

# Notice of Modification

## Section 96(2) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, under the delegation dated 16 February 2015, I hereby modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Chris Ritchie  
Manager  
Industry Assessments

Sydney 30 JUNE

2015

### SCHEDULE 1

<b>Application Number:</b>	SSD 6078
<b>Proponent:</b>	Goodman Property Services (Aust) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 21 in Deposited Plan 1173181, Lot 12 in Deposited Plan 1178389, Lot 1 in Deposited Plan 87907, Lot 82 in Deposited Plan 752041, Lot 7 in Deposited Plan 229769, Lot 1 in Deposited Plan 843901, Lot 13 in Deposited Plan 1157491, and Lot 6 in Deposited Plan 229769, Old Wallgrove Road, Horsley Park.
<b>Project:</b>	Warehouse and Distribution Facilities – Oakdale Central, Horsley Park
<b>Modification Number:</b>	SSD 6078 MOD 2
<b>Modification:</b>	Amendment to the layout of the warehouse on Lot 2B including: <ul style="list-style-type: none"><li>• reconfiguration of the loading docks and office;</li><li>• addition of a dangerous goods store; and</li><li>• conversion of 22,280 m<sup>2</sup> of warehouse floor space to a temperature controlled facility.</li></ul>

## TABLE OF CONTENTS

1. Delete the Table of Contents in its entirety and replace with the following:

<b>SCHEDULE 1</b>	-
<b>DEFINITIONS</b>	2
<b>SCHEDULE 2: ADMINISTRATIVE CONDITIONS</b>	3
Obligation to Minimise Harm to the Environment	4
Terms of Consent	4
Limits of Consent	4
Lapsing of Consent	4
Statutory Requirements	4
Surrender of Existing Development Consents	4
Structural Adequacy	4
Protection of Private Property	5
Protection of Public Infrastructure	5
Operation of Plant and Equipment	5
Utilities	5
Staged Submission of Plans or Programs	5
Subdivision	5
Developer Contributions	6
Dispute Resolution	6
<b>SCHEDULE 3: ENVIRONMENTAL PERFORMANCE CONDITIONS</b>	7
Traffic and Access	7
Soil and Water	8
Noise and Vibration	9
Air Quality	10
Water, Energy Efficiency and Greenhouse Gases	11
Waste	11
Visual Amenity and Landscaping	11
<b>SCHEDULE 4: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>	13
Environmental Management	13
Reporting	14
<b>APPENDIX 1: SCHEDULE OF APPROVED DRAWINGS</b>	
<b>APPENDIX 2: MANAGEMENT AND MITIGATION MEASURES</b>	
<b>APPENDIX 3: NOISE RECEIVER LOCATIONS</b>	

## SCHEDULE 2

1. In the Definitions Table replace the definition of 'Development' with the following:

**Development** The development that is approved by this consent for the construction of three warehouse and distribution facilities and internal subdivision roads, and the upgrade of Old Wallgrove Road as described in Schedule 1, and the following documents. The Applicant's EIS, EIS Addendum, RTS, Addendum Report for the Austral Internal Driveway Works, Section 96(1A) Modification Application (SSD 6078) – Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181) and Section 96(2) Modification Application (SSD 6078) – Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181).

2. In the 'Definitions' Table insert the following definition in alphabetical order:

**MOD 2** The modification as described in *Section 96(2) Modification Application (SSD 6078) – Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181)* dated 26 March 2015, and prepared by McKenzie Group including the letter *RE: Oakdale SSD – Lot 1C and 2B* dated 9 April 2015 prepared by AT&L.

3. Replace Condition 2 of Schedule 2 with the following:

2. The Applicant shall carry out the development generally in accordance with the:

- (a) EIS;
- (b) consolidated RTS;
- (c) addendum report;
- (d) subdivision plan (see **Appendix 1**);
- (e) plans and elevations (see **Appendix 1**);
- (f) management and mitigation measures (**Appendix 2**);
- (g) the Voluntary Planning Agreement entered into between the Minister for Planning, Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 8 Pty Ltd and BGAI 2 Limited and executed on 12 March 2015;
- (h) the modification application 6078 MOD 1 and supporting documentation;
- (i) the modification application 6078 MOD 2 and supporting documentation; and
- (j) conditions of this Consent.

4. In Schedule 2, insert new conditions 4B and 4C after Condition 4A as follows:

### LIMITS OF CONSENT

- 4B. The Applicant must ensure that the total area of:
- (a) the warehouse on Lot 2B does not exceed 31,081 m<sup>2</sup>;
  - (b) the dangerous goods area 1 in the warehouse on Lot 2B does not exceed 1,205 m<sup>2</sup>; and
  - (c) the dangerous goods area 2 in the warehouse on Lot 2B does not exceed 290 m<sup>2</sup>.
- 4C. The storage of dangerous goods on-site shall not exceed the quantities provided in Table 1 at any one time.

**Table 1: Dangerous Goods Storage**

<b>Hazardous Material</b>	<b>Dangerous Goods Class</b>	<b>Packing Group</b>	<b>Total Store Capacity (kg and L)</b>
Flammable gases	2.1	N/A	30,000 kg
Flammable Liquids	3	II	50,000 L
Flammable Liquids	3	III	250,000 L
Oxidising	5.1	II & III	15,000 kg

agents			
Corrosive substances	8	II & III	20,000 kg
Miscellaneous Dangerous Goods	9	III	10,000 kg

*Note: These quantities are for the total combined weight of packaging and content as described in the Preliminary Hazard Analysis.*

5. In Schedule 2, insert new Condition 7A after Condition 7 as follows:

7A. The Applicant shall ensure that the dangerous goods store within the warehouse on Lot 2B is constructed in accordance with the relevant Australian Standards.

6. In Schedule 2, replace Condition 20 with the following:

20. A monetary contribution comprising one per cent of the value of the proposed works within the Fairfield City Council Local Government Area is payable to Fairfield City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979*, and the Fairfield City Council Indirect (Section 94A) Development Contribution Plan 2011. Payment must be made by Cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid to the Council prior to the issue of the Construction Certificate for each stage of the development. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the consumer price index (all groups index) for Sydney issued by the Australian Statistician.

**Note<sup>1</sup>:** The value of the proposed works as specified in the Quantity Surveyor's reports prepared by Turner & Townsend dated 14 October 2014, as amended by the Quantity Surveyor's report prepared by Turner & Townsend dated 12 June 2015.

7. In Schedule 3, replace Condition 6 with the following:

6. The Applicant shall provide a minimum of 870 (including 17 provisional) on-site car parking spaces for use during operation of the development, as follows:

- (a) Lot 1C = 168 (including a minimum of three spaces for people with disabilities);
- (b) Lot 2B = 200 (including a minimum of four spaces for people with disabilities); and
- (c) Lot 3 = 502 (including a minimum of 10 spaces for people with disabilities).

8. In Schedule 3, insert a new Condition 10A after condition 10 as follows:

10A. The Applicant shall ensure that any wastewater from the truck wash bay on Lot 2B is disposed of in accordance with a Trade Waste Agreement, or transported to a facility that may lawfully accept the waste.

9. In Schedule 3, replace Condition 27 with the following:

27. Prior to commencement of construction works, the Applicant shall update the Waste Management Plan prepared by SLR dated 23 October 2013, to reflect changes made in 6078 MOD 2. The Applicant shall provide a copy of the revised Waste Management Plan to the Secretary prior to the commencement of construction works and manage waste in accordance with the updated Waste Management Plan to the satisfaction of the Secretary.

10. In Schedule 3, replace Condition 32 with the following:

32. Fencing on the site shall be installed in accordance with the architectural plans OAK 1C DA 10 (P), OAK 3 DA 30 (F) and OAK 2B DA 20 (N) in Appendix 2.

11. In Schedule 3, insert the new Conditions 37, 38, 39 and 40 after Condition 36:

## HAZARDS AND RISK

37. Prior to the commencement of operation, the Applicant shall implement all recommendations of the Preliminary Hazards Assessment prepared by RawRisk Engineering and dated 8 May 2015 during operation.

### Pre-construction

38. At least one month prior to the commencement of the construction works for the dangerous goods store in the warehouse on Lot 2B, or within such further period as the Secretary may agree, the Applicant shall prepare and submit for the approval of the Secretary the studies set out under subsections (a) to (b) below. Construction of the dangerous goods store shall not commence until study recommendation have been considered and, where appropriate, acted upon, and approval has been given by the Secretary and, with respect to the Fire Safety Study, approval has also been given by the Fire and Rescue NSW.

(a) Fire Safety Study

A Fire Safety Study for development. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall also be submitted for approval to the Fire and Rescue NSW.

(b) Final Hazard Analysis

A Final Hazard Analysis of the development prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6, 'Guidelines for Hazard Analysis'.

### Pre-commissioning

39. The Applicant shall develop and implement the plans and systems set out under subsections (a) and (b) below. No later than two months prior to the commencement of commissioning of the dangerous goods store in the warehouse on Lot 2B, or within such further period as the Secretary may agree, the Applicant shall submit for the approval of the Secretary documentation describing those plans and systems. Commissioning of the dangerous goods store shall not commence until approval has been given by the Secretary.

(a) Emergency Plan

A comprehensive Emergency Plan and detailed emergency procedures for the development. The plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan shall be in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.

(b) Safety Management System

A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Secretary upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.

### Ongoing

#### Hazard Audit

40. Twelve months after the commencement of operations of the development, and every five years thereafter, or at such intervals as the Secretary may agree, the Applicant shall carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the Secretary for approval.

The audits shall be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Secretary prior to commencement of each audit. Hazard Audits shall be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*.

The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

12. In Appendix 1, replace the Schedule of approved drawings with the following:

<b>Architectural Plans and Elevations by SBA Architects</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
OAK DA 01	G	Cover Sheet/Location Plan	13 March 2015
OAK DA 02	M	Estate Masterplan	13 March 2015
OAK DA 03	C	Indicative Staging Diagram	13 March 2015
OAK DA 04	D	Subdivision Plan	13 March 2015
OAK DA 05	B	Estate Signage	13 March 2015
OAK DA 06	E	Land Use Plan	13 March 2015
OAK 1C DA 10	P	Site Plan/Floor Plan	18 April 2015
OAK 1C DA 11	F	Roof Plan	11 April 2015
OAK 1C DA 12	E	Office Plan	18 May 2015
OAK 1C DA 13	E	Dock Office Plans	18 May 2015
OAK 1C DA 14	D	Elevations	13 March 2015
OAK 1C DA 15	D	Sections	7 April 2015
OAK 2B DA 20	N	Site Plan/Floor Plan	23 March 2015
OAK 2B DA 21	G	Roof Plan	24 Mar 2015
OAK 2B DA 22	H	Office Plan	19 May 2015
OAK 2B DA 23	E	Dock Office Plans	19 May 2015
OAK 2B DA 24	M	Elevations	28 May 2015
OAK 2B DA 25	D	Sections	13 Mar 2015
OAK 2B DA 26	E	Staging Plan	24 Mar 2015
OAK 3 DA 30	F	Site Plan/Floor Plan	18 Oct 2013
OAK 3 DA 31	C	Roof Plan	18 Oct 2013
OAK 3 DA 32	C	Office Plan – Ground Floor	16 Oct 2013
OAK 3 DA 33	C	Office Plan – Level 1	16 Oct 2013
OAK 3 DA 34	B	Dock Office Plans	16 Oct 2013
OAK 3 DA 35	D	Elevations	18 Oct 2013
OAK 3 DA 36	D	Elevations	18 Oct 2013
<b>Land Acquisition Plan by AT&amp;L</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
C360	H	Land Acquisition Plan	01-10-14
<b>Civil Works Package by AT&amp;L</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
C001	C	Cover Sheet and Locality Plan	11-03-15
C002	B	Notes and Legends	21-10-13
C003	C	Oakdale General Arrangement	11-03-15
C004	B	Sedimentation, Erosion and Standard Details	21-10-13
C100	C	Lot 1C General Arrangement	11-03-15
C101	C	Lot 1C Typical Sections	11-03-15

C102	C	Lot 1C Typical Sections 2	11-03-15
C105	C	Lot 1C Siteworks and Stormwater Drainage Plan Sheet 1	11-03-15
C106	C	Lot 1C Siteworks and Stormwater Drainage Plan Sheet 2	11-03-15
C107	C	Lot 1C Siteworks and Stormwater Drainage Plan Sheet 3	11-03-15
C108	C	Lot 1C Siteworks and Stormwater Drainage Plan Sheet 4	11-03-15
C110	C	Lot 1C Sedimentation and Erosion Control Plan	11-03-15
C111	C	Lot 1C Pavement Plan	11-03-15
C115	C	Lot 1C Cut/Fill Plan	11-03-15
C200	C	Lot 2B General Arrangement	11-03-15
C201	C	Lot 2B Typical Sections Sheet 1	11-03-15
C202	C	Lot 2B Typical Sections Sheet 2	11-03-15
C203	C	Lot 2B Typical Sections Sheet 3	11-03-15
C205	C	Lot 2B Siteworks and Stormwater Drainage Plan Sheet 1	11-03-15
C206	C	Lot 2B Siteworks and Stormwater Drainage Plan Sheet 2	11-03-15
C207	C	Lot 2B Siteworks and Stormwater Drainage Plan Sheet 3	11-03-15
C208	C	Lot 2B Siteworks and Stormwater Drainage Plan Sheet 4	11-03-15
C209	C	Lot 2B Siteworks and Stormwater Drainage Plan Sheet 5	11-03-15
C211	C	Lot 2B Sedimentation and Erosion Control Plan	11-03-15
C212	C	Lot 2B Pavement Plan	11-03-15
C215	C	Lot 2B Cut / Fill Plan	11-03-15
C300	B	Lot 3 General Arrangement	21-10-13
C301	B	Lot 3 Typical Sections Sheet 1	21-10-13
C302	B	Lot 3 Typical Sections Sheet 2	21-10-13
C303	B	Lot 3 Typical Sections Sheet 3	21-10-13
C304	B	Lot 3 Typical Sections Sheet 4	21-10-13
C305	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 1	21-10-13

C306	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 2	21-10-13
C307	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 3	21-10-13
C308	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 4	21-10-13
C309	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 5	21-10-13
C310	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 6	21-10-13
C311	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 7	21-10-13
C312	B	Lot 3 Siteworks and Stormwater Drainage Plan Sheet 8	21-10-13
C313	B	Lot 3 Interim Turning Head Plan	21-10-13
C315	B	Lot 3 Sedimentation and Erosion Control Plan Sheet 1	21-10-13
C316	B	Lot 3 Sedimentation and Erosion Control Plan Sheet 2	21-10-13
C317	B	Lot 3 Sedimentation and Erosion Control Plan Sheet 3	21-10-13
C318	B	Lot 3 Sedimentation and Erosion Control Plan Sheet 4	21-10-13
C320	B	Lot 3 Pavement Plan Sheet 1	21-10-13
C321	B	Lot 3 Pavement Plan Sheet 2	21-10-13
C322	B	Lot 3 Pavement Plan Sheet 3	21-10-13
C323	B	Lot 3 Pavement Plan Sheet 4	21-10-13
<b>Civil Works Package for Road Upgrade by AT&amp;L</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
C350	E	Old Wallgrove Road Upgrade General Arrangement Plan	08-08-14
C351	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 1	08-08-14
C352	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 2	08-08-14
C353	D	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 3	08-08-14

C354	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 4	08-08-14
C355	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 5	08-08-14
C356	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 6	08-08-14
C357	E	Old Wallgrove Road Upgrade Plan and Longitudinal Section Sheet 7	08-08-14
C358	F	Typical Sections	08-08-14
C359	D	Typical Bridge Section	08-08-14
<b>Property Adjustment Plans by AT&amp;L</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
C310	A	SCA Property Adjustment Plan	01-10-14
C411	A	Transgrid Property Adjustment Plan Sheet 1	01-10-14
C412	A	Transgrid Property Adjustment Plan Sheet 2	01-10-14
C413	A	Transgrid Property Adjustment Plan Sheet 3	01-10-14
C414	A	Transgrid Property Adjustment Plan Sheet 4	01-10-14
C415	A	Transgrid Property Adjustment Plan Sheet 5	01-10-14
<b>Austral Access Works Civil Works Package by AT&amp;L</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
C501	B	Cover Sheet	12-12-14
C502	B	General Notes and Legends Sheet	12-12-14
C503	B	Typical Sections Sheet	12-12-14
C505	B	Typical Details Sheet 1	12-12-14
C506	B	Typical Details Sheet 2	12-12-14
C510	C	General Arrangement Plan	12-12-14
C511	D	Siteworks Plan Sheet 1	12-12-14
C512	D	Siteworks Plan Sheet 2	12-12-14
C515	B	Roadworks Longitudinal Sections	04-12-14
C531	B	Pavement Plan Sheet 1	12-12-14
C532	C	Pavement Plan Sheet 2	12-12-14
C541	C	Signage and Linemarking Plan Sheet 1	12-12-14

C542	C	Signage and Linemarking Plan Sheet 2	12-12-14
C551	C	Services and Utilities Coordination Plan Sheet 1	12-12-14
C552	C	Services and Utilities Coordination Plan Sheet 2	12-12-14
C561	B	Stormwater Drainage Details Sheet 1	12-12-14
C565	C	Stormwater Drainage Longitudinal Section	12-12-14
<b>Landscape Plans by Site Image Landscape Architects</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
002	C	Landscape Masterplan	10.03.2015
003	C	Lot 1C – Landscape Plan	10.03.2015
004	C	Lot 1 C Landscape Sections and Detail Plan	10.03.2015
005	C	Lot 2B – Landscape Plan	10.03.2015
006	C	Lot 2B – Landscape Sections	10.03.2015
007	C	Lot 2B – Landscape Sections	10.03.2015
008	B	Lot 3 – Landscape Plan	22.10.2013
009	B	Lot 3 – Landscape Sections	22.10.2013
0010	B	Typical Lot Frontage Treatment	22.10.2013
0011	B	Planting Design	22.10.2013