

Project Approval

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

I approve the project referred to in schedule 1, subject to the conditions in schedule 2.

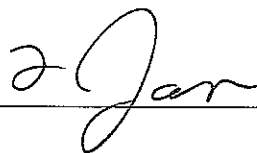
These conditions are required to:

- prevent and/or minimise environmental impacts;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the project.



The Hon Kristina Keneally MP
Minister for Planning

Sydney



2009

SCHEDULE 1

Application No:	08_0187
Proponent:	GPT Group
Approval Authority:	Minister for Planning
Land:	Lot 201 DP 1133028, Erskine Park
Project:	Versacold Cold Storage Project

SCHEDULE 2

DEFINITIONS

BCA	Building Code of Australia
Building Works	Any physical activity involved in the erection of a building
CEMP	Construction Environmental Management Plan submitted in the EA and titled "Construction Environmental Management Plan, Connect @ Erskine Park Building D – Versacold Revision A".
Council	Penrith City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DCP	Penrith Development Control Plan 2006
DECC	Department of Environment and Climate Change
Department	Department of Planning
Director-General	Director-General of the Department (or delegate)
DWE	Department of Water and Energy
EA	Environmental Assessment titled <i>Environmental Assessment: "Connect@Erskine Park, Versacold Logistic Services Cold Storage Facility, Project Application"</i> prepared by BBC Consultant Planners, and dated 15 September 2008, including the response to submissions
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
Minister	Minister for Planning
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am Sundays and Public Holidays
Project	The development as described in the EA
Proponent	GPT Group (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.
Response to Submissions	The letter and attachments, including plans, dated 17 November 2008, ref: DHB/07108, prepared by BBC Consultant Planners
RTA	Roads and Traffic Authority
Site	Land to which the project application applies
Stage 1	Development of a 12,245m ² cold storage warehouse facility with a office, canteen and battery charge area, as described in the EA
Stage 2	A 9,720m ² expansion of the cold storage warehouse facility, as described in the EA.
Statement of Commitments	The Proponent's commitments in the EA

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 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) site plans VC-LE-DA-001 (C); VC-LE-DA-002 (C); VC-LE-DA-002 ST2 (C); VC-LE-DA-003 (C); VC-LE-DA-004 (C); VC-LE-DA-100 (C); VC-LE-DA-200 (C); VC-LE-200 ST2 (C); VC-LE-DA-200 (C); VC-LE-DA-201 (C) and VC-LE-DA-210 (C) (see appendix A);
 - c) statement of commitments; 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 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, strategies, programs 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, programs or correspondence.
5. This approval shall lapse if the Proponent does not commence construction of the project within 5 years of the date of this approval.

Management Plans

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

Structural Adequacy

7. 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

8. 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 to the satisfaction of the Director-General, prior to the commencement of construction
 - b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.
9. Prior to the construction of any utility works, the Proponent shall obtain the relevant approvals from service providers, including Sydney Water.

Operation of Plant and Equipment

10. The Proponent shall 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.

Pre-Operation Compliance Audits

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 must 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.

SPECIFIC ENVIRONMENTAL CONDITIONS

CONSTRUCTION

12. During construction, the Proponent shall:
- carry out all reasonable and feasible measures to minimise soil erosion and the discharge of sediment from the site to downstream waters in a manner that is consistent with the requirements of Landcom's (2004) *Managing Urban Stormwater: Soils and Construction* manual; and
 - for Stage 1, implement and maintain all the measures and controls detailed in the CEMP, submitted in the EA, including the controls for:
 - erosion and sediment control (as detailed in drawings AA001780 C001, C002, C003, C005, C006 and C011 in the Response to Submissions);
 - noise management;
 - dust management;
 - traffic management; and
 - waste management.
13. Prior to the commencement of construction of Stage 2, the Proponent shall revise the CEMP in consultation with Council, and to the satisfaction of the Director-General.

SOIL AND WATER

Bunding

14. 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. The bund(s) shall be designed and installed in accordance with:
- the requirements of all relevant Australian Standards; and
 - DECC's *Environmental Protection Manual Technical Bulletin Bunding and Spill Management*.

Rainwater Harvesting

15. Prior to operations, unless otherwise agreed by the Director-General, the Proponent shall provide the necessary infrastructure on site to enable roof and hardstand stormwater to be collected, stored and discharged separately to the satisfaction of the Director-General.

Notes:

- Unless the Director-General agrees otherwise, the roof stormwater infrastructure should include:*
 - a rainwater collector system with a design capacity for the 1 in 20 year (critical duration) storm event; and*
 - roof water reservoirs or storage tanks with a capacity of at least 330KL/ha of roof services or 190 KL/ha gross land area (whichever is larger), and the ability to discharge flows (by way of pumped rising mains or gravity mains) to any regional rainwater harvesting infrastructure at a rate of 11.6 l/s per megalitre of storage.*
 - The relevant infrastructure may be provided on a progressive basis, in accordance with confirmation of the Regional Rainwater Harvesting Scheme's feasibility, and the status of the scheme. In this regard, the dual pipework for the warehouse buildings can be provided in conjunction with the building construction. The required storage tanks, and associated connecting pipes, can be installed in conjunction with the construction of the regional infrastructure (ie. regional trunk mains and connector pipes) by the relevant infrastructure provider.*
16. During operations, the Proponent shall participate in any regional rainwater harvesting initiatives to the satisfaction of the Director-General.

Note: This participation will involve making the roof stormwater infrastructure on site available for connection to any regional rainwater harvesting infrastructure.

Soil and Water Management

17. The Proponent shall prepare and implement a revised Soil and Water Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be prepared in consultation with Council and be approved by the Director-General prior to the commencement of building works; and
 - include:
 - measures to ensure post development flows do not exceed predevelopment flows;
 - detailed plans for:
 - the design of the stormwater outlets;

- the proposed stormwater management scheme in accordance with the DECC's *Managing Urban Stormwater* guidelines; and
- the proposed rainwater harvesting infrastructure; and
- a program for monitoring the effectiveness of the proposed management measures.

TRANSPORT

Design of Internal Road and Parking

18. The Proponent shall ensure that the internal road network and parking associated with the project are designed, constructed and maintained in accordance with the latest versions of the Australian Standards AS 2890.1:2004 and AS 2890.2:2002.

Vehicle Queuing and Parking

19. 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.

Bicycle Racks

20. The Proponent shall provide suitable parking for bicycles and associated facilities such as change rooms at the facility.

VISUAL

Elevation, Height and Scale

21. The Proponent shall submit a detailed building design and treatment plan of measures to minimise the visual impact of the building from the public domain. The plan must:
 - a) be prepared in consultation with Council and approved by the Director-General, prior to the commencement of building works; and
 - b) demonstrate how the building façade, articulation, landscaping, fencing and any other visual screening integrate to improve the visual amenity of the building.

Signage and Fencing

22. The Proponent shall not install any signage or fencing on site without the written approval of Council and the Director-General. In seeking this approval the Proponent shall:
 - a) submit detailed plans of the proposed signage or fencing, which have been prepared in consultation with Council; and
 - b) demonstrate that the proposed signage or fencing is consistent with the relevant requirements in the DCP.

Landscaping

23. The Proponent shall prepare and implement a revised Landscape Management Plan for the project to the satisfaction of the Director-General. The plan must:
 - a) be prepared in consultation with Council and be approved by the Director-General prior to the commencement of building works;
 - b) specify the number and species of trees to be planted along key boundaries, ensuring the plan uses endemic species only; and
 - c) provide for the maintenance of landscaping on the site.
24. Any proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.

Lighting

25. 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.

NOISE

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

Table 1: Construction and Operation hours for the Project

Activity	Day	Time
Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 1:00pm
	Sunday and Public Holidays	Nil
Operation	Monday to Friday	Any time
	Saturday and Sunday	5 am to 1 pm

Note: 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.

Operational Noise Assessment Criteria

27. During the project, the Proponent shall ensure that noise from the project does not exceed the noise limits presented in Table 2.

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

Location	Day	Evening	Night	Night
	L _{Aeq} (15 minute)			L _{A1} (1 minute)
Emmaus Village, Baker Drive	35	35	35	45
Erskine Park	39	39	37	45

Note: Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

Cumulative Noise Assessment Criteria

28. During the project, the Proponent shall ensure that noise from the project and all other development on the Connect@Erskine Park estate does not exceed the noise limits presented in Table 3.

Table 3: Project Noise Limits (dB(A))

Location	Day	Evening	Night
	L _{Aeq} (period)		
Emmaus Village, Baker Drive	55	45	40
Erskine Park	55	45	40

Note: Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

HAZARDS

29. The Proponent shall ensure the total quantity of ammonia on the site does not exceed 3.5 tonnes at any time.
30. The Proponent shall prepare and implement a Fire Safety Study for the project to the satisfaction of the Director-General. The study must:
- be approved by both the NSW Fire Brigades and the Director-General, prior to the commencement of building works;
 - be prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No.2 - Fire Safety Study Guidelines* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*; and
 - address ammonia-related explosion hazards and safety requirements such as use of appropriate electrical equipment to minimise the risk of explosion.
31. The Proponent shall prepare and implement the following plans and systems for the project to the satisfaction of the Director-General:

- a) an Emergency Plan prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1- Industry Emergency Planning Guidelines*; and
- b) a Safety Management System prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No.9 - Safety Management*, and specifies all safety-related procedures, responsibilities and policies, along with mechanisms for ensuring adherence to these procedures.

The Proponent shall not commence operations of the project before these plans and systems have been approved by the Director-General.

- 32. The Proponent shall, prior to the commencement of operations and to the satisfaction of the NSW Fire Brigade, install:
 - a) placards at all entry points to the buildings onsite and identify the type of insulated sandwich panels used at the facility; and
 - b) a notice detailing the type, quantity and location of refrigerant used at the site to be displayed at the Fire Control Centre.

AIR

- 33. The Proponent shall carry out all reasonable and feasible measures to minimise dust generated by the project.
- 34. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the *Protection of the Environment Operations Act 1997*.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the Proponent must not cause or permit the emission of any offensive odour from the site, but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

- 35. 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 a clean.

WASTE

- 36. The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must:
 - a) be submitted to the Director-General for approval prior to the commencement of operation;
 - b) be consistent with the requirements in the DCP;
 - c) detail the measures that will be implemented to minimise waste generation associated with the project, ensuring all reasonable and feasible measures are implemented; and
 - d) include a program for monitoring the effectiveness of these measures over time.

ENERGY

Energy Efficiency

- 37. The Proponent shall prepare and implement an Energy Efficiency Program for the project to the satisfaction of the Director-General. This plan must:
 - a) be approved by the Director-General prior to the commencement of building works;
 - b) be revised and approved by the Director-General prior to the commencement of construction of Stage 2;
 - c) compare the proposed energy use of the project to other existing cold storage facilities;
 - d) investigate energy efficiency measures available, in particular for refrigeration and air-conditioning;
 - e) describe the measures that would be used onsite demonstrating the use of best available technology; and
 - f) include a program to monitor and report on the efficiency of the measures implemented and incorporate all reasonable and feasible measures to minimise greenhouse gas emissions over time.

ENVIRONMENTAL MANAGEMENT, AUDITING AND REPORTING

Environmental Management Strategy

38. 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 for approval prior to the commencement of operation;
 - describe in broad terms the proposed environmental management strategy for the project;
 - identify the person who would be responsible for overseeing the environmental management of the project, and provide contact details for this person; and
 - 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;
 - register and record all incidents, accidents and potential incidents;
 - resolve any disputes that may arise during the project; and
 - respond to any non-compliances.

Incident Reporting

39. 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) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.
40. 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:
- describes the date, time, and nature of the exceedance/incident;
 - identifies the cause (or likely cause) of the exceedance/incident;
 - describes what action has been taken to date; and
 - describes the proposed measures to address the exceedance/incident.

Independent Environmental Audit

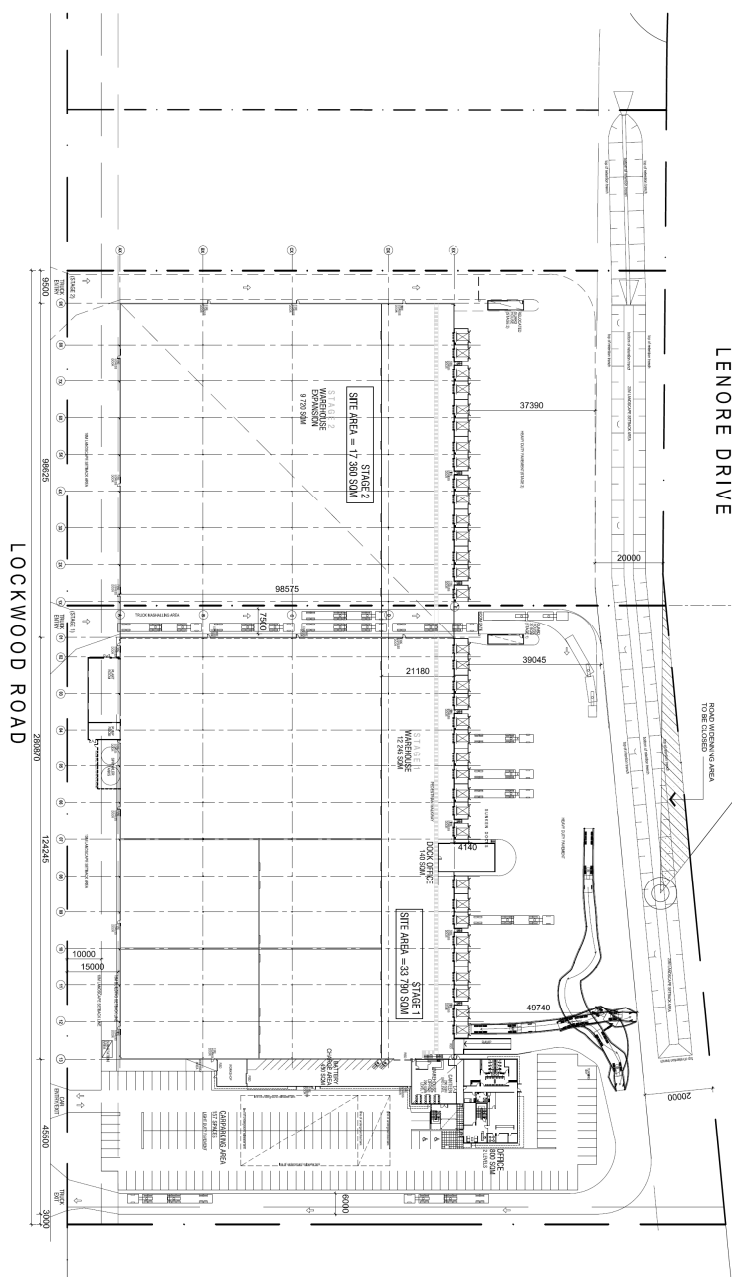
41. Within 12 months of the commencement of operations, 3 years thereafter, and then as directed by the Director-General, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;
 - include a hazard audit which:
 - is carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*;
 - includes a review of the site's Safety Management System and all entries made in the incident register since the previous audit;
 - assess the environmental performance of the project, and its effects on the surrounding environment;
 - assess whether the project is complying with the relevant standards, performance measures, and statutory requirements;
 - review the adequacy of any strategy/plan/program required under this approval; and, if necessary,
 - recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.
42. Within 6 weeks of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General with a response to any recommendations contained in the audit report.
43. Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval to the satisfaction of the Director-General.
-

DEVELOPMENT DATA	
OVERALL SITE AREA	51 150 SQM.

OVERALL SITE AREA 51 150 SQ.M.

51 150 SQM.

LENORE DRIVE

ROAD WIDENING AREA
TO BE CLOSED _____

SITE AREA (STAGE 1)	33,790 SQM.
WAREHOUSE AREA	12,248 SQM.
- DOCK OFFICE = 140 SQM.	
OFFICE (TWOLEVELS)	800 SQM.
BATTERY CHARGE AREA	4450 SQM.
CANTEEN	200 SQM.
WAREHOUSE OFFICE	200 SQM.
GUARD HOUSE	30 SQM.
TOTAL BUILDING AREA	14,125 SQM.
HEAVY DUTY PAVEMENT	8,520 SQM.
LIGHT DUTY PAVEMENT	4,150 SQM.
CARPARKING PROVIDED	157 SPACES
SITE AREA (STAGE 2)	17,360 SQM.
WAREHOUSE EXPANSION	6,720 SQM.

APPENDIX A SITE PLANS

01
1:200 @ A1

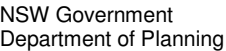
SCALE

0 10 20 40m

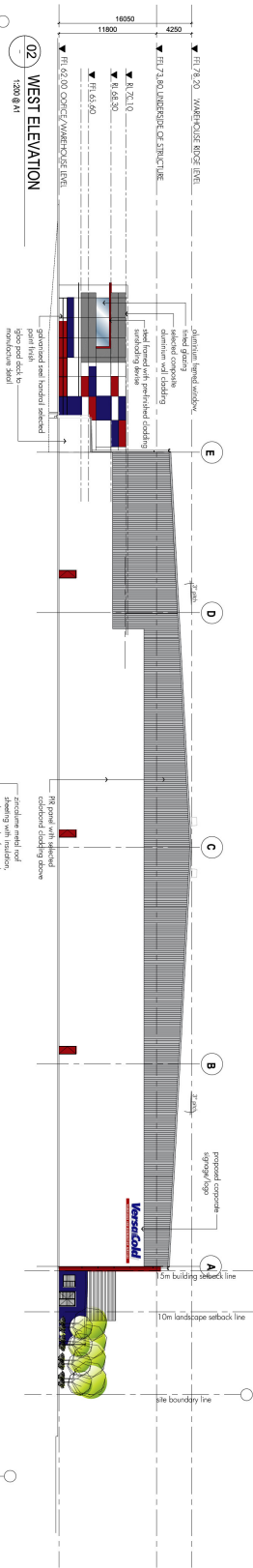
SITE PLAN

NOTE: All Areas written on drawings are approximate only and are subject to confirmation by survey.

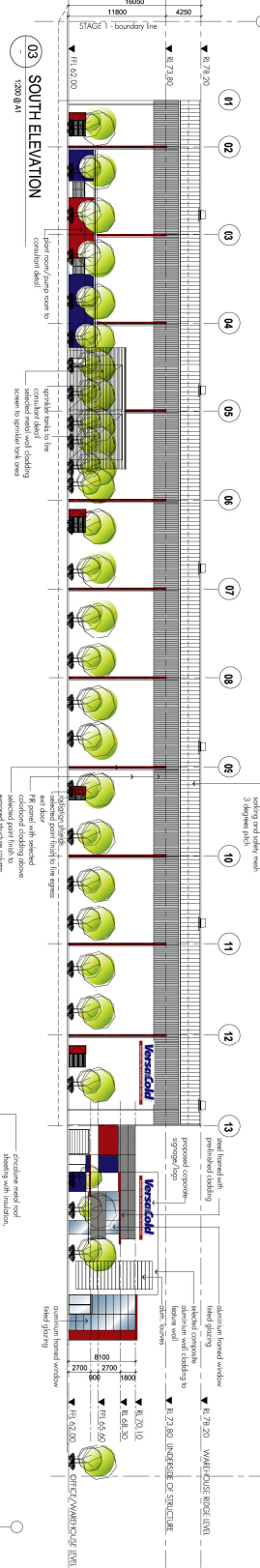
[illegible]NSW Government
Department of Planning



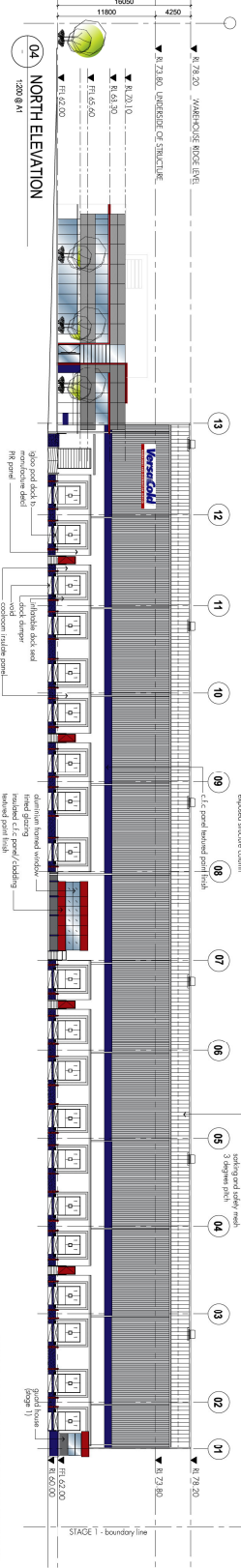
1:200 @ A1



1:200 @ A1



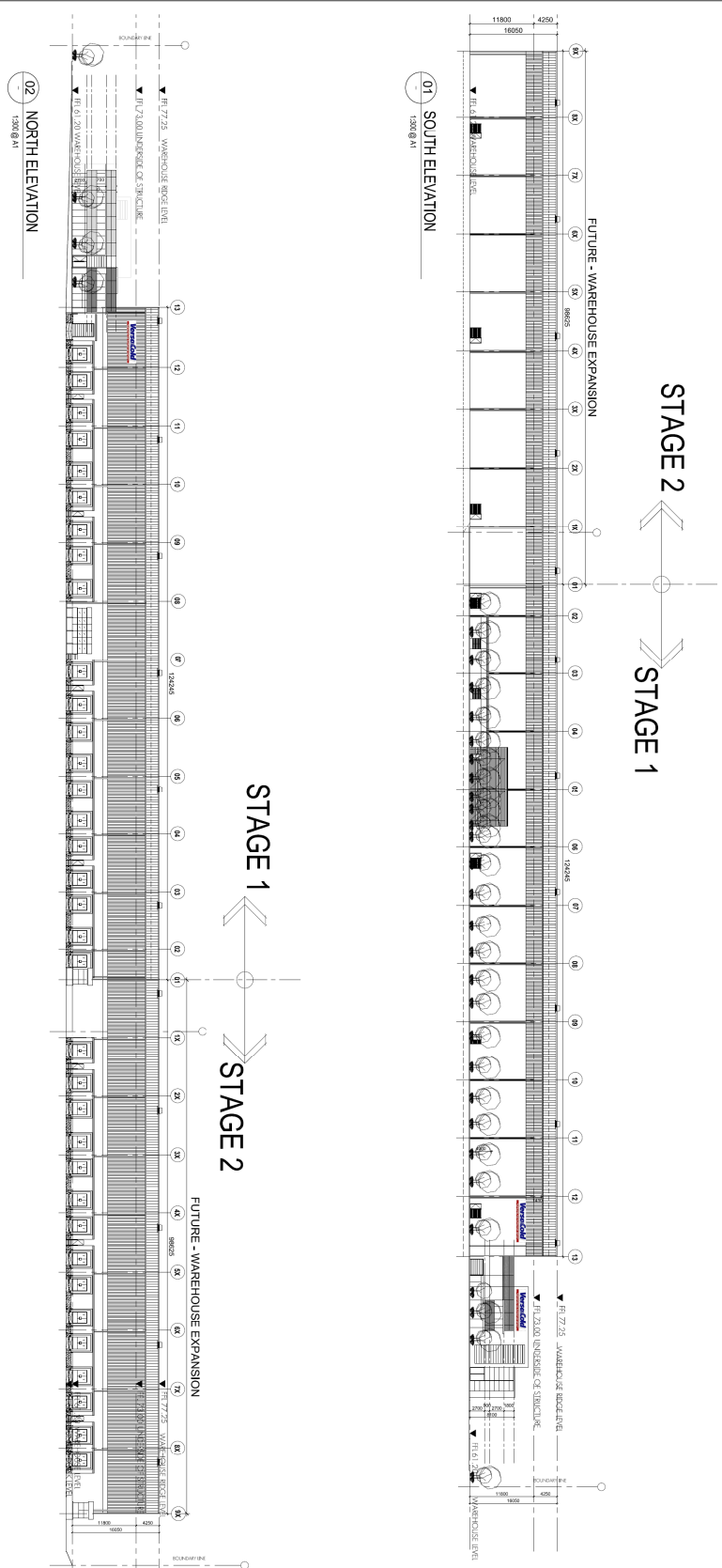
1:200 © A1



1:200 @ A1

[illegible]



[illegible]

