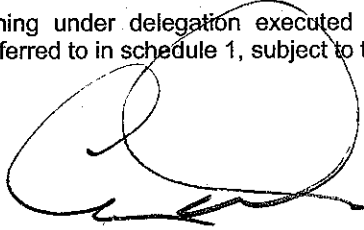


Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Chris Wilson
Executive Director
Major Projects Assessment

Sydney

4 November

2010

SCHEDULE 1

Project Approval:

08_0066 granted by the Minister for Planning on 2 January 2009

For the following:

Establishment of a DHL Logistics Hub and associated infrastructure on Lot 2 DP 120673

Modification

amendments to the approved building areas, changes to hardstand arrangement and redistribution of car parking spaces, a reduction in the number of estate roads from 4 to 1, changes to subdivision to create 2 estate road allotments rather than 4

SCHEDULE 2

DEFINITIONS

Add the following Definitions:

Building Works means any physical activity involved in the erection of a building but excludes preparatory site works, bulk earthworks, and the construction of building slabs and footings.

Lot 1A means the lot marked 1A as shown on the Plan of Subdivision at Appendix 2.

Lot 2A means the lot marked 2A as shown on the Plan of Subdivision at Appendix 2.

CONDITIONS

Terms of Approval

Delete condition 2 and replace with a new condition 2 as follows:

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA
 - (b) Response to submissions
 - (c) statement of commitments
 - (d) modification application 08_0065 Mod 1 with supporting document titled Proposed s75W Modifications to Oakdale Central and DHL Logistics Hub, Oakdale Industrial Estate, Horsley Park EA prepared by Goodman Ltd and dated October 2010
 - (e) Conditions of approval

Subdivision

Delete condition 12 and replace with a new condition 12 as follows:

12. The Proponent may subdivide the land in general accordance with the subdivision plan with OAK PA1 12(D). However, prior to obtaining a subdivision certificate, the Proponent shall prepare a final subdivision plan for the land in consultation with Council, and to the satisfaction of the Director-General.

Note: Any easements in the subdivision plan must nominate Council as the authority to release, vary or modify the easement. The form of the easement must be in accordance with Council's standard recitals for terms of easements, or the standard form for easements accepted by the Department of Lands.

Planning Agreement

Delete condition 13 and replace with a new condition 13 as follows:

- 13 Prior to the commencement of building works on Lot 2A, or the issue of a Subdivision Certificate, whichever is sooner, the Proponent shall enter into a Planning Agreement with the Minister, in accordance with Division 6 of Part 4 of the EP&A Act, and the terms of the offer made to the Department on 4 November 2010 by the Proponent.

SCHEDULE 3

TRAFFIC AND TRANSPORT

Design of Internal Roads and Parking

Delete condition 6 and replace with a new condition 6 as follows:

6. The Proponent shall ensure that the internal road network and parking associated with the project are designed, constructed and maintained in accordance with the latest versions of the Australian Standards AS 2890.1:2004 and AS 2890.2:2002.

Delete condition 7

Delete condition 8

SOIL AND WATER

Construction

Delete condition 11 and replace with a new condition 11 as follows:

11. During construction, the Proponent shall implement and maintain all erosion and sediment control measures detailed in the Soil and Water Management Plan dated September 2010, including drawing numbers 21-19628-SK001 Rev B, 21-19628-SK002 Rev B and 21-19628-SK003 Rev A, submitted with the modification.

Delete condition 12 and replace with a new condition 12 as follows:

12. Within 6 months of this approval the Proponent shall revise drawing numbers drawing numbers 21-19628-SK001 Rev B, 21-19628-SK002 Rev B to include erosion and sediment controls for the whole site.

FLORA AND FAUNA

Delete condition 19 and replace with a new condition 19 as follows:

19. The Proponent shall establish, conserve and maintain approximately 4.27 hectares of native vegetation on the site, of which at least 2.5 hectares is to be Swamp Oak Forest, as shown conceptually in Appendix 3, to the satisfaction of the Director-General.

**Delete Appendix 1 and replace with:
APPENDIX 1 SITE PLANS**

**Delete Appendix 2 and replace with
APPENDIX 2
PLAN OF SUBDIVISION**

**Delete Appendix 3 and replace with
APPENDIX 3
ENVIRONMENTAL CONSERVATION AREA**

Delete Appendix 5