

Modification Approval

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

I, the Director, Infrastructure Projects, 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.



Scott Jeffries
Director
Infrastructure Projects

Sydney

22 March

2010

File No: S07/01728
DA-42-10-2007-i MOD 1

SCHEDULE 1

Development consent: granted by the Minister for Planning on 22 February 2008.

In respect of: Lot 1 DP 735037, Simblist Road, Port Botany, Randwick Local Government Area.

For the following: Tyne Empty Container Storage Park.

Modification Application: Modification to allow the stacking of containers within the site to be increased by one container to a maximum height of six containers.

SCHEDULE 2

The development consent is modified by:

1) replacing existing condition 1.1 c) with the following:

- c) modification application DA-42-10-2007-i MOD 1, accompanied by *Proposed S.96(1A) Modification to the Approved Stack Height of an Existing Container Depot Statement of Environmental Effects* dated February 2010 prepared for Tyne Container Services; and
- d) the conditions of this consent.

2) replacing existing condition 1.2 with the following:

In the event of an inconsistency between:

- a) the conditions of this consent and any document listed from condition 1.1(a) to (c) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1(a) to (d) inclusive, the most recent document shall prevail to the extent of the inconsistency.
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