

Project Approval

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

I, the Deputy Director-General, as delegate for 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.



Richard Pearson
Deputy Director-General

Sydney *25th January* 2011

SCHEDULE 1

Application Number:	MP 08_0225
Proponent:	Goodman Property Services (Aust) Pty Ltd
Approval Authority:	Minister for Planning
Land:	Lots 1, 2, 3, 4, 5 & 6 in DP 1127100; and part Lot 1 in DP 1103025
Project:	Bungaribee Industrial Estate (Huntingwood West) Stage 1: Infrastructure Works Project

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DEFINITIONS

AHD	Australian Height Datum
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
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
Director-General	Director-General of Department of Planning, or delegate
EA	Environmental Assessment titled <i>Bungarribee Industrial Estate: Stage 1 – Infrastructure Project Application</i> , prepared by Goodman, dated September 2010
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
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
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
OSL	Office of Strategy Lands NSW
PCA	Principle Certifying Authority
Project	The development as described in the EA as it relates to the Bungarribee Industrial Estate (Huntingwood West) Stage 1: Infrastructure Works Project
Proponent	Goodman Property Services (Aust) Pty Ltd, 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
RTS	Goodman's Response to Submissions report
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1 and Appendix A
Statement of Commitments	The Proponent's commitments in Appendix B
WSPT	Western Sydney Parklands Trust

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) site plans LD DA 1002 (02), BIE DA01 (B), 21-18115-DA001(B), 21-18115-C2101(C), LA DA 1018 (00) and 21-18115-SK001(B) (refer to Appendix A);
 - (c) RTS and associated information;
 - (d) statement of commitments (see Appendix B); and
 - (e) 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.

Limits of Approval

5. This approval only relates to the Bungarribee Industrial Estate (Huntingwood West) Stage 1 Infrastructure Works at the proposed site, as described in the EA.
6. 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

7. 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

8. 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

9. 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.
10. The Proponent shall:
 - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) 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

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

Operation of Plant and Equipment

12. 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.

Planning Agreement

13. Within 12 months of this approval, the Proponent shall enter into a planning agreement with Council, in accordance with Division 6 of Part 4 of the EP&A Act, and the terms of the offer made to the Council by the Proponent and dated 17 December 2010.
14. Within 12 months of this approval, the Proponent shall enter into a planning agreement with the WSPT and OSL, in accordance with Division 6 of Part 4 of the EP&A Act, and the terms of the offer made to the WSPT by the Proponent and dated 17 December 2010.

Staging

15. Staging to be generally in accordance with the staging plan contained in the EA and the letters of offer, dated 17 December 2010, unless otherwise agreed to by the Director-General, the WSPT and Council. Nothing in this approval prevents the road works being completed and dedicated to council on a staged basis subject to satisfactory arrangements being in place for any required temporary works.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

CONSTRUCTION

Construction Works

16. During construction, the Proponent shall:
- (a) carry out all reasonable and feasible measures to minimise soil erosion and the discharge of sediment from the site to downstream waters;
 - (b) carry out all reasonable and feasible measures to minimise dust generated by the project;
 - (c) ensure that:
 - all trucks entering or leaving the site with loads have their loads covered;
 - trucks associated with the project do not track dirt onto the public road network; and
 - public roads used by these trucks are kept clean.

Construction Environmental Management Plan

17. 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 construction 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;
 - Construction 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;
 - Erosion and Sediment Control/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;
 - Construction 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.

INFRASTRUCTURE

18. The Proponent shall ensure that all infrastructure works, as described in the EA and those subject to the letter of offers referred to in condition 13 and 14 above, are designed and constructed in accordance with the standards outlined by the relevant authority.

SOIL AND WATER

Discharge Limits

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

Fill

20. Any fill material brought to site must be Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the *Protection of the Environment (Waste) Regulation 2005*.

Note: Any fill material subject to a Resource Recovery Exemption received at the site must be accompanied by documentation demonstrating that material's compliance with the conditions of the exemption, and this documentation must be provided to the Department, Council or the Principle Certifying Authority on request.

Bunding

21. In accordance with relevant Australian Standards and DECCW's *Storing and Handling Liquids: Environmental Protection* training manual, all chemicals, fuels and oils shall be stored in appropriately banded 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

22. Prior to the commencement of any earth works associated with the project, the Proponent shall demonstrate to the satisfaction of the PCA that erosion and sediment controls have been implemented.
23. 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 completion of the stormwater and drainage system;
 - (b) be prepared in consultation with Council;
 - (c) be prepared in accordance with DECCW's *Managing Urban Stormwater* guidelines and Council's Trunk Drainage Scheme(s);
 - (d) include a stormwater drainage plan, including hydraulic calculations based on a 1 in 20 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

Internal Roads, Queuing and Parking

24. The Proponent shall ensure that:
- (a) all internal roads and intersections:
 - comply with AS2890.2:2002, or its latest versions, and Austroads Road Design; and
 - accommodate B-double access;
 - (b) speed signs are installed at regular intervals on all access roads to limit speeds of vehicles to 50km/hr;
 - (c) no access to Lots 5 and 6 is permitted off the Great Western Highway;
 - (d) all access from Road 1 to Lots 5 and 6 shall be designed in consultation with Council and the RTA; and
 - (e) road lighting is designed and installed to the satisfaction of Council.
25. 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.
26. The Proponent shall:
- (a) finalise the detailed design plans of the Road 1 and Great Western Highway intersection in accordance with the Concept Plan (MP 06_0203), in consultation with Council and the RTA;
 - (b) submit the detailed design plans for the Road 1 and Great Western Highway intersection to the satisfaction of the Council and the RTA, prior to the issue of the construction certificate Road 1; and
 - (c) construct the intersection in accordance with the Council and RTA's approval, prior to the issue of the subdivision certificate for Road 1.
- or as otherwise agreed to by the RTA and Director-General.
27. The Proponent shall:
- (a) finalise the detailed design plans of the Great Western Highway/Doonside Road/Brabham Drive intersection in accordance with the Concept Plan (MP 06_0203), in consultation with Council and the RTA;
 - (b) submit the detailed design plans for the Great Western Highway/Doonside Road/Brabham Drive intersection to the satisfaction of the Council and the RTA, prior to the issue of the first construction certificate for the Bungarribee Industrial Estate; and
 - (c) construct the intersection in accordance with the Council and RTA's approval, prior to the issue of the first occupation certificate for the Bungarribee Industrial Estate.
- or as otherwise agreed to by the RTA and Director-General.

NOISE

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

Table 1: Construction 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

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.

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

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

Location	Day	Evening
	L _{Aeq} (15 min)	
All Surrounding Sensitive Receivers	62	59

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.

WASTE

30. The Proponent shall ensure that all waste generated on the site during construction and operation is classified in accordance with the DECCW'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*.

VISUAL

Fencing

32. The Proponent shall ensure that any fencing installed on site is consistent with the Huntingwood West Concept Plan (06_0203) and associated development controls.

Signage

33. The Proponent shall not install any signage on site without the written approval of the Director-General. In seeking this approval the Proponent shall:
- submit detailed plans of the proposed signage, which have been prepared in consultation with Council; and
 - demonstrate that the proposed signage is consistent with the relevant requirements in the Huntingwood West Concept Plan (06_0203) and associated development controls.

Lighting

34. 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.

AIR QUALITY

Dust

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

SUBDIVISION

- 36. Prior to issue of the Subdivision Certificate, the Proponent shall submit work as executed plans to the Department and Council 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.
- 37. Prior to or concurrent with the issue of a Subdivision Certificate, any easements for services, rights of carriageway and restrictions as to user that are applicable under Section 88B of the *Conveyancing Act 1919* must be created.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

**SCHEDULE 4
ENVIRONMENTAL MANAGEMENT REPORTING AND AUDITING**

ENVIRONMENTAL REPORTING

Incidents

38. Within 7 days 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.
39. 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

40. 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.

The site plan illustrates a proposed development area bounded by the M1 Corridor to the north and the M2 Western Motorway to the south. The plan includes several roads: Brigham Drive, Road 1 (Collector), Road 2 (Local Road), Road 3 (Local Road), Road 4 (Entry Boulevard), and Road 5 (Park Edge Road). A water body is located to the west of the main development area. The plan also shows the M1 Corridor and M2 Western Motorway, along with a 'M1 Corridor' label. The plan is titled 'DEVELOPMENT APPLICATION' and includes a 'Goodman' logo. The plan is dated '2008/07' and '2008/07'.



Area Schedule	
Development Lot	Site Area
Lot 1	89,683 sqm
Lot 2	113,882 sqm
Lot 3	113,541 sqm
Lot 4	83,116 sqm
Lot 5	38,637 sqm
Lot 6	30,347 sqm
Lot 7	35,751 sqm
Road Allotment Area	42,700 sqm
Detention / Open Space	9,543 sqm
Total Area	557,200 sqm
Key Development Controls *	
LGA	Bathurst City Council
Zoning	IN1 General Industrial
Site Cover (Ind. Awning)	65%
Building Setbacks	
Great Western Highway + M4	20m
Bathurst Drive + Collector Roads	15m
Park Edge Road	7m
Local Roads	7.5m
Asset Protection Zones	
Detention Basins	20m
Landscaping Zones	5m
Landscape Zones	
M4	20m
Great Western Highway + M4	15m
Bathurst Drive + Collector Roads	10m
Park Edge Road	5m
Local Roads	7.5m
Asset Protection Zones	
Detention Basins	5m
Landscaping Zones	5m

* As modified by this Project Application

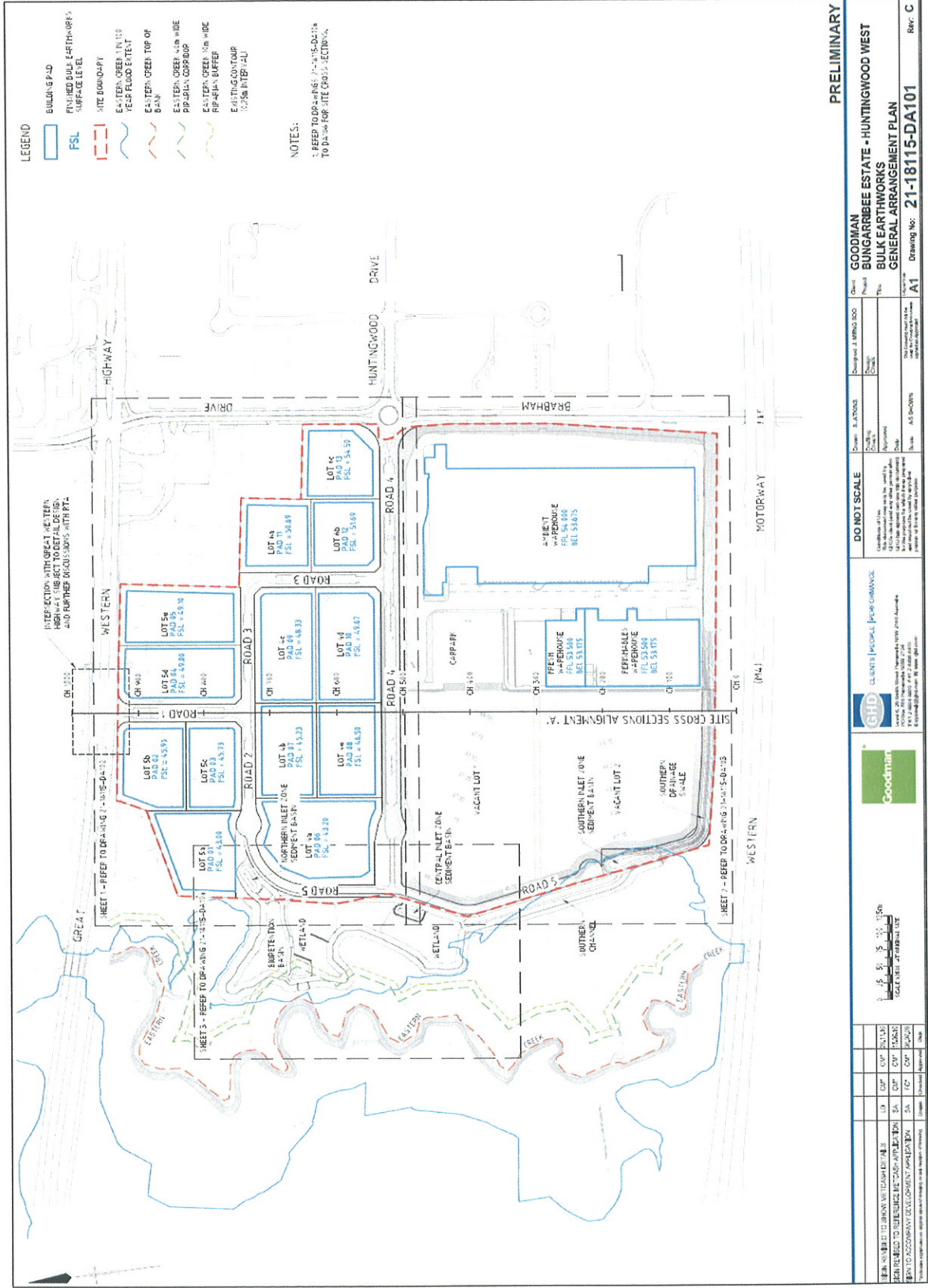
design

Bungaribee Industrial Estate
Great Western Highway / Bathurst Drive, Huntingwood West

1:2000 @ A1
1:5000 @ A3
21 Sep 10

BIE DA01 (B)

Scope of Works & Subdivision Plan





APPENDIX B STATEMENT OF COMMITMENTS

Environmental Assessment
Bungarribee Industrial Estate,
Eastern Creek Blacktown

9 DRAFT STATEMENT OF COMMITMENTS

Goodman will carry out the **Bungarribee Stage 1: Infrastructure** project in accordance with the following commitments in Table 8.1.

Table 8.1: DRAFT Statement of Commitments

	Subject	Commitment	Timing
A	General	The project will be constructed generally in accordance with the EA prepared by Goodman (and accompanying consultant reports) and the architectural, Landscape and Civil Drawings listed in the table of contents.	
B	Subdivision	A final subdivision plan will be prepared to the satisfaction of the Director-General	Prior to dedication of road and open space allotments
C	Land dedication	The area of the proposed internal road works and drainage allotments / open space is to be dedicated to Blacktown Council on completion of these works.	Post completion
D	Geo-tech	The recommendations of the Geotechnical report by GHD Pty Ltd will be implemented	Prior to and during construction
E	Salinity	The recommendations of the Salinity Report by GHD Pty Ltd will be implemented	Prior to and during construction
F	Erosion & Sediment Control	An Erosion and Sediment control / Soil & Water Management Plan will be prepared in consultation with Council to the satisfaction of the Director General	Prior to construction
G	Flooding	A Hazard Analysis will be implemented to the satisfaction of the Director-General	Prior to construction
H	Existing Vegetation	The recommendations of the Arborist report by Earthscape Pty Ltd will be implemented	Prior to construction & further development
I	Stormwater Management	The recommendations of the WSUD Strategy will be implemented. The Stormwater design for the estate will be prepared in consultation with Council to the satisfaction of the Director General.	Prior to and during construction
J	European Heritage	Further investigations to locate the Old Inn will be carried out in accordance with the HIS by GML Pty Ltd	Prior to construction
		An interpretive strategy for Rudders lane will be implemented with future development fronting the new access road	Prior to further development

Environmental Assessment
Bungaribee Industrial Estate,
Eastern Creek Blacktown

K	Aboriginal Heritage	A Section 87 permit will be obtained from DECC if any archaeological deposits are discovered on site	During works
L	External Roadworks	The external intersection upgrades are to be designed in accordance with the in-principle approval unless otherwise agreed by the Director-General and RTA	Prior to construction
		Goodman to finalise the detailed design and enter into a WAD with the RTA for the works	Prior to construction
M	Internal Roadworks	The internal road works will be designed in consultation with Blacktown Council to the satisfaction of the Director General .	Prior to Construction Post completion
		The roads will bededicated to Blacktown City Council	
N	Noise	A Construction Noise Management plan will be prepared to the satisfaction of the Director-General	Prior to construction
O	Air Quality	A Construction Air Quality Management Plan will be prepared to the satisfaction of the Director-General	Prior to construction
P	Environmental Management	A Construction Environmental Management Plan will be prepared to the satisfaction of the Director-General.	Prior to commencement of construction
Q	Utility works	Relevant approvals from service providers will be obtained.	Prior to commencement of utility works
R	Western Sydney Parklands	Requisite access approvals and licences will be obtained from the Western Sydney Parklands Trust for wetland or other works	Prior to the construction of any works in the parklands
S	Planning Agreement	Goodman will enter into a Planning Agreement with respect to the Developer Contributions for the estate.	Within 12 months of Project Approval