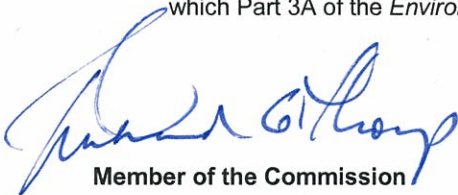


Concept Plan Approval

Section 75O and 75P of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, we the Planning Assessment Commission:

- approve the Concept Plan referred to in Schedule 1, subject to the modifications in Schedule 2;
- determine the environmental assessment requirements for subsequent project applications associated with the Concept Plan; and
- determine that any development or an activity associated with the approved Concept Plan is a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies.



Member of the Commission



Member of the Commission

Sydney

3 June

2010

SCHEDULE 1

Application No:

10_0007

Proponent:

Mirvac Projects Pty Ltd

Approval Authority:

Minister for Planning

Land:

Part Lot 404 and 405 DP 1147551 (see Appendix 1)

Concept Plan:

Hoxton Park Warehouse Project, a distribution park of warehouses, distribution centres, light industry and associated infrastructure

SCHEDULE 2

DEFINITIONS

Concept Plan	Concept plan for the proposed Hoxton Park Warehouse Project, a distribution park of warehouses, distribution centres, and associated infrastructure, depicted generally in Appendix 1, and described in the environmental assessment in support of the concept plan application for the proposal, titled <i>Former Hoxton Park Aerodrome. Concept Plan & Concurrent Project Applications for the Construction of Warehousing and Distribution Facilities for Woolworths</i> , prepared by JBA Urban Planning Consultants, and dated March 2010.
Council	Liverpool City Council
Day	period from 7am to 6pm, Monday to Saturday, and 8am to 6pm, Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
Director-General	Director-General of the Department (or delegate)
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	period from 6pm to 10pm.
Minister	Minister for Planning
NOW	NSW Office of Water
Night	period from 10pm to 7am, Monday to Saturday, and 10pm to 8am, Sundays and Public Holidays
Preferred Project Report	The Proponent's response to issues raised in submissions dated 12 May 2010
Project	The development as described in the EA
Proponent	Mirvac Projects Pty Ltd, or its successors in title
RTA	Roads and Traffic Authority
Site	Land to which the concept plan application applies (see schedule 1 and Appendix 1)
Statement of Commitments	See Appendix 3

GENERAL TERMS OF APPROVAL

1. Concept plan approval is granted for:
 - (a) subdivision of the site (see Appendix 2) as it relates to Lots 4050, 4051, 4052, 4053, 4054 and 4055;
 - (b) bulk earthworks across the site;
 - (c) development and operation of a distribution park of warehouses, distribution centres and light industries, consisting of:
 - approximately 10.62 hectare land area for a Dick Smith Warehouse and Distribution Centre;
 - approximately 19.97 hectare land area for a Big W Warehouse and Distribution Centre;
 - approximately 4.92 hectare land area for a residual building land parcel for warehouse/light industries purposes;
 - 9, 837m² for stormwater infrastructure;
 - 4.14 hectares for internal roads; and
 - (d) provision of a range of associated infrastructure to provide essential services to the site.

Note: The general scope of this approval is depicted in the:

- *concept master plan (see Appendix 1); and*
- *plan of subdivision of (see Appendix 2).*

MODIFICATIONS TO THE CONCEPT PLAN

2. The Concept Plan is modified as follows:
 - (a) the design of the proposed road reservation to Cowpasture Road is not included in this Concept Plan;
 - (b) the layout of the residual lots is not included in this Concept Plan;
 - (c) the proposed landscaping and site entrance statement is not included in this Concept Plan;
 - (d) the stormwater device located in the south-west corner of the site required to accommodate off-site flows, is not included in this Concept Plan; and
 - (e) the Proponent is required to make provision for a second access to the site.

3. The Proponent shall finalise the design of the road reservation from the Cowpasture Road intersection of the site to the satisfaction of the Director-General. The road reservation must:
 - (a) be designed in consultation with the RTA and submitted within 4 months of the date of this concept plan approval; and
 - (b) ensure that the road reservation for the proposed project's access is capable of being widened by an additional 3.5m, for a length of approximately 50m, to accommodate for any future intersection upgrades that may be required.
4. The Proponent shall revise the layout of the buildings on the residual lots to accommodate the requirements of condition 3 above.
5. The Proponent shall prepare a Site Entrance and Landscape Design Plan to the satisfaction of the Director-General. The plan must:
 - (a) be prepared in consultation with Council and submitted within 4 months of the date of this concept plan approval;
 - (b) include a design for the site entrance with visual screening in the form of both built elements and landscaping that identifies the former heritage values and historical uses of the site;
 - (c) incorporate the recommendations of the *Former Hoxton Park Airport Interpretation Plan and Implementation Strategy*, submitted with the EA, in the design of the site entrance and landscaping for the site;
 - (d) include a Landscape Management Plan for the site. This plan must:
 - outline the landscaping objectives for the site;
 - describe the measures that would be implemented to landscape the site including details of the proposed site fencing;
 - identify the plant species to be utilised in landscaped areas;
 - demonstrate that the landscaping complies with the principles of Appendix 5 of the NSW Rural Fire Services *Planning for Bush Fire Protection 2006*; and
 - describes the measures to monitor and maintain the landscaping over time.
6. The Proponent shall finalise the design of the stormwater device located in the south-west corner of the site to the satisfaction of the Director-General. The design must:
 - (a) be prepared in consultation with Council and submitted within 4 months of the date of this concept plan approval; and
 - (b) provide for the safe passage of 1 in 100 year ARI flow from the upper catchment areas (west of the M7).
7. Prior to the commencement of operations on site, the Proponent shall use its best endeavours to get the operator of the 845 bus service to service the site once it is operational, and provide the necessary infrastructure on site to accommodate the bus service to the satisfaction of the Director-General.
8. The Proponent shall provide detailed plans for a second access to the site off Cowpasture Road, to the satisfaction of the Director-General. The plans must be submitted within 4 months of the date of concept plan approval and include:
 - (a) details of consultation with RTA, Council, DECCW, NOW and other relevant government agencies, and RTA's and Council's in principle support of the design of the access;
 - (b) detailed description and design of the access, demonstrating that:
 - the design is compliant with relevant RTA and Council standards and specifications including the *RTA Road Design Guide*, *AUSTROADS Pavement Design Guide*, and the latest version of Australian Standard AS5100; and
 - the existing and the new intersection with Cowpasture Road will operate at an appropriate level of service once the Lens Water Industrial Estate and Elizabeth Hills residential area is fully developed;
 - (c) a risk assessment of the potential environmental impacts of the project, identifying any key issues that may require further assessment;
 - (d) an assessment of the potential impact of the access on threatened species, protected species, populations or ecological communities and their habitats;
 - (e) a flood impact assessment;
 - (f) a noise assessment, demonstrating that:
 - the noise generated from the construction of the second access would comply with relevant criteria in DECCW's *Interim Construction Noise Guideline*;
 - the traffic noise generated by the project would comply with the relevant criteria in DECCW's *Environmental Criteria for Road Traffic Noise*;
 - (g) a visual assessment, including:
 - details of how the access will interface and connect with the proposed redevelopment of the area north of the site including the neighbour hood centre and residential area; and

- details of measures to minimise visual impacts including landscape screening and lighting. This is to be supported by visual aids such as photomontages;
- (h) an aboriginal heritage assessment;
- (i) a construction management plan, including a:
 - a traffic management plan;
 - flora and fauna management plan;
 - noise and dust management plan;
 - soil and water management plan prepared in accordance with Landcom's *Managing Urban Stormwater: Soils and Construction* guidelines;
 - waste management plan;
 - a complaints management plan detailing the procedures that would be implemented to receive, handle, respond to and record any complaints received;
 - emergency response plan; and
 - another plans that may be required as a result of the environmental assessment of potential impacts.

Note: In modifying the concept plan approval to include the second access, the Proponent will need to modify project approval 10_0008 to allow the carrying out of the development.

LIMITS ON APPROVAL

9. This approval does not allow any components of the project to be carried out without further approval or consent being obtained.

CONSISTENCY OF FUTURE DEVELOPMENT

10. The Proponent shall ensure that all development on site is carried out generally in accordance with the:
 - (a) concept plan as modified (see conditions 1 to 8 above);
 - (b) statement of commitments (see Appendix 3); and
 - (c) conditions of this approval.
11. If there is any inconsistency between the above, then the most recent plan/document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.

PROJECT APPLICATION REQUIREMENTS

12. The Proponent shall ensure that in seeking approval for the implementation of the residual warehouse/light industrial buildings, the application includes:
 - (a) a detailed description of the layout and design of the proposed development;
 - (b) building design including:
 - consideration of the height, bulk and scale of the proposed buildings;
 - an assessment of compliance with the Building Code of Australia;
 - water and energy requirements and opportunities for incorporating efficiency measures;
 - (c) an infrastructure plan for the provision of the following:
 - water supply, sewer, gas, electricity, telecommunications services;
 - fire-fighting services, including the location of fire brigade access;
 - external lighting;
 - stormwater management, including the provision of any rainwater harvesting infrastructure;
 - parking and access, including bicycle facilities;
 - (d) details of a program to monitor stormwater controls and stormwater quantity and quality, including flows and amounts of pollutants discharging to local waters;
 - (e) a detailed landscape plan using predominantly endemic species and details of the areas to be landscaped, including the location and species for all plantings.
 - (f) a description of the measures that would be implemented to:
 - monitor and maintain the infrastructure and landscaping on site over time;
 - minimise energy and water use on site;
 - avoid, minimise, reuse and recycle waste;
 - (g) a noise assessment of the proposed development in accordance with the NSW *Industrial Noise Policy* demonstrating that the operational noise generated by the proposed development and any other development on the project site would not exceed the noise criteria detailed in Table 1;
 - (h) traffic assessment of the proposed development prepared in accordance with the RTA's Guide to Traffic Generating Developments including:
 - an assessment of the number of vehicles to be generated by the proposed development;
 - identification of transport routes to be utilised by traffic generated by the proposed development;

- demonstration that traffic generated by the proposed development and any other development on site could be safely accommodated by the road network; and
- measures to increase non car travel, such as cycling and public transport;
- (i) if required, an air quality assessment of the proposed development;
- (j) if required, a hazard assessment in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) and *Applying SEPP 33* (DUAP, 1994); and
- (k) a construction management plan, containing a:
 - noise and dust management plan;
 - soil and water management plan, prepared in accordance with Landcom's *Managing Urban Stormwater: Soils and Construction* guidelines;
 - traffic management plan; and
 - waste management plan.

Table 1: Operational Noise Limits (dB(A))

Location	Day	Evening	Night	
		L _{Aeq} (15 min)	L _{Aeq} (1 min) OR	L _{A max}
Lvl 1 31A Rottnest Ave, Hinchinbrook	46	45	45	54
23 Ward Pl, Hinchinbrook	43	41	41	54
Hemsworth Ave, Middleton Grange	44	42	42	53

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.

LIABILITY TO LAPSE

13. This approval shall lapse if the Proponent does not physically commence the proposed development associated with this concept plan within 5 years of the date of this approval.

APPENDIX 1
INDICATIVE LAYOUT OF THE CONCEPT PLAN

**APPENDIX 2
PLAN OF SUBDIVISION**

APPENDIX 3
STATEMENT OF COMMITMENTS