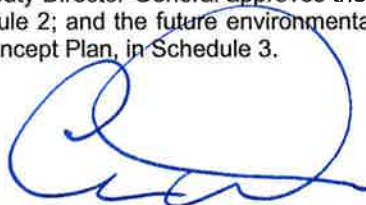


Concept Plan Approval

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

As delegate of the Minister for Planning, the A/Deputy Director-General approves the Concept Plan referred to in Schedule 1, subject to the modifications in Schedule 2; and the future environmental assessment requirements for subsequent applications associated with the Concept Plan, in Schedule 3.



A/Deputy Director-General

Sydney

24 October

2011

SCHEDULE 1

Application No:

10_0127

Proponent:

Jacfin Pty Ltd

Approval Authority:

Minister for Planning and Infrastructure

Land:

Lot 12 in DP 1157491 & Part Lot 15 in DP 1157491
(see Appendix 1)

Concept Plan:

Jacfin Ropes Creek Project, a distribution park of warehouses, distribution centres, light industry and associated infrastructure

SCHEDULE 2

DEFINITIONS

Archbold Road Intersection	Intersection with future Archbold Road extension and Erskine Park link Road, as shown in Appendix 1
Concept Plan	Concept plan for the proposed Jacfin Ropes Creek 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>Lot 5 DP 262213, Ropes Creek Industrial Estate: Concept Plan and Concurrent Project Application for Employment Lands and Stage 1 Industrial Development</i> , prepared by JBA Urban Planning Consultants, and dated November 2010.
Council	Blacktown City Council
Day	period from 7am to 6pm, Monday to Saturday, and 8am to 6pm, Sundays and Public Holidays
Department	Department of Planning and Infrastructure
Director-General	Director-General of the Department (or delegate)
DPI	Department of Primary Industries
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Erskine Park Link Road	Erskine Park Link Road east-west connection, as shown in Appendix 1
Evening	period from 6pm to 10pm.
Local Road One	Local Road One as shown in Appendix 1
Local Road Two	Local Road Two as shown in Appendix 1
Minister	Minister for Planning and Infrastructure
Night	period from 10pm to 7am, Monday to Saturday, and 10pm to 8am, Sundays and Public Holidays
Northern Stub of Regional Road One	as defined under Project Approval (MP 10_0128)
OEI	Office of Environment and Heritage
Project	The development as described in the EA
Proponent	Jacfin Pty Ltd, or its successors in title
Regional Road One	The regional road from north to south whose alignment is determined under condition 4 and as generally shown in Appendix 1 as Regional Road One
RTA	Roads and Traffic Authority
RTS	The Proponent's response to issues raised in submissions dated 25 January 2011
SCA	Sydney Catchment Authority
Site	Land to which the concept plan application applies (see schedule 1 and Appendix 1)
Statement of Commitments	See Appendix 3
Site Development Guidelines	Site Development Guidelines (Lot 12 DP 1157491 Ropes Creek Industrial Estate), dated August 2011
Temporary Access Road	Temporary Access Road as shown in Appendix 1

GENERAL TERMS OF APPROVAL

1. Concept plan approval is granted for:
 - (a) bulk earthworks across the site;
 - (b) development and operation of a distribution park of warehouses, distribution centres and light industries, with a minimum lot size of 5,000m²;
 - (c) provision for a regional road, 40m wide;
 - (d) provision for internal local roads, 21.5m wide; and
 - (e) 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)

LIABILITY TO LAPSE

2. 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.

MODIFICATIONS TO THE CONCEPT PLAN

3. The Concept Plan is modified as follows:
 - (a) the stormwater concept design for the Ropes Creek Industrial Estate is not approved under this concept plan;
 - (b) the Service Centre identified on the Concept Plan layout as shown in Appendix 1 is not approved under this concept plan; and
 - (c) the final alignment of Regional Road One will be as determined under condition 4 .
4. The Proponent shall submit to the satisfaction of the Director-General, prior to the issue of the first construction certificate for any development on-site, detailed plans and drawings prepared in consultation with the RTA and Council, for the:
 - (a) connection to the Archbold Road Intersection and the northern stub of Regional Road One;
 - (b) Local Road Two; and
 - (c) creek crossing for Local Road Two.
5. The Proponent shall revise all drawings and plans lodged with the concept plan to accommodate the proposed Regional Road One (north-south regional road corridor), within 2 months of being notified by the Department that the drawings and plans are required. The drawings and plans are to be generally consistent with the alignment of Regional Road One as set out in Appendix 1
6. These modifications of the concept plan does not affect the Proponent's ability to construct the Temporary Access Roads as referred to in condition 19 in project approval MP10_0128.
7. The Proponent shall prepare and implement a revised stormwater management strategy for the project, prior to the issue of the first construction certificate for any development on-site. The strategy must:
 - (a) be developed in consultation with Council and SCA;
 - (b) incorporate the revised road layout;
 - (c) include a Flood Management Plan; and
 - (d) be to the satisfaction of the Director-General.
8. The reference in the Statement of Commitments in Appendix 3 to future project applications is to be read as 'development applications'.

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.
10. The Temporary Access Road and the associated intersection with Old Wallgrove Road, near the north-eastern corner of the site, shall be a temporary access road only until such time as the construction of the Erskine Park Link Road and the southern link of the Archbold Road Intersection are constructed and declared to be open to the public. Access to the site shall only be off a local road that connects to Regional Road One thereafter.
11. The Temporary Access Road, the associated shared path and intersection are to be removed at no cost to the RTA; the Department; Council; or any other landowner, once the Erskine Park Link Road and the southern link of the Archbold Road Intersection are constructed and declared to be open to the public.
12. All allotments fronting Regional Road One (Boundary Lots) shall have an access denied boundary along the road reserve. A restriction on the use of land (Restriction) will be registered on the title to each of the Boundary Lots which provides, to the satisfaction of the Director-General, that there is to be no access to Regional Road One from the Boundary Lot. The Restriction is to be in favour of the Minister or a public authority as directed by the Director-General and the Minister or that public authority must consent to vary or release the Restriction.

CONSISTENCY OF FUTURE DEVELOPMENT

13. 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);
 - (b) statement of commitments (see Appendix 3); and
 - (c) conditions of this approval.
14. 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.

SCHEDULE 3

DEVELOPMENT APPLICATION REQUIREMENTS

Future Environmental Assessment Requirements

15. The following requirements apply to all future applications under Part 4 of the EP&A Act.
16. The Proponent shall ensure that in seeking approval for the construction and use of the residual warehouse/light industrial buildings, the development 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 flood assessment;
 - (f) Aboriginal Heritage Impact Assessment;
 - (g) a greenhouse gas assessment;
 - (h) an assessment of biodiversity impacts, including a rehabilitation strategy for developments adjoining the east-west tributaries and E2 zoned land;
 - (i) a detailed landscape plan using predominantly endemic species and details of the areas to be landscaped, including the location and species for all plantings.
 - (j) 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;
 - (k) 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;
 - (l) 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;
 - demonstration that traffic generated by the proposed development and any other development on site could be safely accommodated by the road network and intersections along Regional Road One; and
 - measures to increase non car travel, such as cycling and public transport;
 - (m) demonstration that sufficient parking is proposed, in accordance with the parking rates included in the Site Development Guidelines.
 - (n) if adjacent to the Warragamba to Prospect Pipelines, provide details of security fencing along the southern boundary of the proposed development;
 - (o) if required, an air quality assessment of the proposed development;
 - (p) 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
 - (q) 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 _{A1} (1 min) or	L _{A max}
All Surrounding Residential Receivers	35	35	35	49	

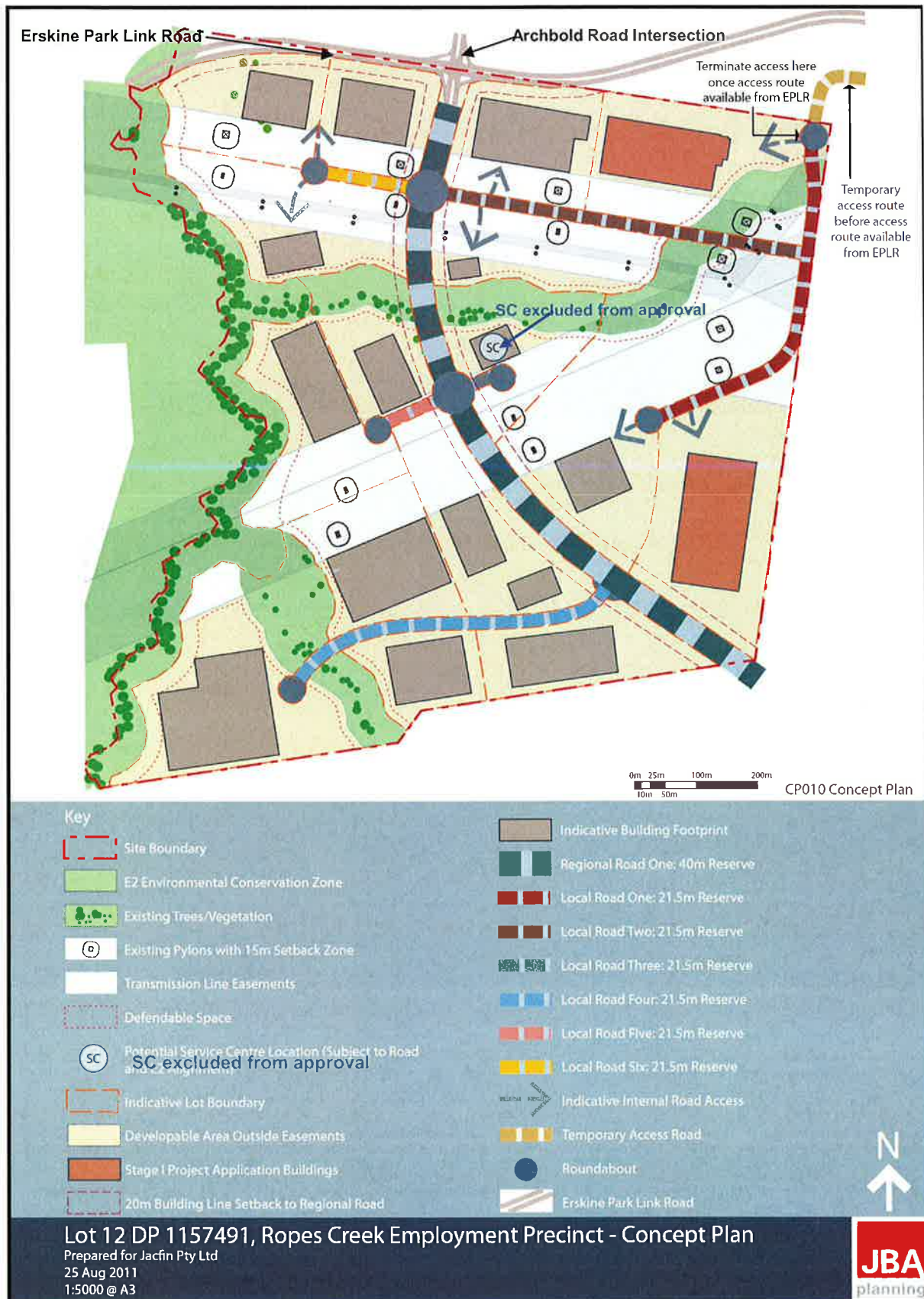
Notes:

- *Noise generated by the project is to be in accordance with the relevant procedures and exemptions (including certain meteorological conditions), of the NSW Industrial Noise Policy.*

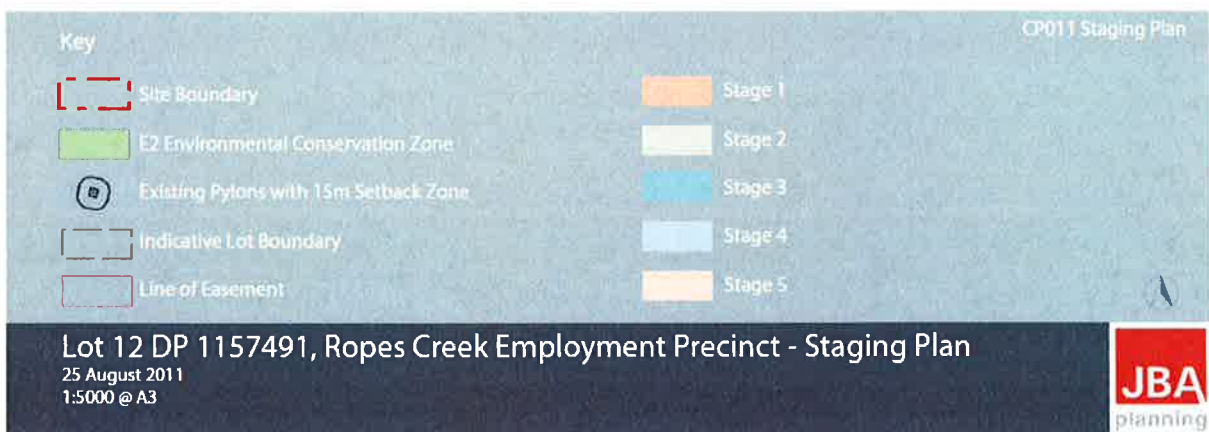
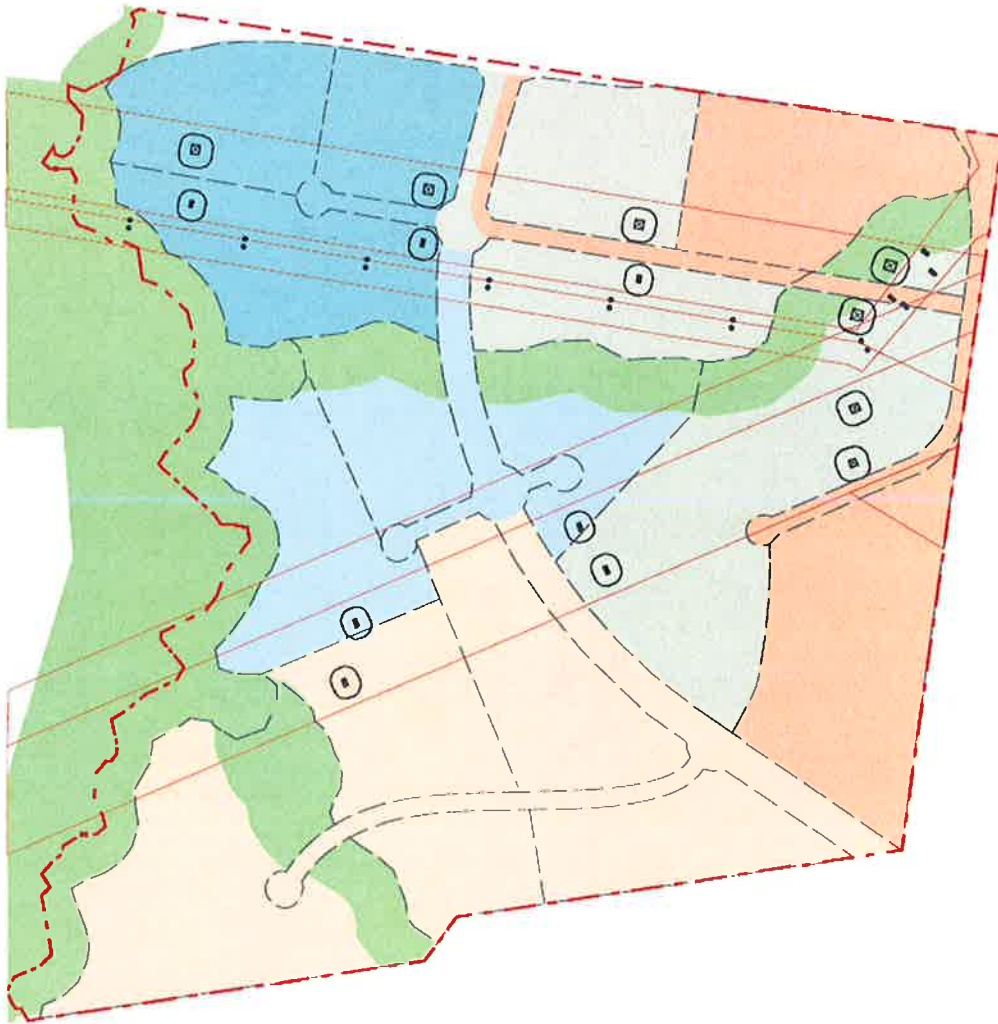
Ancillary Developments/Facilities

17. The Proponent shall ensure that in seeking approval for the implementation of any ancillary development/facilities, such as child care facilities and neighbourhood shops, the application includes:
- (a) a detailed description of the layout and design of the proposed development;
 - (b) an assessment justifying the suitability of the site and proposed use, having regard to any conflicts with the surrounding industrial area, such as conflicts associated with traffic, noise and air quality;
 - (c) satisfactory arrangements for local and regional infrastructure;
 - (d) an assessment demonstrating that this layout and design is generally consistent with the site development and urban design requirements for the modified Jacfin Ropes Creek Concept Plan Site Development Guidelines and if there are any inconsistencies, then justification for these inconsistencies;
 - (e) 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;
 - details of the provision of infrastructure and utilities to the site, including the location and design of fire access roads;
 - (f) a detailed landscape plan using predominantly endemic species only and details of the areas to be landscaped, including the location and species for all plantings;
 - (g) 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;
 - (h) a noise assessment of the proposed development with reference to the NSW *Industrial Noise Policy* including:
 - demonstration that the operational noise generated by the proposed development and any other development on site would not exceed the noise criteria detailed in Table 1;
 - demonstration that the traffic noise generated by the proposed development and any other development on site would not exceed the noise criteria in the OEHS's *Environmental Criteria for Road Traffic Noise*; and
 - demonstration that the proposed development would not inhibit future industrial development within the Concept Plan area;
 - (i) a 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
 - a sustainable travel plan including measures to increase non car travel, such as cycling and public transport;
 - (j) an assessment of soil and groundwater salinity;
 - (k) a flood assessment;
 - (l) an air quality assessment of the proposed development; and
 - (m) 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;
 - aboriginal heritage management plan that has been prepared in consultation with the OEHS and relevant Aboriginal community groups; and
 - waste management plan.

APPENDIX 1 INDICATIVE LAYOUT OF THE CONCEPT PLAN



APPENDIX 2 STAGING PLAN



**APPENDIX 3
STATEMENT OF COMMITMENTS**

Subject	No.	Commitments	Timing
Construction Management	1.	A Construction and Environmental Management Plan will be prepared for each project by the appointed building contractor and will be submitted to the Principal Certifying Authority for sign off. The CEMP will address the following issues: - Site Management; - Air Quality; - Noise and Vibration Management; - Soil and Water Management; - Construction Traffic Management; - Waste and Hazardous Materials Management; and - Protection of E2 zoned land	Prior to works commencing.
	2.	The construction noise mitigation measures recommended by the Acoustic Consultant will be incorporated into the Construction and Environmental Management Plans for each project.	Prior to works commencing.
Geotech	3.	Future Project Applications within the Precinct will demonstrate compliance with the recommendations of the Geotechnical Assessment in relation to: ▪ Bulk Earthworks; ▪ Structural Design; ▪ Ground Water Management; ▪ Acid Sulphate Soils; and ▪ Soil Salinity.	Details to be provided with the relevant Project Application(s).
Stormwater Management	4.	Future Project Applications will demonstrate compliance with the targets in the Stormwater Masterplan and Trunk Drainage Strategy prepared by Brown Consulting Engineers.	Details to be provided with the relevant Project Application(s).
	5.	Future Project Applications will demonstrate that: ▪ the project water quality targets will be met; and ▪ stormwater flow rates will be equal to less than the current existing flow rates.	Details to be provided with the relevant Project Application(s).
Waste Management	6.	An Operational Waste Management Plan will be prepared for each of the warehouse buildings on the site.	Prior to the occupation of each warehouse.
Hazardous Materials	7.	Should storage of hazardous materials be required by the occupants of either warehouse building, a hazardous materials assessment will be prepared.	Prior to the occupation of the relevant warehouse, if applicable
Bushfire Protection	8.	Future Project Applications within the Precinct will demonstrate compliance with the recommendations of the Bushfire Consultant, in relation to: ▪ Access to the bushfire prone vegetation in the E2 Environmental Conservation corridor; ▪ Building setbacks; ▪ Building construction requirements; ▪ Landscape Maintenance; and Emergency Planning.	Details to be provided with the relevant Project Application(s).
Signage and Lighting	9.	Future applications will provide detail on signage and lighting.	Details to be provided with the relevant Project Application(s).

Subject	No.	Commitments	Timing
Noise	10.	Acoustic Assessments will be submitted with future project applications for each warehouse building detailing acoustic mitigation measures where required.	Details to be provided with the relevant Project Application(s).
Biodiversity	11.	A Hollow-bearing Tree Protocol prepared by a suitably qualified ecologist and will be implemented.	Prior to the removal of any trees within the Employment Precinct
Indigenous Heritage	12.	An Aboriginal Heritage Management Plan will be prepared for the precinct, including both developable land and E2 zones. The SHMP will include a proposal for test excavation in areas identified as having moderate to high potential for archaeological deposits at locations that will be disturbed by proposed earthworks of the development as well as the area of sandstone outcropping in the north west corner of the property, or Aboriginal Heritage Impact Assessments will be submitted with future Project Applications.	Prior to the lodgement of any Project Application beyond Stage 1.
	13.	Indigenous community consultation will continue in accordance with the document ' Aboriginal cultural heritage consultation requirements for proponents 2010' produced by DECCW.	Ongoing
Crossings over E2 Zones	14.	Detailed plans showing the proposed crossing of Local Road Two over the E2 zone will be provided to the satisfaction of the Director-General.	Details to be provided prior to the issue of any construction certificate.
	15.	Any crossing over the E2 zone will be constructed in accordance with the design requirements of the NSW Office for Water.	Details to be provided prior to the issue of any construction certificate application.