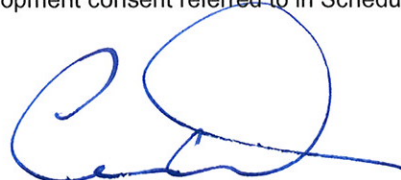


Notice of Modification

Section 96(2) of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I, modify the development consent referred to in Schedule a as set out in Schedule A, B and C.



Chris Wilson
Executive Director
Major Project Assessments

Sydney, 25 SEPTEMBER 2007

File No. 9037380

SCHEDULE 1

The development consent (DA-308-12-2004-i) granted by the Minister for the construction and operation of a distribution centre for Coca-Cola Amatil, Wallgrove Road, Eastern Creek on 30 June 2005.

SCHEDULE A

The development consent is modified by:

1) Replacing existing condition A1.1) with the following:

- A1.1 The Applicant shall carry out the development generally in accordance with the following documents:
- (a) DA-308-12-2004-i;
 - (b) the SEE;
 - (c) additional information submitted by the Applicant, titled Clarification / Additional Information as Requested, dated 21 April 2005, addressing the issues raised by the Department, Blacktown Council and Fairfield Council;
 - (d) clarification of potential flora and fauna impacts submitted by the Applicant and dated 3 May 2005; and
 - (e) M7Hub Precinct Plan Agreement – Being Part of the M7Hub DEVELOPER AGREEMENT – dated 23 June 2005;
 - (f) drawings submitted by the Applicant titled and dated as follows:
 - i) *Scope of Application* – CCA DA02(A), dated 5 July 2007;
 - ii) *Site Plan / Ground Floor Plan* – CCA DA03(B) dated 5 July 2007;
 - iii) *Roof Plan* – CCA DA04(A), dated 5 July 2007;
 - iv) *Sections* – CCA DA05(A), dated 5 July 2007;
 - v) *Elevations* – CCA DA06(B) and CCA DA07(B), dated 5 July 2007;
 - vi) *Landscape Masterplan* – L04572 Rev A dated December 2004, *Landscape Concept Plan* – L04572-01 Rev D dated May 2007, and *Reedy Creek Landscape Concept* – L04531-103 Rev A dated December 2004;
 - vii) *Typical Streetscape Details* – L04531-102 dated November 2004;
 - viii) *East Precinct – Stage 1 General Arrangement Plan* – 03320-CDA1-01 Rev 01 dated December 2004;
 - ix) the area bound within the red line on the *Proposed Draft Plan of Subdivision* – 111055009 Rev 03, dated 1 March 2006;
 - (g) MOD-179-11-2005-I, dated 25 November 2005;
 - (h) MOD-124-8-2005-I, dated 2 March 2006;
 - (i) MOD-13-2-2007, prepared by Goodman International Ltd, dated 6 July 2007, and accompanying SEE titled *Coca-cola Amatil Wallgrove Road, Eastern Creek. Proposed Section 96 Modification*; and
 - (j) the conditions of this consent.

If there is any inconsistency between the conditions of this consent and a document listed above the conditions of this consent shall prevail to the extent of the inconsistency. If there is any inconsistency between the documents listed above (other than the conditions of this consent) then the most recent document shall prevail to the extent of the inconsistency.

2) Replacing existing condition A1.14) with the following:

A1.14 The Applicant shall:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development;
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
- (c) meet the requirements of Sydney Water in relation to the protection of any water pipeline easement.

SCHEDULE B

3) Replacing existing condition B3.4 with the following:

B3.4 Prior to the construction of any building works associated with the distribution centre, the Applicant shall revise the Stormwater Management Scheme in consultation with Blacktown City Council to ensure that the design of the stormwater infrastructure and stormwater management is consistent with Council's current policies. The Scheme must be submitted to the Director-General for approval, and must establish the framework and provide details regarding the management of stormwater in the site-wide stormwater system. In particular, the Scheme shall detail the performance requirements and standards for the operation of the stormwater detention basins. The Scheme shall detail the measures proposed to ensure water discharged is of a suitable quality, including on-going monitoring of the quality and quantity of water discharged. The Scheme shall be prepared in consultation with Blacktown City Council and demonstrate how the reasonable requirements of Council have been addressed, should Council have any such requirements. The Scheme shall include an amended Flood Impact Assessment and provide details of how the possible maximum flood waters would be managed at the site to ensure that there would be no upstream off-site impact. The revised Flood Impact Assessment must be prepared in consultation with Blacktown City Council and Fairfield City Council.

4) Insert the following immediately after condition B3.4:

B3.4A Prior to the construction of any building works associated with the distribution centre, the Applicant shall submit the details, including plans, of the final site and floor levels for the approval of the Director-General. The final site and floor levels must be justified in terms of the revised Flood Impact Assessment required under condition B3.4.

SCHEDULE C

5) Insert the following immediately after existing condition C2.6:

C2.6A During the life of the development, the Applicant shall ensure that development does not result in any vehicles queuing on the public road network.

6) Insert the following immediately after condition C2.6A:

C2.6B All vehicles associated with the development shall not park on local roads in the vicinity of the site at any time.