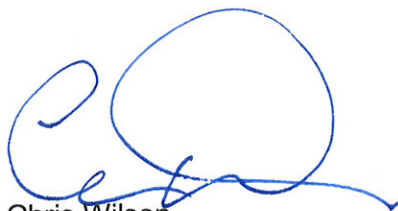


Modification Approval

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director, Major Project Assessments, as delegate for the Minister for Planning, pursuant to section 96(1A) of the *Environmental Planning and Assessment Act 1979*, modify the development consent referred to in Schedule 1 in the manner set out in Schedule 2.



Chris Wilson
Executive Director
Major Project Assessments

Sydney 12 November 2008

File No: S02/01506
(MOD 53-6-2008)

SCHEDULE 1

Development consent:	Granted by the Minister for Planning on 20 November 2002.
In respect of:	Lots 2 and 3 DP 863831, Pembroke Road, Minto, Campbelltown Local Government Area.
For the following:	The construction and operation of a warehouse and distribution centre, and intermodal rail freight terminal, comprising: • general warehousing and cold storage; • ancillary offices and amenities; • warehouse factory sales outlet for Streets products; • car parking; • intermodal rail terminal; • guardhouses and weighbridges; • truck marshalling areas; and • landscaping.
Modification Application:	Modification involving changes to the configuration and dimensions of the approved buildings and carparks, and the internal vehicle movement system.

SCHEDULE 2

The development consent is modified by:

1) replacing existing conditions 1.2g) and 1.2h) with the following:

- g) Development Approval Drawings prepared by Beca identified as follows: 2561239-A-DA-001 rev B; 2561239-A-DA-002 rev A; 2561239-A-DA-003 rev A; 2561239-A-DA-004 rev A; 2561239-A-DA-005 rev A; 2561239-A-DA-006 rev A; 2561239-A-DA-007 rev A; 2561239-A-DA-008 rev A; 2561239-A-DA-009 rev A; and 2561239-A-DA-010 rev A;
- h) Development Approval Drawings prepared by Austrak AFS Pty Ltd identified as follows: DA_MIN_00_01 rev C; DA_MIN_00_05 rev C; DA_MIN_00_06 rev B; DA_MIN_00_07 rev C; and DA_MIN_00_08 rev C; and

2) inserting new condition 1.2A immediately after existing condition 1.2 as follows:

- 1.2A To avoid any doubt, development consent is not granted for any modifications to the rail terminal and container park located to the west of the site as part of MOD 53-6-2008.

3) inserting new condition 1.7A immediately after existing condition 1.7 as follows:

- 1.7A. The Applicant may elect to construct the development in stages with commensurate staging of compliance with the conditions of this consent. Where stages are proposed, the Applicant shall submit a Staging Report to the satisfaction of the Director-General by 31 January 2009, or as otherwise agreed to by the Director-General. The report shall provide the overall framework for the development and adequate details of the staging, including details of how compliance with the conditions of consent will be ensured across and between the stages of the development.

Note: Stages refer to the division of a development into multiple contract packages for construction purposes, and/or the construction or operation of the overall development in discrete sections.

4) replacing existing condition 3.2 with the following:

- 3.2 The Applicant shall provide 374 car parking spaces in accordance with drawing 2561239-A-DA-004 rev A, prepared by Beca.

5) inserting new condition 3.36A immediately after existing condition 3.36 as follows:

- 3.36A. The Applicant shall submit a landscape plan, to be prepared in consultation with Campbelltown City Council and approved by the Director-General, immediately following the completion of Stage 2. The landscape plan shall be implemented no later than two months following the completion of Stage 2.

6) inserting new conditions 3.45A and associated heading, immediately after existing condition 3.45 as follows:

Emergency Plan

- 3.45A. The Applicant shall submit for the approval of the Director-General a comprehensive **Emergency Plan** and detailed emergency procedures for the development, including procedures for the response to an emergency scenario involving the accidental release of ammonia. The plan shall be prepared in accordance with the

Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, Industry Emergency Planning Guidelines and submitted to the Director-General no later than one month prior to the commencement of operation of the extended cold storage facility.

7) replacing existing condition 5.2 with the following:

- 5.2 At the commencement of operation for each stage of the development and at a frequency of every 6 months over a period of 2 years, the Applicant shall undertake compliance monitoring at the nearest affected residence against the noise limits in condition 3.25 of this consent. If compliance is achieved over the 2 year period, then additional monitoring is only required in the event of a complaint. The results of the noise monitoring shall be made available to the Director-General upon request.

8) replacing existing condition 6.4b) with the following:

- b) a **Landscape Management Plan** to outline measures to ensure appropriate development and maintenance of landscaping on the site. The Plan shall be consistent with the revised landscaped plan as stipulated under condition 3.36(A), and shall include, but not necessarily be limited to:
- i) details of all landscaping to be undertaken on the site including details of additional features such as soil and mulch details, irrigation details, retaining wall details, fencing details, details of hard surfaces, and any other landscape elements in sufficient detail to fully describe the proposed landscape works;
 - ii) details of existing and proposed utilities, as they relate to the development;
 - iii) maximisation of flora species endemic to the locality in landscaping the site;
 - iv) identification and details of staff recreation areas;
 - v) details of compliance with the landscaping requirements of Council's Industrial Development Policy No. 5.2.13;
 - vi) details of car parking and measures to prevent vehicle encroachment onto landscaped areas; and
 - vii) a program to ensure that all landscaped areas on the site are maintained in a tidy, healthy state.
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