

ASSESSMENT REPORT

Section 96(2) Modification

Oakdale Central Warehouse and Distribution Centres (Lots 1C, 2B and 3) – Modification to Warehouse 2B (SSD 6078 MOD 2)

1. INTRODUCTION

1.1 Background

This report is an assessment of a request to modify the Development Consent (SSD 6078 MOD 2) for the Oakdale Central warehouse and distribution centres (Lots 1C, 2B and 3) in the Oakdale Central Industrial Estate, Horsley Park in the Western Sydney Employment Area. The request has been lodged by Goodman Property Services (Aust) Pty Ltd pursuant to section 96(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify the approved layout of the warehouse on Lot 2B, including the addition of a dangerous goods store.

1.2 Subject Site

Lot 2B is located within the Oakdale Central Industrial Estate (Oakdale Central), which is wholly located within the Oakdale Central Concept Plan area (MP 08_0065). The site is located at Horsley Park in the Western Sydney Employment Area (WSEA) and is within the Blacktown Local Government Area. The site is accessed via an estate road which connects to Old Wallgrove Road. A location plan is provided at **Figure 1** below.

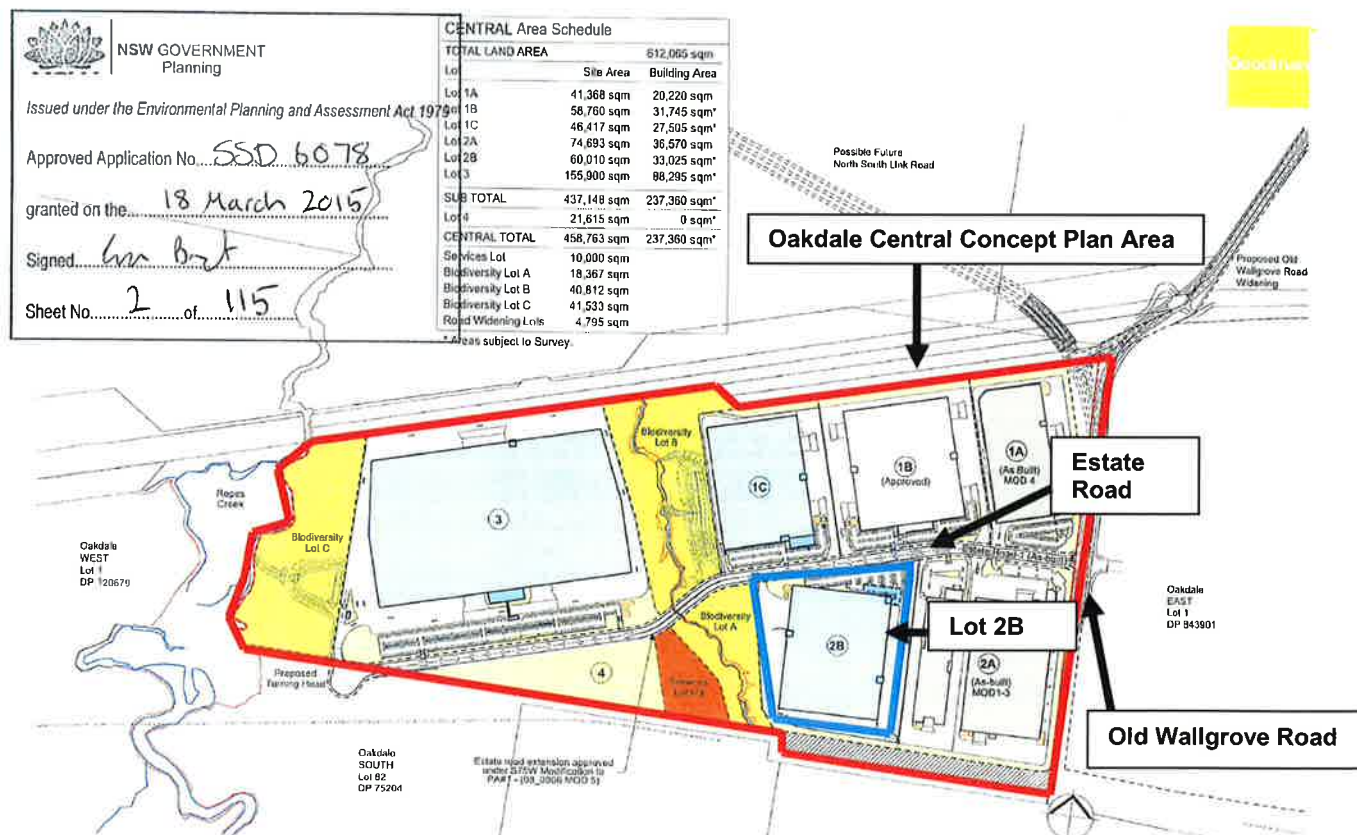


Figure 1: Subject Site and Surrounds (site outlined in red)

Lot 2B is currently vacant, however, earthworks have been undertaken in accordance with the Project Approval for the DHL Logistics Hub (MP 08_0066), the Concept Plan Approval (08_0065) and a development consent issued by Fairfield Council (DA652.1/2013).

2. SITE HISTORY

2.1 Concept Plan

On 2 January 2009, the then Minister for Planning approved the Oakdale Central Concept Plan (MP 08_0065) which permitted:

- the subdivision of the site into 11 lots and five road corridors;
- bulk earthworks;
- development of warehouses, distribution centres and freight logistics facilities comprised of:
 - 40 ha of employment generating uses;
 - 8.0 ha of regional road reserves;
 - 1.0 ha for services;
 - 4.6 ha of environmental conservation lands; and
 - 7.4 ha of regional open space;
- the upgrade of Old Wallgrove Road and the Old Wallgrove Road/Wallgrove Road intersection;
- provision of a range of infrastructure and services; and
- provision of ancillary development including child care facilities, neighbourhood shops, and recreational facilities.

The Concept Plan has been modified on three occasions to:

- amend the subdivision layout;
- reconfigure the internal estate roads;
- convert the recreation lots into conservation lots;
- allow minor changes to the stormwater basin adjacent to Lot 1C;
- consolidate two warehouses into one on Lot 3;
- permit the construction of a turning head on Lot 82 in Deposited Plan 75204; and
- permit the use of the existing detention basins within biodiversity lots B and C for on-site stormwater detention.

2.2 State Significant Development (SSD 6078)

On 18 March 2015, the Executive Director, Infrastructure and Industry Assessments (as delegate of the Minister for Planning) approved SSD 6078 which permitted:

- construction and operation of three warehouse buildings on Lots 1C, 2B and 3;
- extension of the estate road to provide a new turning head on Lot 82 in Deposited Plan 752041;
- upgrade of a 1600 m section of Old Wallgrove Road between Milner Road and Lenore Drive, including subdivision and land acquisition;
- use of the existing bio-retention basins in biodiversity lots B and C for on-site detention purposes; and
- consequential works on the Austral Bricks site required to facilitate the upgrade of Old Wallgrove Road.

The approved development is depicted in **Figure 2** overleaf.

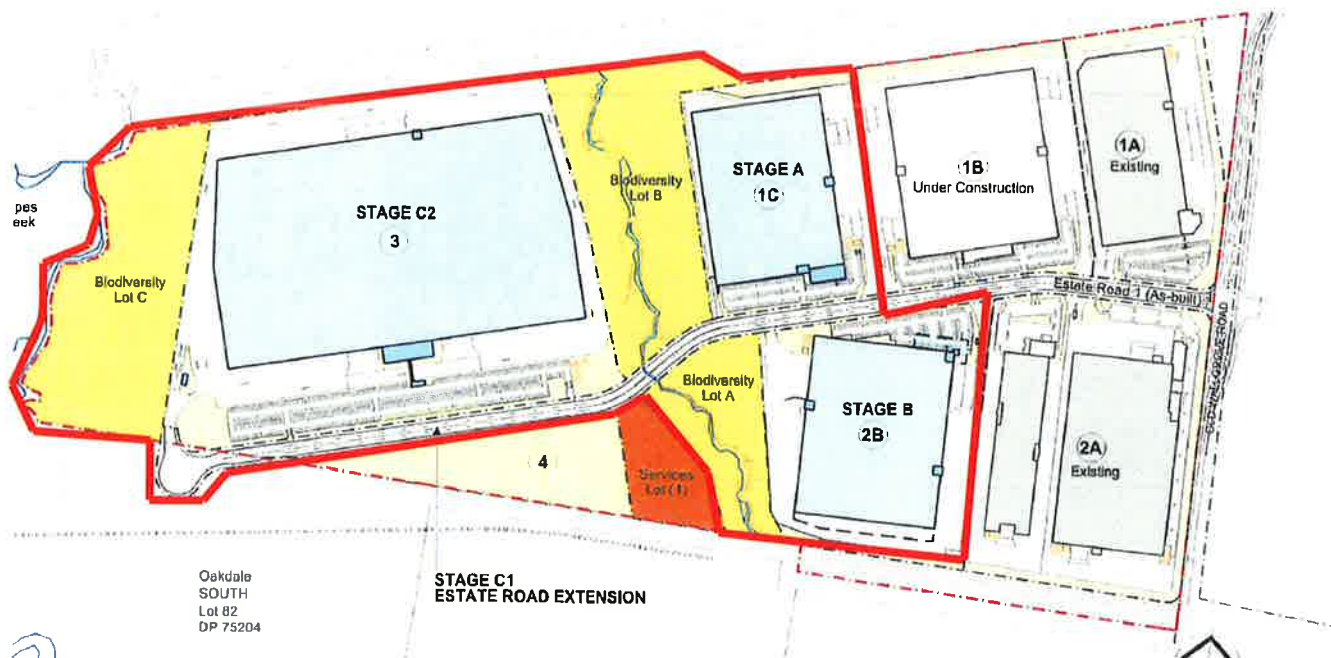


Figure 2: Approved Development

On 15 June 2015, the Manager Industry Assessments (under the Minister's delegation) approved a modification (SSD 6078 MOD 1) to allow changes to the warehouse on Lot 1C including:

- reconfiguration and relocation of the loading docks;
- reconfiguration of the approved office and the addition of a dock office;
- adjustments to the finished floor level;
- the movement of the building footprint to the east;
- a decrease in the number of car parking spaces; and
- revised truck circulation arrangements, including the consolidation of the hardstand with the warehouse on Lot 1B.

3. PROPOSED MODIFICATION

On 3 April 2015, Goodman lodged an application to modify the development consent under section 96(2) of the EP&A Act. The modification relates to the warehouse on Lot 2B only.

The proposed modifications include:

- a reduction to the gross floor area of the warehouse on Lot 2B from 33,025 m² to 31,080 m² including:
 - a reduction in the main building area from 32,530 m² to 29,480 m²; and
 - an increase in the office area (including gatehouse) from 790 m² to 1,600 m²;
- internal modifications including:
 - conversion of 22,280 m² of the warehouse to a temperature controlled facility;
 - construction and operation of a 1,495 m² dangerous goods (DGs) store for flammable gases and liquids, oxidising agents and corrosives including hair care and skin care products and farm animal treatments;
 - redesign and increase in the size of the main office and an increase in size of the gatehouse; and
 - revised warehouse racking and materials handling equipment;
- external modifications including:
 - revised warehouse roller shutter locations and truck circulation arrangements;
 - an increase to the size of the awning over the western docks;
 - addition of a main switchboard room, chiller room; electrical kiosk substation and truck wash including a plant room and rainwater tank;
 - relocation of dock office, main office, sprinkler tank and pump room; and
 - a decrease in the number of truck docks from 16 to 14;
- modifications to the car park including:
 - the addition of motorcycle parking, a new access/egress point, an underground water rainwater tank and retaining walls and stairs to the landscaped area; and

- an increase in parking spaces from 154 (plus 40 provisional) to 200 spaces.

A comparison of the approved layout and proposed site layout is depicted in **Figures 3 and 4** below.

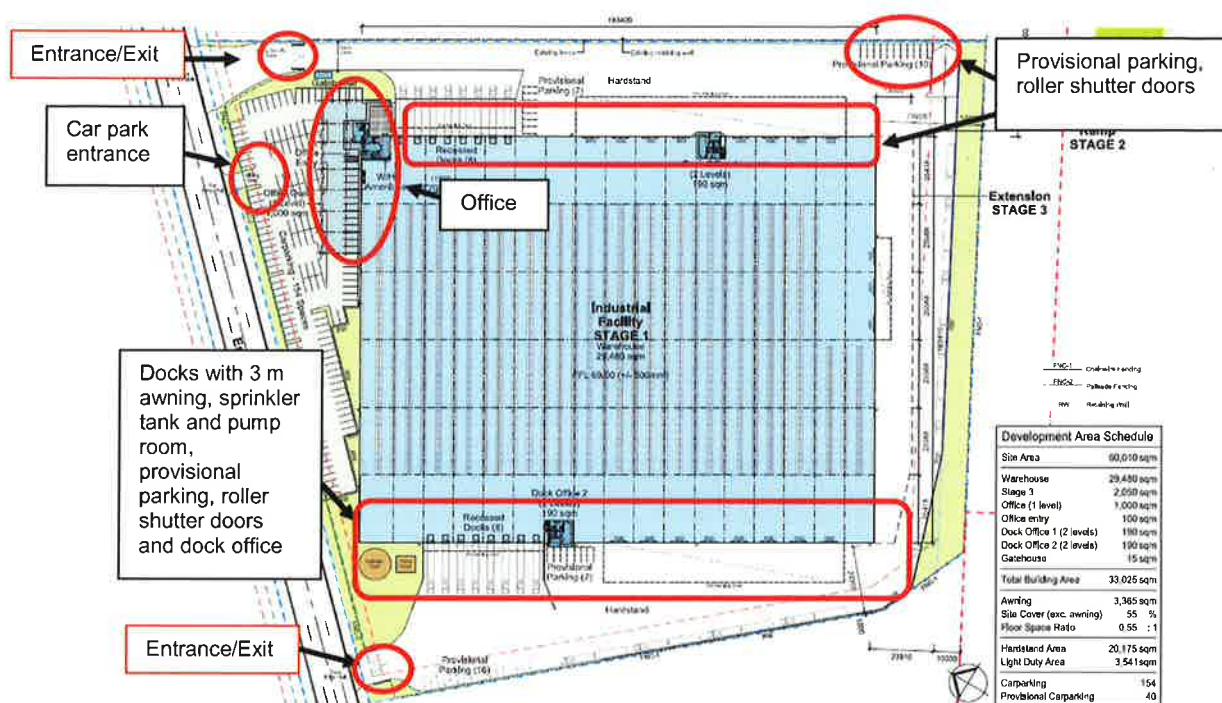


Figure 3: Approved Warehouse on Lot 2B

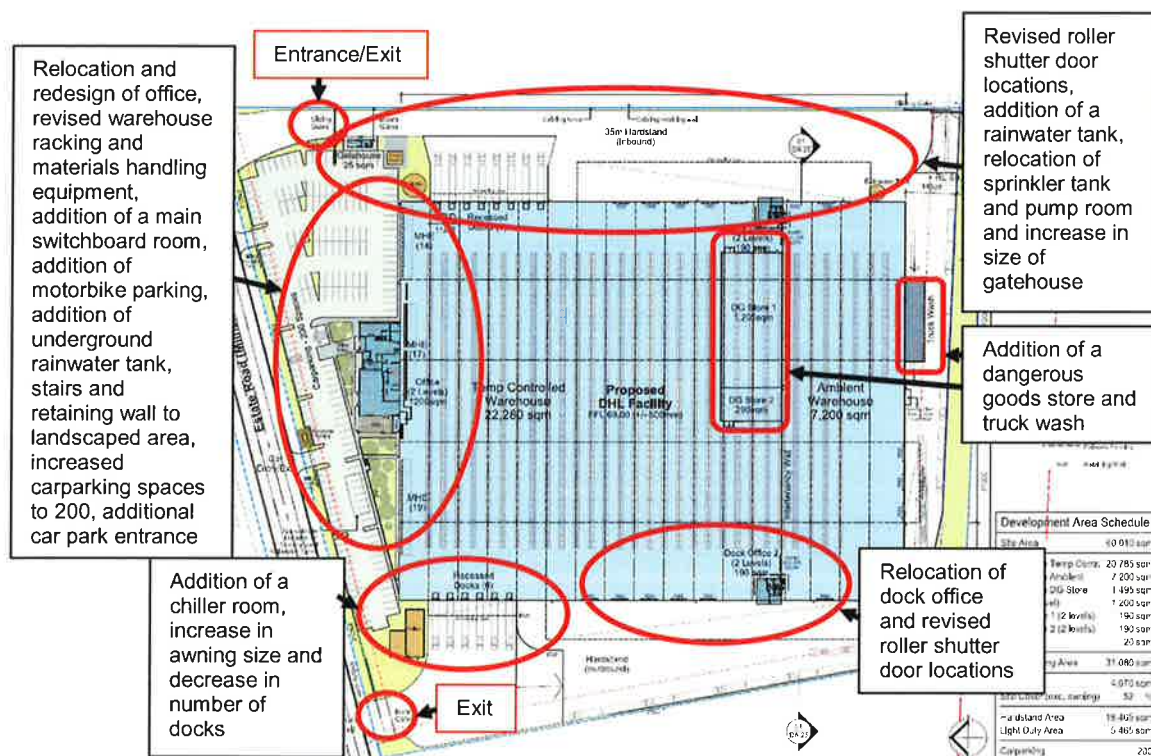


Figure 4: Proposed Warehouse on Lot 2B

The Applicant has advised that the modification is required to respond to the operational requirements of the tenant.

4. STATUTORY CONTEXT

4.1 Modification of approval

Section 96(2) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications which seek modifications to a development consent:

1. *That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).*

The proposal is substantially the same development for which consent was originally granted as the development (as modified) will remain a warehouse for distribution purposes and will comprise essentially the same footprint as the originally approved warehouse.

2. *It has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent.*

The application was referred to Roads and Maritime Services NSW in accordance with clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.

3. *It has notified the application in accordance with the regulations.*

The Department referred the application to Council, the EPA, the NSW Office of Water, the Roads and Maritime Authority, NSW Trade and Investment and Water NSW as well as each person who made a submission on the original application. A summary of the comments received as a result of notification are provided in **Section 5** of this report,

4. *It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Submissions are considered in **Section 6** of this report.

4.2 Approval Authority

On 16 February 2015, the Minister for Planning delegated responsibility for the determination of section 96(2) modification applications to directors and managers who report to the executive directors in the Planning Services division where:

- the relevant local Council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

The modification complies with the terms of the delegation as Fairfield City Council (Council) did not object to the proposal, a political disclosure has not been made in relation to the request and no public submissions were received in the nature of objections. Accordingly, the Manager, Industry Assessments may determine the application in accordance with the Minister's delegation.

5. CONSULTATION

Under section 75X(2)(f) of the EP&A Act, the Secretary is to make publicly available requests for modifications of approvals given by the Minister. In accordance with clause 8G of the EP&A Regulation, the Department exhibited the modification request for a period of 30 days:

- on the Department's website;
- at the Department's Information Centre; and
- at Fairfield City Council's offices.

The Department also advertised the public exhibition in the Fairfield City Champion, and notified the original submitters and government agencies.

During the exhibition period, the Department received six submissions from public authorities. A summary of the issues raised in the submissions is provided below. A copy of each submission is included in **Appendix B**.

No public submissions were received.

5.1 Public Authority Submissions

Council did not object to the proposed modification, however, it provided the following comments:

- the proposed increase in capital investment will require an amendment to the Section 94A development contributions outlined in Condition 20 of Schedule 2;
- a noise compliance report should be prepared given that the predicted noise approaches the project specific noise criteria at receptor 'A' (Erskine Park Residents); and
- the recommendations of the Preliminary Hazard Analysis (PHA) should be implemented.

Council also recommended a range of conditions in relation to: noise, the Preliminary Hazard Analysis, waste, storage of flammable and combustible liquids, the Emergency Management Plan, obtrusive lighting and soil and water.

The Department has reviewed Council's concerns and concluded that the existing conditions of consent regulate noise, waste, dust management, erosion and sediment control, stormwater management, outdoor lighting and the application does not seek to modify the approved waste management plan or stormwater treatment devices. Accordingly, the Department has not recommended changes to these conditions. Notwithstanding, the Department has recommended a number of new conditions to ensure the recommendations of the Applicant's preliminary hazard assessment are incorporated into the development prior to the commencement of works on site.

The **EPA** did not object to the proposed modification, however, it requested the imposition of a condition to ensure that the dangerous goods store is constructed in accordance with the relevant Australian Standards. In addition the EPA advised that the Applicant may need a licence if the capacity of the dangerous goods store exceeds the chemical storage thresholds outlined in Schedule 1 of the *Protection of the Environment Operations Act 1997*.

The Department notes that Condition 6 of Schedule 2 of the Development Consent will ensure that the Applicant obtains an environment protection licence, if required. However, the Department has recommended a condition requiring the Dangerous Goods Store to be constructed in accordance with the relevant Australian Standards.

The **NSW Office of Water (NOW)** did not object to the proposed modification, however, it requested that the Applicant landscape the provisional parking area, adjacent to Biodiversity Lot A, with native plants to improve the biodiversity values of the riparian corridor.

The **Roads and Maritime Authority, NSW Trade and Investment and Water NSW** raised no objections to the proposed modification.

5.2 Response to Submissions (RTS)

Goodman lodged a RTS on 25 May 2015 (**Appendix A**). The RTS addressed the Council, the EPA and NOW's submissions, and provided additional information to the Department describing the 'class 5.1' material to be stored within the DG store, including its potential to emit toxic fumes during a fire; and an assessment of the irritation impact of smoke in the event of a non-sprinkler controlled warehouse fire.

All outstanding issues are discussed in **Section 6**, overleaf.

6. ASSESSMENT

In its assessment of the application, the Department has considered the following:

- the supporting documentation for the modification application (see **Appendix A**);
- the Environmental Impact Statement (EIS), Response to Submissions (RTS) and the Secretary's Environmental Assessment Report for the approved development;
- the existing conditions of consent;
- all submissions (see **Appendix B**);
- relevant environmental planning instruments, policies and guidelines; and
- the requirements of the EP&A Act, including the objects of the Act.

Based on the above, the Department considers the key issues for assessment are:

- consistency with the Concept Plan; and
- hazards and risks.

An assessment of other issues including traffic, noise, greenhouse gas, visual, water, building safety, biodiversity and developer contributions is provided in **Table 3**.

6.1 Consistency with Concept Plan

Clause 3B2(d) of Schedule 6A specifies that a consent authority must not grant consent under Part 4 of the EP&A Act unless it is satisfied that the proposed development is generally consistent with the terms of an approved concept plan. The Department's assessment of the modification application's consistency with the Concept Plan is provided in **Sections 6.1.1** and **6.1.2** below.

6.1.1 Design and Layout

The Department notes one of the key changes proposed by the modification relate to the design and layout of the warehouse on Lot 2B. The approved Concept Plan sets out a series of development standards to guide future development applications in this area. The modified development generally complies with these standards. The relationship of the modified development to the development standards is summarised in **Table 1** below.

Table 1 Modified Development Compared Against Concept Plan Development Standards

Issue	Development standard	Development proposed to be modified	Compliance
<u>Lot Dimensions</u> • Minimum lot area • Minimum lot frontage • Minimum lot width • Minimum built area (including awnings)	5,000 m ² 40 m 35 m 2,500 m ²	No change >40 m >25 m 30,525 m ²	Yes
Site Coverage	65 percent	52 percent	Yes
<u>Minimum setbacks and landscaping</u> • Local Estate Road • Side Boundary • Rear Boundary	Setback 7.5 m and landscaping 50 percent average Setback and landscaping zero Setback 5 m and landscaping 2.5 m	21.7 m and >3.75 m landscaping - > 5 m and 2.5 m	Yes
<u>Car Parking</u> • Warehouse/bulk storage • Office	1/200 m ² (29,480 m ²) = 147 1/40 m ² (1,600 m ²) = 40 Total = 187	200	Yes

6.1.2 Consistency with Terms of the Concept Plan Approval

The Department has reviewed the terms of the Oakdale Central Concept Approval and has concluded that the Applicant must demonstrate that the proposed development is generally consistent with:

- the noise limits specified for future developments in Term 6 of the Concept Approval;

- the design requirements for water supply/harvesting infrastructure (including energy usage) specified in Term 11 of the Concept Plan; and
- the Statement of Commitments approved in Appendix 2 of the Concept Approval.

The Department has assessed the Modification Application against the requirements of the Concept Plan and is satisfied that:

- the proposed changes to the layout of the warehouse on Lot 2B would result in a very minor change to the predicted noise levels at sensitive receivers (1 dBA at Location D*), however, noise levels would comply with both the limits in the development consent, and the cumulative noise limits in the Concept Plan approval (see **Table 2** below). Council requested that the Applicant prepare a noise compliance report following commencement of operation, however, as previously outlined, the Department has concluded that a noise compliance report is not warranted given that the conditions of consent require the Applicant to operate within the approved noise limits;
- the use of the proposed rainwater tanks in the carpark and on the south-eastern side of the warehouse is consistent with the Water Sensitive Urban Design Strategy approved under the Concept Plan; and
- the Sustainability Report prepared to support the original development application contains a number of sustainability initiatives to be considered in the design phase. Further, the conditions of the development consent require the Applicant to prepare a Sustainability Management Plan which is consistent with the Sustainability Report prior to the issue of a Construction Certificate. Accordingly, the Department is satisfied that the application can be designed to comply with the energy efficiency/sustainability requirements of the Concept Plan.

Table 2: Cumulative Noise Levels Associated with the Proposed Development

Location	Predicted SSD dB(A) L_{Aeq} (15 minute)		Predicted Modification dB(A) L_{Aeq} (15 minute)		Concept Plan limits dB(A) L_{Aeq} (15 minute) Day/Evening/Night
	Lots 1C, 2B and 3	Cumulative	Lots 1C, 2B and 3	Cumulative	
A – Erskine Park Residents	33	<35	33	<35	39
B – Emmaus College	33	<35	33	<35	39
C – Bakers Road, Kemp Creek	32	<34	32	<34	39
D* – Greenway Place	36	<38	37*	<39*	39
E – 315-321 Burley Road	38	<39	38	<39	39

Note: Noise predictions include the operational noise levels as modified under SSD 6078 MOD 1

As implementation of the proposed modification would result in very little change to the development as assessed and approved, the Department considers that the proposed modification is generally consistent with all other terms of the Concept Plan Approval.

6.2 Hazards

The Applicant is seeking consent to construct and operate two dangerous goods stores with a combined area of 1,495 m² on Lot 2B (see **Figure 4** above). The facility would store a range of Dangerous Goods (DGs), including hair care and skin care products and farm animal treatments. The quantities and classes of dangerous goods proposed to be stored are set out in **Table 3** overleaf.

Table 3: Dangerous Goods Proposed to be Stored in the DG Store

Class	Packing Group	Hazardous Material	Quantity
2.1	N/A	Flammable gases	30,000 kg
3	II	Flammable Liquids	50,000 L
3	III		250,000 L
5.1	II & III	Oxidising agents	15,000 kg
8	II & III	Corrosive substances	20,000 kg
9	III	Miscellaneous Dangerous Goods	10,000 kg

As the quantities of dangerous goods proposed to be stored exceed the criteria in *State Environmental Planning Policy No. 33 (Hazardous and Offensive Development)*, the DG store is considered potentially hazardous development. As such, the Applicant's assessment included a preliminary hazard analysis (PHA) prepared by RawRisk which assesses hazard related issues resulting from use and handling of the materials identified in **Table 3** above.

The PHA identifies the potential hazardous scenarios on site and the proposed safeguards to mitigate the risks associated with the storage of these goods. The Department's risk specialist reviewed the PHA and concluded that it has been prepared in accordance with *Hazardous Industry Advisory Paper (HIPAP) No. 6 – Hazardous Industry Guidelines (HIPAP No. 6)* and captured the worst-case scenarios.

The PHA identified only one event, a fire involving the entire warehouse, with the potential for off-site impact. However, the risk analysis shows that this type of fire would occur at a frequency well below the relevant risk criteria published in the *Hazardous Industry Advisory Paper (HIPAP) No. 4 Risk Criteria for Land Use Safety Planning*. The individual risk of smoke irritation impact at the site boundary is also well below the criteria for both short-term and long-term exposure.

Based on the risk assessment, the PHA recommended that:

- multiple spill kits should be provided around the DG store to ensure spills can be cleaned up immediately after identification;
- the fire pumps should be started at least once a month, with the system operated at full pump pressure during this monthly test; and
- the site emergency plan should include a response to spills and spill clean-up procedures.

Neither the EPA nor Council raised concerns over the incorporation of a dangerous goods store into the warehouse, however, they both requested that the:

- recommendations of the PHA be included in any recommended conditions of consent;
- the Dangerous Goods Store is constructed in accordance with the relevant Australian standards;
- storage of flammable and combustible liquids is in accordance with the relevant Australian standards; and
- site Emergency Management Plan is implemented three months from the date of determination.

The Department has reviewed the Applicant's PHA and the agency comments and has concluded that the development will comply with the NSW risk criteria for landuse safety planning and would not increase the overall level of risk in the area, subject to the implementation of all recommendations of the PHA and the implementation of the following conditions requiring:

- the implementation of all recommendations of the PHA;
- the construction of the Dangerous Goods store in accordance with the relevant Australian Standards;
- the preparation of a Fire Safety Study to the satisfaction of Fire and Rescue NSW;
- the preparation of a Final Hazard Analysis in accordance with (HIPAP No. 6);
- the preparation and implementation of a comprehensive Emergency Plan and detailed emergency procedures;

- the preparation and implementation of a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials; and
- the Applicant undertaking ongoing Hazard Audits of the facility to ensure safety and compliance with all statutory documents and approvals.

6.3 Other Issues

A number of other environmental aspects were considered as a result of the modification request. **Table 4** presents the Department's consideration of these issues.

Table 4: Assessment of other issues

Issue	Assessment	Recommendation
Traffic	<u>Construction</u> • The proposed modification would not affect predicted truck movements during construction. <u>Operation</u> • Two methods have been used to estimate traffic volumes that would be generated by the modified development. • The first method calculates traffic generation based on developable area. As the developable area will not change, traffic generation rates calculated using this method will remain the same as the approved development (275 vehicles peak hour). • The second method calculates rates based on vehicle trips per 100 m² of gross floor area. Using this method, the modification would result in a reduction to the traffic generation rates predicted in the original assessment by up to 0.7 trips during the peak hours. • The Department's assessment concludes that, as traffic volume would not be affected by the proposed modification, the existing measures contained in the consent are sufficient to ensure the traffic impacts associated with the development are managed appropriately. This includes requirements for a comprehensive Construction Traffic Management Plan to be prepared and implemented during the construction period. Further, the site is in a major development hub accessed by an established regional road network that will absorb any minor changes to traffic volumes. <u>Car Parking</u> • The application proposed to add 6 new car parking spaces and motorbike parking. • The Applicant revised parking numbers for Lot 1C in 6078 MOD 1, however, in an administrative error the Notice of Modification didn't include the updated car parking space numbers. The Department recommends that the relevant condition is updated to reflect the revised car parking for both Lots 2B and 1C. <u>Internal Circulation</u> • The modification would alter internal traffic movements slightly, namely the western access point would become an exit point only and boom gates are proposed to connect Lot 2B to Lot 2A. In addition, the car park would have two access points rather than one. The Department notes that the proposed configuration would still ensure the separation of small and heavy vehicles and internal circulation would still result in an adequate level of safety and amenity.	Require the Applicant to provide parking in accordance with the revised car parking spaces numbers.

Issue	Assessment	Recommendation
	The Department's assessment concludes that, given the minor nature of the proposed changes in relation to traffic, the modification would not result in traffic impacts beyond those originally assessed and approved.	
Greenhouse gas	- The modification proposes to convert the warehouse on Lot 2B to a temperature controlled facility. This would increase electricity consumption in comparison to the approved development. - Conditions require the Applicant to submit a Sustainability Management Plan which includes commitments on a range of energy savings measures, annual monitoring and an assurance that the facility would operate in accordance with industry best practice. - The Department concludes that although energy consumption would increase, consumption can be managed appropriately through the Sustainability Management Plan and on-going monitoring.	No change to existing conditions.
Visual	As the built form and landscaping will remain substantially the same, the Department's assessment concluded that the proposed modification would not result in any visual impacts beyond those originally assessed and approved.	No change to existing conditions.
Water	<u>Stormwater</u> - The proposed change to the warehouse layout would result in minor changes to the stormwater drainage network. However, the changes would not affect the volume of water being discharged to the on-site detention basin in Biodiversity Lot B. <u>Water use</u> - The proposed truck wash would source water from a rainwater tank which would be topped up with town water if required. This measure is consistent with the recommendations in the Sustainability Report prepared to support the original assessment. Additional savings would be addressed in the Sustainability Management Plan required by Condition 25 of Schedule 3 of the consent as it requires a calculation of water requirements and measures incorporated to reduce water use. <u>Wastewater</u> - The modification application seeks to install a truck wash on the southern side of the warehouse and an associated rainwater tank adjacent to the south-eastern corner of the warehouse. Council recommended a condition requiring the Applicant to connect the wash bay to Sydney Water Sewer in accordance with a Trade Waste Agreement. - The approved Waste Management Plan states that no wash down water will be disposed of via the stormwater drainage system. The Applicant has confirmed that this water would be discharged to the sewer via a Trade Waste Agreement. - The Department recommends that the Waste Management Plan prepared by SLR and dated 23 October 2013 is updated to reflect additional liquid waste that would be generated by the truck wash. - The Department recommends a condition requiring wastewater from the truck wash be disposed of in	Require the Applicant to: - update the waste management plan prepared by SLR and dated 23 October 2013; and - ensure that all waste water from the truck wash is disposed of in accordance with a Trade Waste Agreement or to a facility that can lawfully accept the waste.

Issue	Assessment	Recommendation
	accordance with a Trade Waste Agreement, or to a facility that can lawfully accept the waste. The Department's assessment concluded that the revised drainage network and the addition of a truck wash bay would not result in any impacts beyond those originally assessed and approved.	
Building Safety	- The modification includes a Building Code of Australia (BCA) report demonstrating that the proposed development is capable of complying with the requirements of the BCA. - The Department has concluded that the conditions of consent are sufficient to ensure the development is constructed in accordance with the BCA.	No changes to existing conditions.
Biodiversity	- The Concept Plan approval requires that vegetation removed for the project is offset via the revegetation of 4.6 hectares of land within biodiversity lots A, B and C. - Lot 2B adjoins Biodiversity Lot A. The approved warehouse on Lot 2B contained an area adjacent to Biodiversity Lot A which was reserved for 16 provisional parking spaces. The modification to the warehouse removes these provisional spaces and incorporates them into the main parking area. - While no additional vegetation is proposed to be removed as part of the modification, NOW requested that this area of hardstand be landscaped with local native plant species. - The Applicant has advised that this portion of the hard stand is an operational area required to facilitate the movement of B-Doubles. - The Department's assessment concludes that there would be no impacts on vegetation beyond those originally assessed and approved, therefore the proposed modification does not warrant additional landscaping.	No change to existing conditions.
Developer Contributions	- The Applicant is required to pay section 94 contributions to Fairfield City Council based on a capital investment value (CIV) of \$88 million. - The Applicant has advised that the CIV for the warehouse on Lot 2B has changed due to the additional cost of refrigeration and construction of a dangerous goods store. - Council requested that Condition 20 of Schedule 2 be updated to reflect the revised CIV. - The updated Quantity Surveyors report estimated a CIV of \$26,720,000, or an additional \$6,200,000 associated with the construction of the warehouse on Lot 2B. - The Department recommends that Condition 20 of Schedule 2 be updated to ensure development contributions are levied in accordance with the revised CIV.	Require the Applicant to pay Section 94 contributions to Fairfield Council based on a CIV of \$94,200,000.

6.3 Administrative Changes

The Table of Contents in the original development consent requires correction of errors in section names and page numbering. These changes have been included in the Instrument of Modification provided at **Appendix C**.

7. CONCLUSION

The Department has assessed the merits of the proposal in accordance with the requirements of the EP&A Act. This assessment has concluded that the proposed modification would have negligible

impacts beyond those originally assessed and approved. Furthermore, the Department considers that any impacts can be managed by the existing and recommended conditions of consent.

Consequently the Department has concluded that the proposal should be approved subject to some minor amendments to the existing conditions of consent.

8. RECOMMENDATION

It is RECOMMENDED that the Manager, Industry Assessments:

- **consider** the findings and recommendations of this report;
- **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 **Appendix B**).

Em Bart

30/6/15

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Planning Officer
Industry Assessments

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APPENDIX A GOODMAN PROPERTY SERVICES' REQUEST AND RESPONSE TO SUBMISSIONS

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7002

APPENDIX B SUBMISSIONS

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7002

