderoy;
Geoffrey Funnell;
Bruce Barker;
John Dinan;
Any director of the Grantor .

Any person who holds a position with the Grantor with the title of "Manager".

ITEM 4 (the Documents): All letters, agreements, deeds and other documents whatsoever to which the Grantor is a party in its capacity as a custodian and/or agent of a responsible entity and includes, without limitation:

- (i) contracts for sale and purchase;
- (ii) transfers of real estate;
- (iii) mortgages, charges and other security documents in respect of any finance facility and deeds of priority and/or subordination;
- (iv) leases, variations of lease, transfers of lease, assignments of lease, surrenders of lease, mortgages of lease;
- (v) licences and licence agreements;
- (vi) variations of mortgages, variations of charges, discharge of mortgages and charges, deeds of release of charges, assignment of mortgages and charges;

- (vii) development applications and consents;
- (viii) proxy forms;
- (ix) acknowledgments and undertakings; and
- (x) any other documents required or contemplated by, or incidental to any of the above documents and all documentation required to be executed by the Grantor as a result of the Grantor owning or holding title to assets in its capacity as custodian or agent of a responsible entity (as that term is defined in the Corporations Law).