

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.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney 17 December 2020

SCHEDULE 1

Development consent: **SSD 7308** granted by the Executive Director, Infrastructure Assessments on 7 May 2020.

For the following: Construction and operation of the St Marys intermodal (road and rail) terminal and container park with an operating capacity of 301,000 twenty-foot equivalent units (TEU) annual throughput, including operation of rail sidings and container park 24 hours, 7 days per week.

Construction activities including:

- hardstand area for container storage and laydown, rail and vehicle loading and unloading areas
- new internal access roads providing separate ingress and egress for light and heavy vehicles as follows:
 - o to/from Lee Holm Road for light vehicles
 - o to/from Forrester Road for heavy vehicles
- wash bay area
- office building pad site
- fuel storage area
- container workshop (repair bay) pad site
- transport workshop pad site
- staff and visitor light vehicle parking bays
- heavy vehicle parking bays

Ancillary development including:

- signage and landscaping
- utility services to support the proposed development including drainage, potable water, water (for firefighting purposes), power, data, security and sewerage
- minor realignment of a section of the Sydney Trains high voltage overhead power line at the southern end of the subject site
- minor clearing of areas of vegetation regrowth, remediation and minor earthworks
- electrical transformer.

Applicant: Pacific National

Consent Authority: Minister for Planning and Public Spaces

The Land: Lot 2 DP 876781, Lot 3 DP 876781, Lot 196 DP 31912 and Lot 2031 DP 815293

Modification: Revise condition B36 of the development consent.

SCHEDULE 2

The consent is modified as follows:

- (a) Definitions table is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:

MOD 4 **The development as described in the modification application SSD-7308-Mod-4, the supporting documentation submitted with SSD-7308-Mod-4 and the conditions of this consent.**

- (b) Schedule 2, Part A – Administrative Conditions, Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:

TERMS OF CONSENT

Terms of Consent

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) generally in accordance with the EIS and Response to Submissions;
- (d) in accordance with the Development Layout in **Appendix 1**;
- (e) in accordance with the revised management and mitigation measures in **Appendix 3**;
- (f) in accordance with the approved plans in the table below:

Architectural Drawings prepared by Kit Handley Architects Pty Ltd			
Dwg No.	Rev	Name of Plan	Date
A101	1	Proposed Site & Roof Plan	17/04/20
A102	1	Proposed G & L1 Floor Plan	17/04/20
A103	1	Proposed Electrical Plan	17/04/20
A104	1	Proposed Elevations	17/04/20
A105	1	Proposed Elevation & Sections	17/04/20
A106	1	Proposed Group 1 Furniture Plans	17/04/20
A107	1	Proposed Group 2 & 3 FF&E	17/04/20

- (g) in accordance with modification application SSD-7308-Mod-2 and supporting documentation; **and**
 - (h) in accordance with modification application SSD-7308-Mod-3 and supporting documentation; **and**
 - (i) **in accordance with modification application SSD-7308-Mod-4 and supporting documentation.**
- (c) Schedule 2, Part A – Administrative Conditions, Condition A4 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~bold and struckout~~ words/numbers as follows:
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) to ~~A2(h)~~ **A2(i)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) to ~~A2(h)~~ **A2(i)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

- (d) Schedule 2, Part B – Prior to Commencement of Construction, Condition B36 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:

B36. Post-developed stormwater ~~discharge flows must match pre-developed flows for all storms up to and including the 1% AEP.~~ **management and design is to be in accordance with the *St Marys Freight Hub – Stormwater Management Report Revision E*, prepared by BG&E Consulting dated 30 September 2019.**

**End of modification
(SSD 7308 MOD 4)**