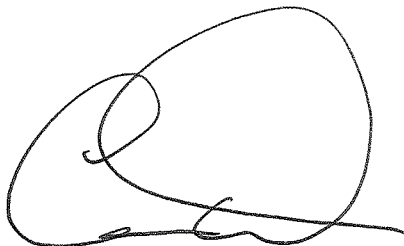


Notice of Modification

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, I approve the modification to DA No. 308-12-2004-i subject to the conditions in Schedules A & B.



Chris Wilson
Executive Director
Major Projects Assessment

Sydney 20 FEBRUARY 2011

File No: 9037380

The development consent DA No. 308-12-2004-i granted by the Minister for Planning on 30 June 2005 for the Coca Cola Amatil Distribution Centre, as modified by DA No. 308-12-2004-i MOD 7.

SCHEDULE A

The development consent is modified by:

1. Replacing Condition A1.1 with the following:

A1.1 The Applicant shall carry out the development generally in accordance with the following documents:

- (a) DA-308-12-2004-i;
- (b) the SEE;
- (c) additional information submitted by the Applicant, titled Clarification / Additional Information as Requested, dated 21 April 2005, addressing the issues raised by the Department, Blacktown Council and Fairfield Council;
- (d) clarification of potential flora and fauna impacts submitted by the Applicant and dated 3 May 2005; and
- (e) M7Hub Precinct Plan Agreement – Being Part of the M7Hub DEVELOPER AGREEMENT – dated 23 June 2005;
- (f) drawings submitted by the Applicant titled and dated as follows:
 - i) *Scope of Application* – CCA DA02(A), dated 5 July 2007;
 - ii) *Site Plan / Ground Floor Plan* – CCA DA03(B) dated 5 July 2007;
 - iii) *Roof Plan* – CCA DA04(A), dated 5 July 2007;
 - iv) *Sections* – CCA DA05(A), dated 5 July 2007;
 - v) *Elevations* – CCA DA06(B) dated 5 July 2007 and CCA DA07(C) dated 17 July 2008, M7 CCA SK09 (A) dated 9 May 2008 and B36-WD-47-1 dated 22 April 2008;
 - vi) *Landscape Masterplan* – L04572 Rev A dated December 2004, *Landscape Concept Plan* – L04572-01 Rev D dated May 2007, and *Reedy Creek Landscape Concept* – L04531-103 Rev A dated December 2004;
 - vii) *Typical Streetscape Details* – L04531-102 dated November 2004;
 - viii) *East Precinct – Stage 1 General Arrangement Plan* – 03320-CDA1-01 Rev 01 dated December 2004;

- ix) the area bound within the red line on the *Proposed Draft Plan of Subdivision – 111055009 Rev 03*, dated 1 March 2006;
- (g) MOD-179-11-2005-I, dated 25 November 2005;
- (h) MOD-44-4-2006-I, dated 2 March 2006;
- (i) MOD-13-2-2007, prepared by Goodman International Ltd, dated 6 July 2007, and accompanying SEE titled *Coca-cola Amatil Wallgrove Road, Eastern Creek. Proposed Section 96 Modification*;
- (j) DA 308-12-2004-i-MOD 4, prepared by Goodman International Ltd, dated 21 July 2008, and accompanying SEE titled *Statement of Environmental Effects to Support S96(1a) Modification Application, Coca-cola Amatil Distribution Centre Eastern Creek*; and
- (k) DA 308-12-2004-i-MOD 5, prepared by Goodman International Ltd, dated 6 November 2008, and accompanying SEE titled *Statement of Environmental Effects to Support S96(1a) Modification Application, Coca-cola Amatil Distribution Centre Eastern Creek*;
- (l) DA 308-12-2004-i-MOD 6, prepared by Goodman International Ltd, and accompanying SEE titled *Statement of Environmental Effects to Support S96(1A) Modification Application, Coca-cola Amatil Distribution Centre Eastern Creek* dated 16 February 2010; and Addendums dated 22 March 2010 and 4 May 2010;
- (m) DA 308-12-2004-i-MOD 7, prepared by Tract Consultants Pty Ltd on behalf of Goodman International Ltd, and accompanying Environmental Assessment titled *Request to Modify a Major Project – Section 75W Environmental Planning and Assessment Act 1979 – Coca-Cola Amatil Distribution Centre 9 Roussell Road Eastern Creek* dated December 2010, and electronic correspondence dated 9 and 11 February 2010; and
- (n) the conditions of this consent.

If there is any inconsistency between the conditions of this consent and a document listed above the conditions of this consent shall prevail to the extent of the inconsistency. If there is any inconsistency between the documents listed above (other than the conditions of this consent) then the most recent document shall prevail to the extent of the inconsistency.

2. Replacing Condition A4.2 (b) with the following:

- (b) a revised Soil and Water Management Plan shall be prepared which details the measures to be implemented to prevent and/or minimise potential adverse impacts associated with soil erosion, sedimentation and pollution resulting from construction activities. The revised Plan shall meet the requirements of the Council should there be any, and must:
 - i) be submitted and approved by the Director-General prior to any construction activities associated with DA 308-12-2004-i-MOD 7;
 - ii) include consideration all works associated with DA 308-12-2004-i-MOD 7, on or near protected land and in protected waters (e.g. riparian zones), including staging and maintenance requirements;
 - iii) meet the requirements outlined in the Landcom publication *Managing Urban Stormwater: Soils and Construction – Volume 1*, 4th Edition (2004);
 - iv) document the decommissioning requirements of all erosion and sediment controls and water diversion structures, including the timeframes for decommissioning with reference to the implementation of riparian zone plantings.

SCHEDULE B

3. Replacing Condition B3.4 with the following:

- B3.4 Prior to the commencement of any building works associated with DA 308-12-2004-i-MOD 7, the Applicant shall prepare and submit for the Director-General's approval, a revised Stormwater Management Scheme. This scheme must be prepared in consultation with Blacktown City Council to ensure that the design of the stormwater infrastructure and stormwater management is consistent with Council's current policies. The Scheme must establish the framework and provide details regarding the management of stormwater in the site-wide stormwater system. In particular, the Scheme shall show how the modified facility would interconnect with the site-wide stormwater management systems and detail the performance requirements and standards for the operation of the stormwater detention basins.

The Scheme shall detail the measures proposed to ensure water discharged is of a suitable quality, including on-going monitoring of the quality and quantity of water discharged. The Scheme must demonstrate how the reasonable requirements of Council have been addressed, should Council have any such requirements.

4. Replacing Condition B3.4A with the following:

B3.4A Prior to the commencement of any building works associated with DA 308-12-2004-i-MOD 7, the Applicant shall, to the satisfaction of the Director-General:

- submit the details, including plans, of the final site and floor levels of the relocated cold store building; and
- demonstrate that the final site and floor levels are justified and consistent with the findings and requirements of the Flood Impact Assessment undertaken by the Applicant for DA 308-12-2004-i.

