

Notice of Modification

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

As delegate for the Minister for Planning and Environment under delegation dated 14 September 2011, I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Ritchie
A / Director
Industry, Key Sites and Social Projects

Sydney 27 MAY

2014

SCHEDULE 1

The development consent (SSD 5746) granted by the Minister for Planning and Infrastructure for the expansion of the Mainfreight storage and distribution centre on 9 August 2013.

SCHEDULE 2

1. In the Definitions list, amend the definition of 'Development' to include "as modified by SSD 5746 MOD1," after the word "RTS".
2. In the Definitions list, delete the definitions for 'Department' and 'Director-General', and insert the following definitions in alphabetical order:

Department	Department of Planning and Environment
Secretary	Secretary of the Department, or nominee
SSD 5746 MOD 1	Modification application SSD 5746 MOD 1, including accompanying letter report dated November 2013, and subsequent letters dated 19 December 2013, 31 January 2014 and 14 April 2014, all prepared by McKenzie Group Consulting (NSW) Pty Ltd

3. Replace all instances of "Director-General" with "Secretary".
4. Insert the following after Condition B2(e):
 - (f) SSD 5746 MOD 1.
5. Replace Condition B5(a) with the following:

Warehouse Building 1 ('Transport Shed') and Warehouse Building 2 ('Logistics Shed'), including office floor space, does not exceed 45,577m²;
6. Insert the following after Condition C5:
 - B5A. The number of truck movements between the hours of 10:00pm and 5:00am shall be restricted to a maximum of 40.

7. Replace "380,000" with "400,000" in the Total Storage Capacity (kg) column (column 1) of Table 1 in Condition B6.

8. Insert the following after Condition C6:

C6A. Pre-Startup Compliance

Within 3 months of the date of approval of MOD 1, the Applicant must submit, and have approved by the Secretary, a layout plan for the Dangerous Goods storage area. The plan shall show where and how the amended quantity of Dangerous Goods permitted by MOD 1 (refer to Table 1, Condition B6) will be accommodated within the approved Dangerous Goods storage area. The plan shall also demonstrate that compliance will be achieved with the separation and segregation distance requirements contained in the relevant Australian Standards.

9. Insert the following after Condition C10(h):

- (i) the eastern most truck access driveway shall be line marked and sign posted to clearly indicate that this access driveway will permit entry movements only;
- (j) between the hours of 7:00pm and 5:00am, heavy vehicles must only enter and leave the site via the central and eastern most truck access driveways located in Yarrowa Street, Prestons, which serve the new truck and car hardstand area located to the east of Building 1 (the front building) and to the north of Building 2 (the rear building);
- (k) a warning sign is installed at the western most vehicle access point located in Yarrowa Street, warning drivers that trucks must not enter or leave the premises via this driveway between the hours of 7:00pm and 5:00am; and
- (l) appropriate controls and systems, developed in consultation with the EPA and to the satisfaction of the Secretary, are put in place to stop trucks entering or leaving the western most access driveway between the hours of 7:00pm and 5:00am.

10. Inserting the following after Condition C24:

C24A. All drainage grates within the parking and driveway areas are to be mechanically fastened in place through flexible rubber brushes.

11. Deleting the words "*Truck movements restricted to between 5am and 7pm*" from the last row of the third column of Table 2 in Condition C27.

12. Inserting the following after Condition C30(e):

- (f) ensure that the sound power levels of the container handler do not exceed 103dB(A)Leq;
- (g) provide all truck drivers with regular training and instructions in minimising the noise impacts of operating their vehicles;
- (h) ensure that all trucks and delivery vehicles switch off their engines during idle periods or during loading / unloading operations, particularly during the night time hours; and
- (i) ensure that no external public address system is used on site.

13. Inserting the following additional bullet points at D1(h):

- ensure that a 24 contact phone number is made available to the community for the receipt of any complaints;
- make the register of complaints available to the department and Council if requested.

Issue	Assessment	Recommendation
	<ul style="list-style-type: none"> The department is therefore satisfied that the noise impacts of the modified operation would be minor, can be satisfactorily managed and would comply with the relevant EPA noise criteria, subject to the imposition of a number of additional conditions. 	
Hazards and Risk	<ul style="list-style-type: none"> The proposed 20,000kg increase in the storage of Class 2.1 dangerous goods on site from 380,000kg to 400,000kg is a minor (5%) increase that would not result in an increased off-site risk or require the modification of the relevant risk and hazard reports. In addition, Mainfreight have confirmed that it would be able to comply with the requirements contained in the relevant Australian Standards. The department is satisfied that the proposed modification would not increase the hazards and risks of the proposal, subject to a condition requiring the approval of a plan showing compliance with the separation and segregation distances required by the relevant Australian Standards. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> submit a plan demonstrating compliance with the separation and segregation distance requirements for dangerous goods contained within the relevant Australian Standards.
Traffic	<ul style="list-style-type: none"> Goodman has confirmed that the purpose of the 24 hour truck access is to provide additional flexibility to Mainfreight's approved operations. The proposed modification would not result in any additional heavy vehicle movements to those already assessed - i.e. 280 heavy vehicles per day (560 movements). Goodman advised the EPA that they anticipate that a maximum of 40 heavy vehicle movements would take place between 10:00pm and 5:00am. These movements would occur during the off-peak traffic period and, given the low numbers, would have a negligible impact on the safety and capacity of the surrounding road network. The Council did not raise any concerns with traffic impacts resulting from the proposed modification. The department is satisfied that the proposed modification would have a negligible impact on traffic and can be managed through the existing conditions of consent. 	<ul style="list-style-type: none"> No additional conditions necessary.

6. CONCLUSION

The department has assessed the application in accordance with the requirements in Section 96(1A) and Section 79C of the EP&A Act, and is satisfied that the proposed modification:

- would result in minimal environmental impacts beyond the approved operation;
- is consistent with the original approved development application (SSD 5746) such that the modified facility would be substantially the same development; and
- would allow the tenant to maintain a constant supply of goods to its clients.

Goodman, the EPA and Council have reviewed and accepted the draft conditions.

Consequently, the department is satisfied that the modification is in the public interest and should be approved, subject to conditions.

7. RECOMMENDATION

It is RECOMMENDED that the Acting Director, Industry, Key Sites and Social Projects:

- determine** that the proposed modification is within the scope of Section 96(1A) of the EP&A Act;
- approve** the application subject to conditions; and
- sign** the attached notice of modification (see Tag 'A').

Pascal van de Walle
Planning Officer, Industry



Chris Ritchie
A / Director
Industry, Key Sites and Social Projects

27/5/14