

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



William Hodgkinson
Team Leader
Industry Assessments

Sydney

4 August 2021

SF21/41305

SCHEDULE 1

Development Consent

Development Consent:

SSD-10436 granted by the Minister for Planning and Public Spaces on 31 March 2021

For the following:

The construction, fit-out and operation of eight warehouse and distribution tenancies in four buildings with a total gross floor area (GFA) of 112,819 m² including offices, loading docks, hardstand areas, truck and car parking areas, landscaping, associated infrastructure, and signage.

Modification 1

Modification Application:

SSD-10436-Mod-1

Modification to:

- amend layouts of Lots 201 and 204.

Applicant:

ESR Developments (Australia) Pty Ltd

Consent Authority:

Minister for Planning and Public Spaces

The Land:

Lots 201-203 DP 1244593

Horsley Park NSW 2175.

SCHEDULE 2

This consent is modified as follows:

In Schedule 1

1. Delete the development description and replace it with the following:

For the following: The construction, fit-out and operation of 10 warehousing and distribution tenancies in four buildings with a total gross floor area (GFA) of 109,048 m² including offices, loading docks, hardstand areas, truck and car parking areas, landscaping, associated infrastructure, and signage.

In Definition

2. Add the following definitions in alphabetical order:

Modification Application The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&A Act:

- a) The Section 4.55(1A) modification application SSD-10436 MOD-1 prepared by Urbis, dated 3 May 2021 (Ref: P0020568, MOD 1 – Rev 1)

In Schedule 2, Part A: Administrative Conditions

3. Delete Condition A2 and replace with the following:

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS, Response to Submissions (RtS), Supplementary RtS, and Supplementary Information;
- (d) in accordance with the Modification Application;
- (e) in accordance with the Development Layout in Appendix 1; and
- (f) in accordance with the management and mitigation measures in Appendix 2.

4. Delete Condition A6 and replace with the following:

A6. The following limits apply to the development:

- (a) the maximum Gross Floor Area (GFA) for the land uses in the development must not exceed the limits outlined in Table 1; and
- (b) the largest vehicle permitted to access the site is a 26 m B-Double heavy vehicle.

Table 1: Maximum GFA for Development

Land Use	Maximum GFA square metres (m ²)
Warehousing	
Tenancy 1, Lot 201	19,731
Tenancy 2, Lot 201	15,000
Tenancy 3, Lot 201	3,403
Lot 202A	15,880
Lot 202B	15,880
Lot 203	18,730
Lot 204A	4,728
Lot 204B	3,454
Lot 204C	3,397
Lot 204D	3,156
Total	103,359

Land Use	Maximum GFA square metres (m ²)
Office	
Tenancy 1, Lot 201	536
Tenancy 2, Lot 201	578
Tenancy 3, Lot 201	415
Lot 202A	800
Lot 202B	800
Lot 203	800
Lot 204A	500
Lot 204B	400
Lot 204C	400
Lot 204D	400
Total	5,629
Retail	
Café	60
Total	60
Total GFA	109,048

5. Insert Condition B27A immediately after Condition B27 with the following:

Operational Traffic Management Plan

B27A Prior to the commencement of operation of the first tenancy within Lot 201 of the development, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for Lot 201. The OTMP must form part of the OEMP required by condition C6 and must:

- (a) be prepared by a suitably qualified and experienced expert, in consultation with Fairfield City Council and to the satisfaction of the Planning Secretary;
- (b) detail the numbers and frequency of truck movements, sizes of trucks and vehicle routes;
- (c) include measures to maintain road safety;
- (d) include details of a traffic management system to avoid conflicts between vehicles entering, exiting, and manoeuvring within Lot 201, including but not limited to traffic signals, detector loops and push buttons, regulatory traffic signs and line marking;
- (e) include details of ongoing maintenance measures for the traffic management system;
- (f) include contingency traffic management measures to be implemented in the event of traffic management system failure;
- (g) include a program to monitor the effectiveness of the traffic management system; and
- (h) include a Driver's Code of Conduct addresses procedures to ensure drivers implement safe driving practices.

6. Insert Condition B27B immediately after Condition B27A with the following:

B27B The Applicant must:

- (a) not commence operation of Lot 201 until the OTMP required by Condition B27A is approved by the Planning Secretary; and
- (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation of Lot 201.

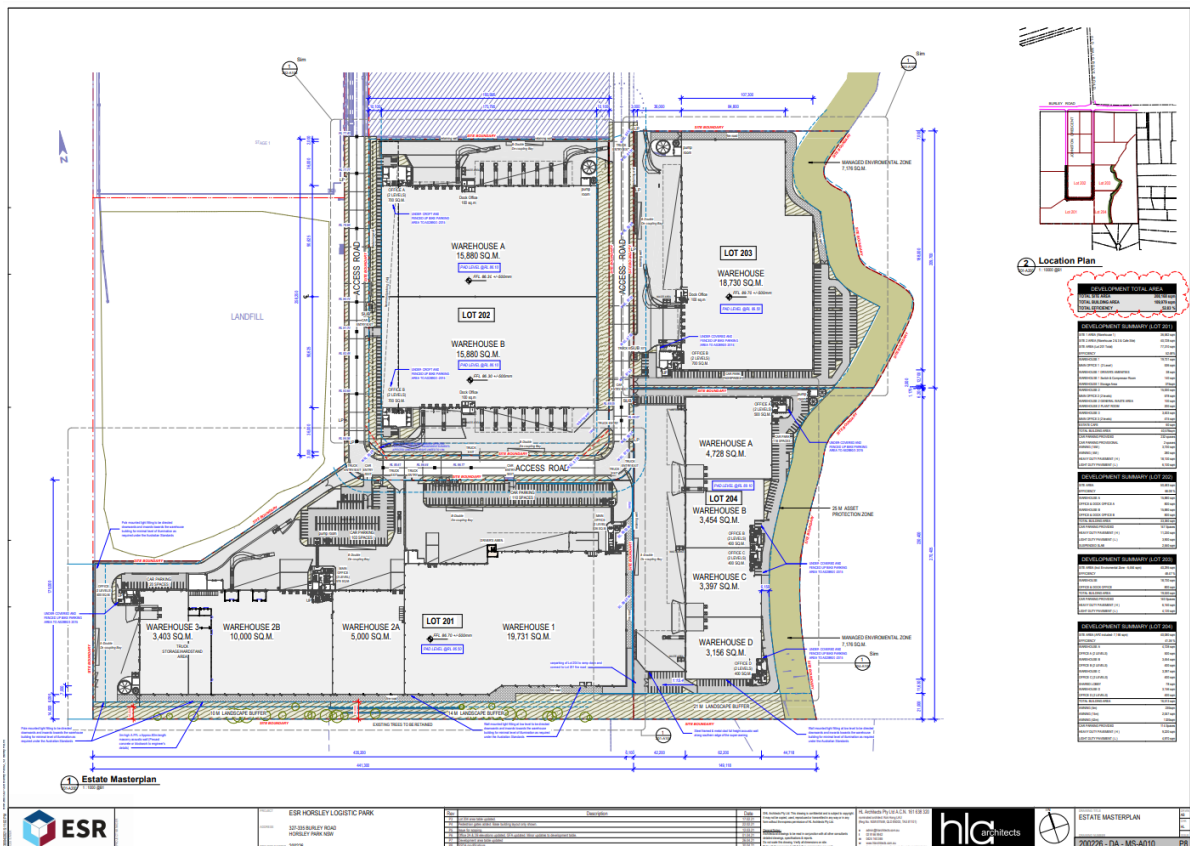
7. Delete Condition C6 and replace with the following:

C6 As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:

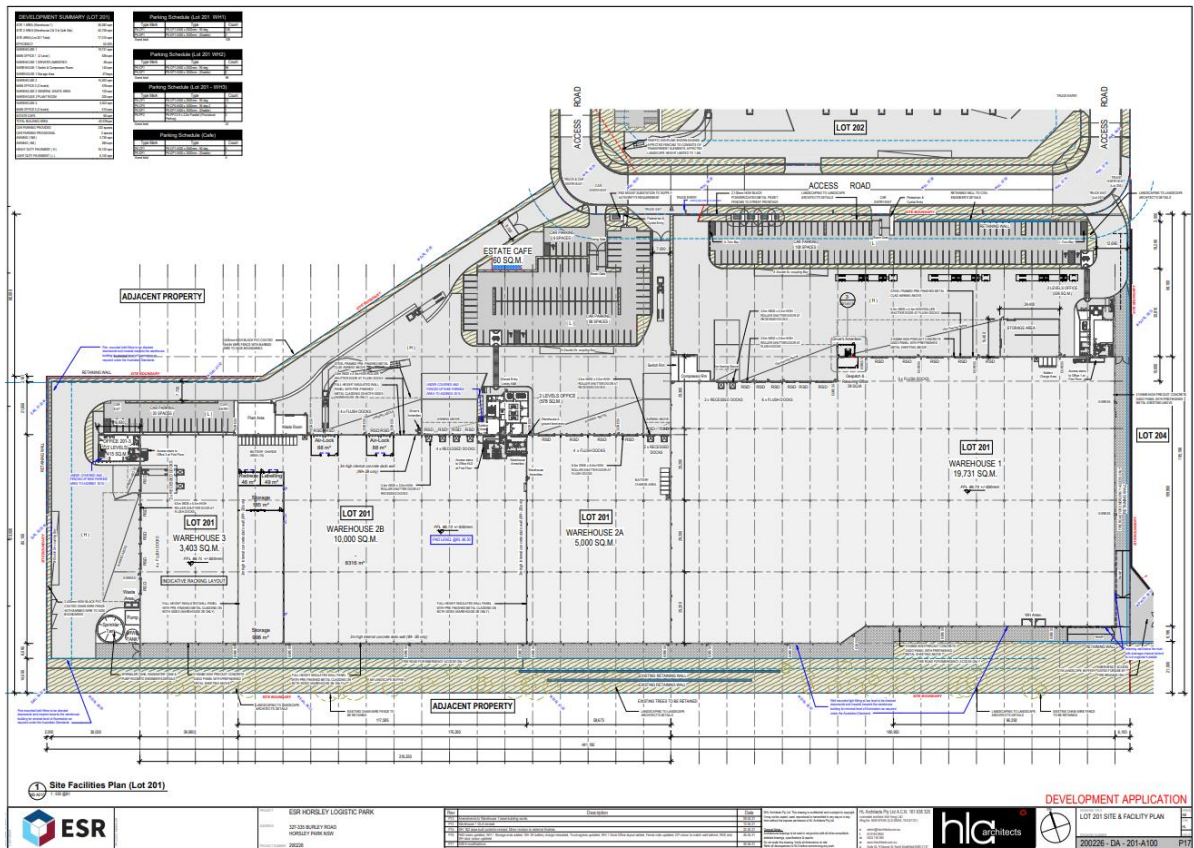
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Landscape Management Plan (see condition B1);
 - (ii) Loading Area Management Plan (see condition B18);
 - (iii) Operational Traffic Management Plan (see condition B27A);
 - (iv) Green Travel Plan (see condition B28);
 - (v) Stormwater Management Plan (see condition B32); and
 - (vi) Community Consultation Plan (see condition B57).

In Schedule 2, Part A: Administrative Conditions

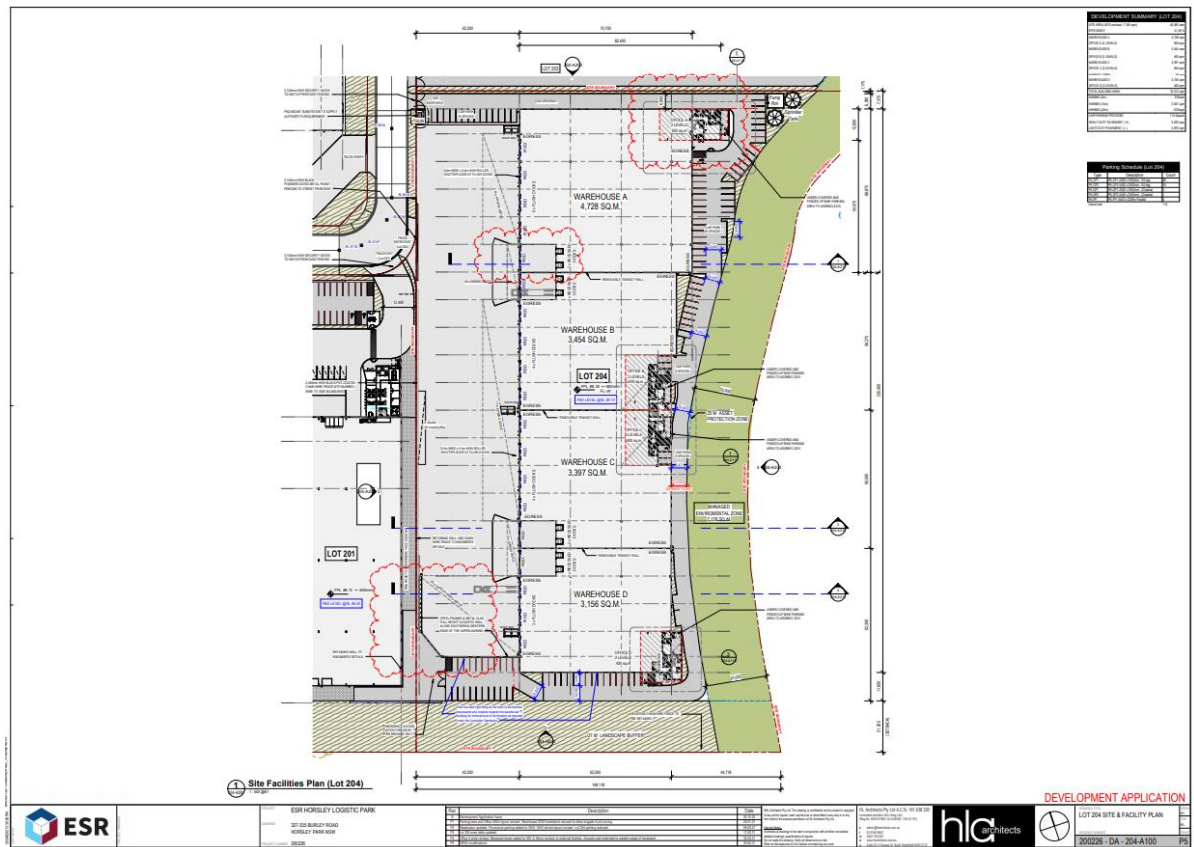
8. Delete Figure 1 and replace with the following:



9. Delete Figure 2 and replace with the following:



10. Delete Figure 5 and replace with the following:



11. Delete Figure 6 and replace with the following:

