

# Modification of Development Consent

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

As delegate for the Minister for Planning and Public Spaces under delegation executed on 26 April 2021, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Joana Bakopanos  
**Team Leader**  
**Industry Assessment**

Sydney

16 December 2021

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### SCHEDULE 1

#### Development Consent

**Development Consent:** SSD-7500 granted by the then Executive Director, Key Sites and Industry Assessments on 23 June 2017

**For the following:** Construction, fit-out and operation of a warehouse and logistics hub

#### Modification 1

**Modification Application:** SSD-7500-Mod-1  
Modification to change layout and staging

**Applicant:** Charter Hall Holdings Pty Ltd

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** 5 and 9 Culverston Road, Minto, Campbelltown local government area  
Lot 3 DP 817793 and Lot 400 DP 875711

## SCHEDULE 2

This consent is modified as follows:

### In Schedule 1

1. In the development description, after the words 'warehouse and logistics hub', delete the words 'with 112,000 m<sup>2</sup> of gross floor area (GFA)'.
2. In the development description, after the words 'ancillary offices', delete the following words:
  - , comprised of
  - warehouse 1A: 40,000 m<sup>2</sup> of warehousing GFA and 2,000 m<sup>2</sup> of office GFA
  - warehouse 1B: 22,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA
  - warehouse 1C: 22,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA
  - warehouse 1D: 23,000 m<sup>2</sup> of warehousing GFA and 1,000 m<sup>2</sup> of office GFA.
  - 6.9 hectares of
3. In the definition 'Development', after the words 'Schedule A' insert the words 'and as modified by the modification assessments'.
4. In the definitions, insert new definition 'Modification Assessments' in alphabetical order as follows:

|                          |   |
|--------------------------|---|
| Modification Assessments | The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act: <ol style="list-style-type: none"><li>(a) SSD-7500-Mod-1, Modification Report, prepared by Urbis and dated 29 October 2021 and letter prepared by Urbis, dated 3 December 2021</li></ol> |
|--------------------------|---|

### In Schedule 2 - Part A: Administrative Conditions

5. In Condition A2(c), delete the word 'and'.
6. In Condition A2(d), delete the period and after the words 'Appendix B', insert the words ';' and'
7. Insert new Condition A2(e) after Condition A2(d) as follows:
  - (e) Modification Assessments.
8. Delete condition A6 and replace with new Condition A6 as follows:
  - A6. At all times under this consent, the Applicant must ensure goods stored on the external storage area may only be stacked as follows:
    - (a) Eastern side of Culverston Road: two containers high from the finished ground level;
    - (b) Stage 1 (external storage areas): 7.5 metres high from the finished ground level; and
    - (c) Stage 2 (external storage area): two containers high from the finished ground level.

## In Schedule 2 - Part B: Environmental Performance and Management

9. In Condition B3, replace the number '481' with '505'.
10. In Condition B3, replace the words 'nine (9)' with 'eight (8)'.
11. In Condition B4, replace the number '147' with '87'.
12. In Condition B4, delete the words 'Site Masterplan (Overall), issue 8, prepared by Reid Campbell, dated 16/09/2016' and replace with 'Site Masterplan – Stage 1, 2, 3 & 4, revision C, prepared by Watch This Space Design, dated 06/10/2021'
13. Delete Condition B16 and replace with new Condition B16 as follows:

B16. The Applicant must provide rainwater harvesting capacity for each warehouse building in accordance with **Table 1** below.

**Table 1: Rainwater Harvesting Capacity**

| Roof Area of Stage  | Capacity of Rainwater Tank |
|---|----------------------------|
| 1,001 square metres (m <sup>2</sup> ) to 5,000 m <sup>2</sup> | 10,000 Litres              |
| 5,001 m <sup>2</sup> to 10,000 m <sup>2</sup>                 | 20,000 Litres              |
| 10,001 m <sup>2</sup> to 20,000 m <sup>2</sup>                | 50,000 Litres              |
| above 20,000 m <sup>2</sup>                                   | 100,000 Litres             |

14. In Condition B18, delete all instances of words 'Table 1' and replace with 'Table 2'.
15. In Condition B21, delete all instances of words 'Table 2' and replace with 'Table 3'.
16. In Condition B34, delete the words 'warehouses 1A, 1B and 1C' and replace with 'stages 1, 2 and 4'.
17. In Condition B44, delete the words 'Site Masterplan (Overall), issue 9, prepared by Reid Campbell, dated 24/02/2017' and replace with 'Site Masterplan – Stage 1, 2, 3 & 4, revision C, prepared by Watch This Space Design, dated 06/10/2021'

## In the Appendices

18. In Appendix A – Schedule of Approved Drawings, delete the following plan references:

| Drawing No.        | Rev. | Drawing Name  | Date       |
|--------------------|------|---|------------|
| 116101_A_SSD_A0003 | 3    | Site Analysis – Solar Access, View Corridors, Landforms & Existing infrastructure | 26/04/2016 |
| 116101_A_SSD_A0005 | 3    | Demolition Plan   | 26/04/2016 |
| 116101_A_SSD_A0006 | 9    | Site Masterplan (Overall)   | 24/02/2017 |
| 116101_A_SSD_A0007 | 4    | Site Elevations   | 16/09/2016 |
| 116101_A_SSD_A0008 | 4    | Site Sections   | 16/09/2016 |
| 116101_A_SSD_A0009 | 3    | Signage Strategy Plan   | 16/09/2016 |
| 116101_A_SSD_A0013 | 2    | Aerial View 1   | 16/09/2016 |
| 116101_A_SSD_A0014 | 3    | Aerial View 2   | 16/09/2016 |
| 116101_A_SSD_A2001 | 2    | Warehouse 1B – Site Plan  | 26/04/2016 |
| 116101_A_SSD_A2002 | 2    | Warehouse 1B – Floor Plan   | 26/04/2016 |
| 116101_A_SSD_A2003 | 2    | Warehouse 1B – Roof plan  | 26/04/2016 |
| 116101_A_SSD_A2004 | 2    | Warehouse 1B – Office Floor Plan  | 26/04/2016 |
| 116101_A_SSD_A2005 | 2    | Warehouse 1B – Elevations 1   | 26/04/2016 |
| 116101_A_SSD_A2006 | 2    | Warehouse 1B – Elevations 2   | 26/04/2016 |
| 116101_A_SSD_A2007 | 2    | Warehouse 1B – Section AA, BB   | 26/04/2016 |

|                    |   |  |            |
|--------------------|---|--|------------|
| 116101_A_SSD_A2010 | 2 | Warehouse 1B – External Finishes Board | 26/04/2016 |
| 116101_A_SSD_A3001 | 2 | Warehouse 1C – Site Plan               | 26/04/2016 |
| 116101_A_SSD_A3002 | 2 | Warehouse 1C – Floor Plan              | 26/04/2016 |
| 116101_A_SSD_A3003 | 2 | Warehouse 1C – Roof plan               | 26/04/2016 |
| 116101_A_SSD_A3004 | 2 | Warehouse 1C – Office Floor Plan       | 26/04/2016 |
| 116101_A_SSD_A3005 | 2 | Warehouse 1C – Elevations 1            | 26/04/2016 |
| 116101_A_SSD_A3006 | 2 | Warehouse 1C – Elevations 2            | 26/04/2016 |
| 116101_A_SSD_A3007 | 2 | Warehouse 1C – Section AA, BB          | 26/04/2016 |
| 116101_A_SSD_A3010 | 2 | Warehouse 1C – External Finishes Board | 26/04/2016 |
| 116101_A_SSD_A4001 | 2 | Warehouse 1D – Site Plan               | 26/04/2016 |
| 116101_A_SSD_A4002 | 2 | Warehouse 1D – Floor Plan              | 26/04/2016 |
| 116101_A_SSD_A4003 | 2 | Warehouse 1D – Roof plan               | 26/04/2016 |
| 116101_A_SSD_A4004 | 2 | Warehouse 1D – Office Floor Plan       | 26/04/2016 |
| 116101_A_SSD_A4005 | 2 | Warehouse 1D – Elevations 1            | 26/04/2016 |
| 116101_A_SSD_A4006 | 2 | Warehouse 1D – Elevations 2            | 26/04/2016 |
| 116101_A_SSD_A4007 | 2 | Warehouse 1D – Section AA, BB          | 26/04/2016 |
| 116101_A_SSD_A4010 | 2 | Warehouse 1D – External Finishes Board | 26/04/2016 |

and replace with the following plan references:

| Drawing No.   | Rev. | Drawing Name                              | Date       |
|---|------|---|------------|
| <b>Architectural Drawings prepared by Watch This Space Design</b> |      |   |            |
| A - 01  | B    | Survey Plan                               | 10/06/2021 |
| A - 02  | C    | Site Analysis                             | 10/06/2021 |
| A - 03  | C    | Demolition Plan                           | 10/06/2021 |
| A - 04  | C    | Site Masterplan – Stage 1, 2, 3 & 4       | 10/06/2021 |
| A - 05  | D    | Site Elevations – Stage 1, 2, 3 & 4       | 10/06/2021 |
| A - 06  | D    | Site Sections – Stage 1, 2, 3 & 4         | 10/06/2021 |
| A - 0010  | D    | Signage Strategy Plan – Stage 1, 2, 3 & 4 | 10/11/2021 |
| A - 0011  | D    | Aerial View 1 – Stage 1, 2, 3 & 4         | 10/06/2021 |
| A - 0012  | D    | Aerial View 2 – Stage 1, 2, 3 & 4         | 10/06/2021 |
| A - 101   | D    | Stage 1 - Site Plan                       | 10/11/2021 |
| A - 102   | C    | Stage 1 - Floor Plan                      | 10/06/2021 |
| A - 103   | C    | Stage 1 - Roof Plan                       | 10/06/2021 |
| A - 104   | C    | Stage 1 - Office Floor Plan               | 10/06/2021 |
| A - 105   | D    | Stage 1 - Elevations 1                    | 10/11/2021 |
| A - 106   | D    | Stage 1 - Elevations 2                    | 10/11/2021 |
| A - 107   | C    | Stage 1 - Sections Aa, Bb                 | 10/06/2021 |
| A - 108   | D    | Stage 1 - External Finishes Board         | 10/11/2021 |
| A - 201   | D    | Stage 2 - Site Plan                       | 10/11/2021 |
| A - 202   | C    | Stage 2 - Floor Plan                      | 10/06/2021 |
| A - 203   | C    | Stage 2 - Roof Plan                       | 10/06/2021 |
| A - 204   | C    | Stage 2 - Office Floor Plan               | 10/06/2021 |
| A - 205   | D    | Stage 2 - Elevations 1                    | 10/11/2021 |
| A - 206   | D    | Stage 2 - Elevations 2                    | 10/11/2021 |
| A - 207   | C    | Stage 2 - Sections Aa, Bb                 | 10/06/2021 |
| A - 208   | D    | Stage 2 - External Finishes Board         | 10/11/2021 |
| A - 301   | D    | Stage 3 - Site Plan                       | 10/11/2021 |
| A - 302   | D    | Stage 3 - Floor Plan                      | 10/11/2021 |
| A - 303   | D    | Stage 3 - Roof Plan                       | 10/11/2021 |
| A - 304   | D    | Stage 3 - Office Floor Plan               | 10/11/2021 |
| A - 305   | D    | Stage 3 - Elevations 1                    | 10/11/2021 |
| A - 306   | D    | Stage 3 - Elevations 2                    | 10/11/2021 |
| A - 307   | D    | Stage 3 - Sections Aa, Bb                 | 10/11/2021 |
| A - 308   | D    | Stage 3 - External Finishes Board         | 10/11/2021 |
| <b>Civil Plans prepared by Costin Roe Consulting</b>              |      |   |            |
| C014506.00-SSDA20   | C    | Erosion and Sediment Control Plan         | 29/09/2021 |
| C014506.00-SSDA25   | C    | Erosion and Sediment Control Details      | 29/09/2021 |

|                   |   |                                   |            |
|-------------------|---|-----------------------------------|------------|
| C014506.00-SSDA30 | B | Bulk Earthworks Plan              | 29/09/2021 |
| C014506.00-SSDA31 | B | Cut/Fill Plan                     | 29/09/2021 |
| C014506.00-SSDA35 | B | Bulkearthworks Sections – Sheet 1 | 29/09/2021 |
| C014506.00-SSDA36 | B | Bulkearthworks Sections – Sheet 2 | 29/09/2021 |
| C014506.00-SSDA40 | C | Stormwater Concept Plan           | 29/09/2021 |
| C014506.00-SSDA45 | C | Stormwater Drainage Details       | 29/09/2021 |
| C014506.00-SSDA50 | C | Finished Levels Plan              | 29/09/2021 |

19. In Appendix A – Schedule of Approved Drawings, delete figure titled ‘Site Masterplan (Overall)’ and figure titled ‘Site Elevations’ and replace with ‘Figure 1: Site Plan’ and Figure 2: Site Elevations’ as shown in Appendix 1 of this modifying instrument.
20. Delete Appendix B and replace with new Appendix B, as shown in Appendix 2 of this modifying instrument.

# APPENDIX 1 APPENDIX A –SCHEDULE OF APPROVED DRAWINGS

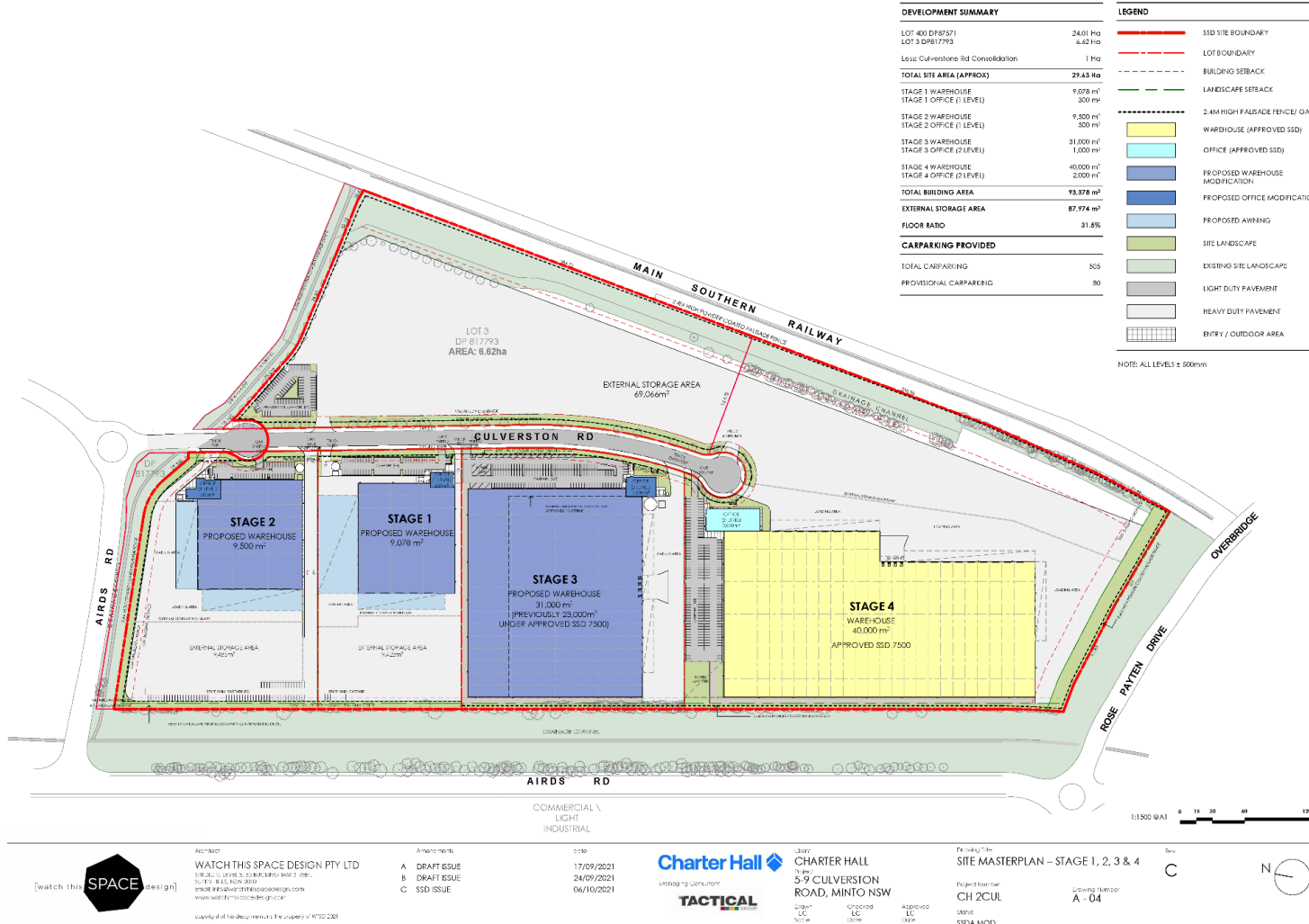




Figure 2: Site Elevations

## APPENDIX 2

### APPENDIX B - APPLICANT'S MANAGEMENT AND MITIGATION MEASURES



#### UPDATED MANAGEMENT AND MITIGATION MEASURES

*in relation to* Proposed Warehouse and Logistics Hub

*at* 5 and 9 Culverston Road, Minto (Lot 3 in DP 817793 and Lot 400 in DP 875711).

Charter Hall will undertake the construction and operation of the proposed development in accordance with the following:

#### SPECIFIC ENVIRONMENTAL MANAGEMENT & MITIGATION MEASURES

##### Noise

###### *Operation*

1. Prior to commencement of operation, Minto Properties Charter Hall will implement a noise management plan that will be consistent with the NSW Environment Protection Authority's "Industrial Noise Policy" and will include:
  - a) Development of a notification and negotiation procedure for receivers where noise impact cannot be mitigated to meet the criteria.
  - b) A procedure for dealing with and responding to complaints.

##### Air

###### *Dust Management*

2. Prior to commencement of works, a construction air quality management plan will be developed (post approval) considering the following measures to minimise the potential for dust generation:
  - letter box drop to noise sensitive receivers to inform them of potential work that could result in dust;
  - minimising the area of disturbance as far as practicable during works;
  - promptly stabilising/revegetating disturbance areas;
  - air quality complaints handling procedure;
  - monitoring of dust emissions during construction to confirm compliance;
  - minimising drop heights for materials being worked on the site;
  - keeping exposed surfaces moist;
  - limit vehicle speeds on the construction site to less than 30 km/h; and
  - ensuring trucks are covered and do not track sediment onto public roads.

##### Waste Management

###### *Construction*

3. During construction, Minto Properties Charter Hall will implement the following measures to mitigate the effect of the construction waste. These are to be incorporated into the Construction Environmental Management Plan (CEMP) to be issued prior to commencement of construction, including the following:
  - Characterisation of construction waste streams;
  - Management of any identified hazardous waste streams;
  - Procedures to manage construction waste streams, including handling, storage, classification, quantification, identification and tracking;
  - Mitigation measures for avoidance and minimisation of waste materials;
  - Procedures and targets for reuse and recycling of waste materials. Best-practice waste management principles would be incorporated into the CEMP, such as:
    - All waste and recyclable streams shall be stored separately on site;

- All storage areas / containers for each waste and recycling stream shall be kept on the site at all times and shall be indicated on the site plans/drawings as part of the CEMP;
- Convenient and safe vehicular access to waste and recycling material storage areas shall be provided;
- The removal, handling and disposal of asbestos or other hazardous materials shall be carried out in accordance with WorkCover NSW, Office of Environment and Heritage and other regulatory authority guidelines and requirements;
- Appropriate signage will be used in the waste storage area to ensure correct separation of recyclables;
- Stockpiles will be maintained in accordance with the erosion and sedimentation control plan;
- Waste to be stored so as to avoid airborne litter, vermin and stormwater pollution;
- Re-processing, recycling and/or removal of waste materials for disposal should be scheduled to limit stockpiling and associated impacts;
- Putrescible materials need to be removed from site as soon as possible to avoid odour impacts. Non-putrescible materials should be reprocessed or removed from site on an 'as-needs' basis to limit logistical, health and safety and dust impacts. Hazardous waste materials, should they arise, must be immediately removed to limit environmental and health and safety risks;
- Waste materials should only be transported to their next destination using a licensed contractor;
- Waste materials should only be transported to an appropriately licensed facility for recycling or disposal;
- Records to be maintained on all waste exiting the construction site;
- Waste avoidance principles that could be incorporated into the CEMP include:
  - Avoidance and reuse of material would have priority over recycling;
  - Recycling would have priority over disposal;
  - If possible concrete components would be crushed and re-used on-site, with the remainder sent to a recycling facility;
  - Waste generation would be minimised by ordering the correct quantity of materials;
  - Selection of materials which maximise recycled content, while having low embodied water and energy use;
  - Selection of materials which maximise durability and lifespan;
  - Selection of reputable waste removal contractors who will guarantee that recyclable material will be recycled and will provide any relevant certificates;
  - Vegetation removed shall be either preserved for use in the new development, or mulched for inclusion in landscaping activities. The remainder will be sent to a composting facility;
  - Excavated earth will be used for infill and landscaping where feasible, the remainder will be sent to a recycling facility;
  - Asphalt will be re-used by transferring it to a batching plant or using it as a base layer for access roads;
  - Coordinate and sequence trades people to minimise waste;
  - Pre-fabricate materials where possible;
  - Use modular construction to reduce the need for excess waste, where possible or feasible;
  - Separate off-cuts to facilitate reuse, re-sale or efficient recycling;
  - Select landscaping which reduces green waste;
  - Engage with the supply chain to supply products and materials that use minimal packaging;
  - Set up schemes with suppliers to take back packaging materials.

The following measures are to be implemented during the operational phase:

*Operation*

- Addressing waste management requirements and goals in staff inductions;

- Providing staff access to documentation outlining the facility's waste management requirements;
- Locating recycling bins in kitchen areas beside general waste bins to prevent contamination of recycling;
- Positioning paper recycling bins close to printer/photocopying equipment;
- Minimising general waste bins at desks but providing adequate container and paper recycling to encourage sorting of recyclables;
- Avoiding adequate bin storage for the expected quantity of waste;
- Appropriate areas shall be provided for the storage of waste and recyclable material;
- Standard signage on how to use the waste management system and what materials are acceptable in the recycling will be posted in all waste collection and storage areas
- All waste shall be collected regularly and disposed of at licensed facilities;
- An education programme and on-going monitoring will to be implemented for training personnel to properly sort and transport waste into the right components and destinations.

#### **Aboriginal Heritage**

4. If unforeseen Aboriginal objects are uncovered during construction the unexpected finds protocol will be followed. Work will cease in the area, and an archaeologist, OEH, and TLALC will be informed. If human remains are found, work will cease, the site will be secured and the NSW Police notified.

#### **Non-Aboriginal Heritage**

5. A heritage induction will be provided for all workers prior to works commencing. If unexpected archaeological finds are discovered during the proposed works, a heritage consultant will be engaged to assess the find and the NSW Heritage Division would be notified of the discovery of a relic in accordance with Section 146 of the NSW Heritage Act 1977.

#### **Ecologically Sustainable Development**

6. Prior to the issue of a Construction Certificate for the warehouse facilities, ~~Minto Properties~~ **Charter Hall** will prepare an Ecologically Sustainable Development Strategy that addresses the following measures:
  - Improved daylight to warehouse by incorporating translucent sheeting
  - Lighting technologies and controls
  - High energy efficient air conditioning systems
  - Investigation of natural and mixed mode ventilation where possible
  - High efficiency glazing and shading for the offices
  - Solar hot water system.

#### **Outdoor Lighting**

7. During detailed design, ~~Minto Properties~~ **Charter Hall** will ensure that the lighting is designed to the relevant Australian Standard and design to minimize light spill onto neighbouring properties. The installation contractor will ensure lighting is installed as per the approved lighting design. Additionally, as part of the commissioning phase of the project, the lighting installation will be checked to ensure the installed luminaires are of the correct type, in the correct locations, and aimed in accordance with the lighting design.

#### **Flooding**

8. A Local Flood Plan is to be prepared for the development that includes measures to be implemented during a PMF event including:
  - on-site refuge facilities, within buildings that are to be structurally stable during a PMF event.
  - development of a means to inform all users of the site on how to respond and reach the refuge facilities in major flood events;
  - collaboration with CCC and State Emergency Services in developing the Local Flood Plan. In particular, addressing evacuation and clean up procedures.

**Geotechnical**

9. Additional investigation are to be undertaken during detailed design and prior to commencement of construction works to determine:
  - The varying thicknesses of fill across the site and potential ground improvement options;
  - The location of any former watercourse, which may contain deeper alluvial soils, gravels or compressible cohesive material; and
  - Engineering behaviours of the soils across the site to support the proposed structures, pavements and for material reuse.

**Contamination**

10. Prior to the commencement of construction works and detailed design, additional intrusive investigations are to be completed in the central portion of the site to determine if any remediation or management action may be required. Any remediation works will be in accordance with the Remediation Action Plan that is required.

**Traffic – Construction**

11. Prior to the commencement of construction, a Construction Traffic Management Plan will be prepared that includes the following measures:
  - Manage and regulate traffic movements into and out of the site during construction;
  - Schedule intensive delivery activities outside of peak hours; and
  - Construction and delivery vehicles being limited to use of Campbelltown Road, Narellan Road, Blaxland Road or the M31 Motorway and restricted to non-peak periods.