

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

15th February

2011

SCHEDULE 1

Application Number:	10_0140
Proponent:	Goodman International Pty Ltd
Approval Authority:	Minister for Planning
Land:	Part Lots 2 and 3, DP 1127100
Project:	Metcash Distribution Centre 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>Project Application (MP 10_0140) Environmental Assessment Report: Metcash Distribution Centre and Ancillary Offices</i> , prepared by Robinson Urban Planning Pty Ltd, and dated October 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
Huntingwood West	The development controls as set out in the Huntingwood West (Employment Lands) Concept Plan (06_0203) and the Bungarabee Industrial Estate: Stage 1 Infrastructure Project (06_0203 Mod 1).
Employment Lands – Development Design Controls	
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
Project	The development as described in the EA as it relates to the Metcash Distribution Centre Project
Proponent	Goodman International Pty Limited, 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
RTA	Roads and Traffic Authority
RTS	The Proponent's response to submissions and associated information
Site	The land referred to in Schedule 1 and Appendix A
Statement of Commitments	The Proponent's commitments in Appendix B

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 BIE-3A-A12, BIE-3A-A20, BIE-3A-A21, BIE-A3-A22, and C001 D (see 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 Metcash Distribution Centre Project 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:
 - (c) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (d) 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.

Staging

13. Staging to be generally in accordance with the staging plan contained in the EA, unless otherwise agreed to by the Director-General.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

CONSTRUCTION

Construction Works

14. 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

15. 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 site preparation 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;
 - 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;
 - 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;
 - 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.

SOIL AND WATER

Discharge Limits

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

Bunding

17. In accordance with relevant Australian Standards and DECCW's *Storing and Handling Liquids: Environmental Protection* manual, 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.

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

18. 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 the Concept Plan (06_0203) and Stage 1 Infrastructure Project (08_0225);
 - (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

19. The Proponent shall ensure that:
- all internal roads, access, and parking on site complies with AS2890.1:2004 and AS2890.2:2002, or their latest versions;
 - all vehicles are to enter the site in a forward direction;
 - all vehicles are to be wholly contained on site before being required to stop;
 - 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
 - that the project does not result in any vehicles queuing on the public road network.

Bicycle Racks

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

Work Place Travel Plan

21. Prior to the commencement of operations, the Proponent shall prepare a Work Place Travel Plan to encourage sustainable transport to and from the site, in consultation with Council and to the satisfaction of the Director-General.

NOISE

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

Table 1: Construction and Operation 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
Operation	All days	24 hours

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.

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

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

Location	Day	Evening	Night	
		L _{Aeq} (15 min)	L _{Aeq} (1 min) or L _{A max}	
Receiver 1	41	41	41	67
47 Pikes Lane				
Receiver 2	38	38	38	64
711 Great Western Highway				

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.

ENERGY

Energy Management Plan

24. Prior to the commencement of operation, the Proponent shall prepare and implement an Energy Management Plan for the project to the satisfaction of the Director-General. This plan must include energy consumption levels, predicted energy savings and any potential measures to reduce energy consumption in the long term.

WASTE

25. 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

26. 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

27. The Proponent shall ensure that any fencing installed on site is consistent with the "Huntingwood West Employment Lands – Development Design Controls".

Signage

28. The Proponent shall not install any signage on site without the written approval of the Director-General. In seeking this approval the Proponent shall:
 - (a) submit detailed plans of the proposed signage, which have been prepared in consultation with Council; and
 - (b) demonstrate that the proposed signage is consistent with the relevant requirements in the "Huntingwood West Employment Lands – Development Design Controls".

Landscaping

29. And proposed landscaping, fencing or signage is not to impede the desired sight lines of all road users including pedestrians and cyclists.

Lighting

30. 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

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

**SCHEDULE 4
ENVIRONMENTAL MANAGEMENT REPORTING AND AUDITING**

ENVIRONMENTAL MANAGEMENT STRATEGY

32. 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 prior to the commencement of operations, and shall:
- (a) identify the statutory requirements that apply to the project;
 - (b) include a copy of the management plans and monitoring programs required in this approval;
 - (c) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliances; and
 - respond to emergencies including emergency evacuation procedures detailed in the NSW Rural Fire Service's *Planning for Bush Fire Protection 2006*;
 - (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project.

ENVIRONMENTAL REPORTING

Incidents

33. 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) harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.
34. 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

Pre-Operation Compliance Audit

35. Within one month of commencement 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 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.
36. 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.

[illegible]

APPENDIX B STATEMENT OF COMMITMENTS

Subject	Commitment	Timing
1. General	The project will be constructed generally in accordance with the EAR prepared by Robinson Urban Planning Pty Ltd (and accompanying consultant reports) and the Architectural, Landscape and Civil Plans listed at Table 1 of the EAR.	During and after Construction
2. Transport	The project will implement the recommendations of the Traffic Impact Assessment (by Halcrow) in relation to non-car modes of travel.	Prior to and after occupation
3. Huntingwood Drive	The future extension of Huntingwood Drive (the construction of which is proposed by pending MP 08_0225) will be constructed for its full length from Brabham Drive to the Western Sydney Parklands prior to occupation of the proposed facility.	Prior to occupation
4. ESD	The recommendations of the Sustainability Report, by Cundall, will be implemented.	During and after construction
5. Noise	The recommendations of the Noise Impact Assessment (by Heggies) will be implemented.	Prior to and during construction
6. Hazardous goods	The recommendations of the Dangerous Goods Review (by SKM) will be implemented.	Prior to occupation
7. Construction management	A Construction and Demolition Environmental Management Plan will be prepared. It will include a construction waste and traffic management plan for all demolition/construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.	Prior to and during construction
8. Waste management	<i>Construction waste</i> A waste removal, sorting, recycling / disposal contract will be entered into by the Principal Contractor (to be detailed in the Construction and Demolition Environmental Management Plan).	Prior to and during construction
	<i>Operational waste</i> The project will implement the waste minimisation measures set out in the Material & Equipment Paper, by Metcash and report on Metcash's involvement in the National Packaging Covenant Mark II.	After construction
9. Water and soil	The recommendations of the Stormwater Management Strategy and Soil and Water Management Plan (including a Concept Erosion and Sediment Control Plan) (by GHD) will be implemented.	During and after construction
10. BCA and Fire Engineering	The recommendations of the BCA Assessment (by BM+G) and Fire Engineering Brief (by RawFire) will be implemented.	Prior to construction

Subject	Commitment	Timing
11. Lighting	External lighting will be designed to comply with the requirements of the BCA, AS1158 and AS4282.	Prior to construction
12. Subdivision	The site (being all of Lot 3 and part of Lot 2 in DP 1127100) will be consolidated into one allotment of land prior to the issue of an Occupation Certificate. The boundary between Lot 2 and adjoining Lot 1 will also be adjusted.	Within 6 months of occupation
13. Signage	Prior to the fabrication and installation of building and estate identification signs, detailed signage drawings will be prepared in consultation with Blacktown Council and submitted to the Director General for review and approval.	Prior to occupation
14. Air quality	The recommendations of the Air Quality Assessment (by Heggies) will be implemented.	During construction and operation