

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the section 75W modification of the project approval referred to in Schedule 1, subject to the modified conditions of approval outlined in Schedule 2.



Heather Warton
Director
Metropolitan and Regional Projects North

Sydney 30 April 2013

SCHEDULE 1

Project Approval:	06_0164 granted by the then Minister for Planning on 18 September 2006
Proponent:	Goodman Property Services (Aust) Pty Ltd
Land:	Lot 451 DP 1109136 and Lot 4 DP 1159804, Old Wallgrove Road and Roberts Road, Eastern Creek – Blacktown local government area.
Project:	Construction and operation of a chilled distribution centre and associated infrastructure.
Modification:	Extension of the existing Coles Myer Chilled Distribution Centre (06_0164 MOD 1).

SCHEDULE 2

The project approval as described in Schedule 1 is modified as follows:

- (a) Delete the word “and” under clause (e) of Condition 2.
- (b) Insert new clauses (f) and (g) following clause (e) under Condition 2 as follows:
 - f) Section 75W modification request titles *Proposed Extension to the Existing Coles Myer Chilled Distribution Centre (CDC) M7 Hub Eastern Creek Old Wallgrove Road Eastern Creek* prepared by McKenzie Group Consulting and dated February 2013;
 - g) plans approved as part of 06_0164 MOD 1 at Appendix 5; and

- (c) Delete the word “f)” and replace with the word “h)” under Condition 2.
- (d) Delete the words “Note: This approval does not extend to the construction of the proposed extension (or Stage 2) of the chilled distribution centre or resource recovery unit. The construction of these buildings must be the subject of subsequent planning approvals.” under Condition 2.
- (e) Insert new Condition 5A following Condition 5 as follows:
- 5A. Prior to the release of an Occupation Certificate for works approved as part of 06_0164 MOD 1, a suitably qualified engineer is required to certify the structural adequacy of the retaining wall approved as part of 06_0164 MOD 1.
- (f) Insert new Condition 12A following Condition 12 as follows:
- 12A. The proponent shall install an Armco guardrail along the full length of the hardstand area (driveway) bordering the southern site boundary and adjoining Capicure Drive.
- (g) Insert new Condition 16C following Condition 16 as follows:
- 16C. During construction for works approved as part of 06_0164 MOD 1, the Proponent shall implement the Erosion & Sediment Control Plan provided under Section 7 of the *Civil Engineering Report for s75W Amendment to Approved Development* prepared by Costin Roe Consulting, dated 8 Feb 2013.
- (h) Insert new Condition 20A following Condition 20 as follows:
- 20A. Each year on 1 September a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule is to be provided to Council's Asset Design Services Section. All material removed is to be disposed of in an approved manner. Copies are to be provided of all cleaning reports and tipping dockets.
- (i) Insert new Condition 20B following Condition 20A:
- 20B. Prior to the release of a Construction Certificate for works approved as part of 06_0164 MOD 1, the Proponent shall comply with the following stormwater engineering requirements:
- a) A DRAINS electronic model for works approved as part of 06_0164 MOD 1 must be provided and approved by Council prior to release of the Construction Certificate to demonstrate that the internal pipe network can safely carry the 20 year ARI storm flows with only minimal safe surcharge. Blockage factors should be applied to all inlet pits with lintels/grates at 0.5 for sags and 0.2 for pits on grade. For grate only inlets the blockage factor should be 0.5 minimum. The DRAINS model is to include details of new drainage infrastructure for works approved as part of 06_164 MOD 1. The DRAINS model is to allow for the expected flows from the existing drainage system. The DRAINS model does not need to include detailed modelling of the existing drainage system (for works approved prior to 06_0164 MOD 1) other than the upstream catchment and connecting pipe.

- b) Details are to be provided to Council for the safe conveyance of overland flows within the site in the 1 in 100 year ARI event with freeboard to the floor level when the pipe and pit capacity is exceeded.
- c) A minimum of 80% of the non-potable water use for the works approved as part of 06_0164 MOD 1 is to be met through rainwater. The rainwater tank is to be increased to a minimum of 108kL on the drainage plan to achieve this. Non-potable use is to include all toilet flushing and landscape watering within and around the new development.
- d) An experienced hydraulic engineer is to prepare and have approved a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses for works approved as part of 06_0164 MOD 1. The plan is to show the rainwater pipe arrangement for works approved as part of 06_0164 MOD 1 including first flush system, pump, mains water direct tank top up (no solenoid controlled mains bypass), isolation valves, flow meters for the pump outflow and mains water top up, timer for landscape watering, an inline filter and indicate that all Sydney Water requirements have been satisfied. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source for works approved as part of 06_0164 MOD 1.
- e) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank in accordance with Council's Engineering Guide for Development 2005 (and as amended).
- f) The number of Enviropods are not to be reduced, nor replaced with an alternate manufacturer's products.
- g) A Maintenance Schedule is to be prepared for each Stormwater Quality Improvement Device.
- h) Details are to be provided for permanent interpretive signage minimum A2 size to be installed to highlight the water quality improvement process for works approved as part of 06_0164 MOD 1. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the rainwater tank. The wording and detail is to be approved by Council.
- i) Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans for works approved as part of 06_0164 MOD 1 and certify that the pipe/pit systems and water quality requirements including MUSIC modelling meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the conditions of approval for works approved as part of 06_0164 MOD 1. A copy of the certification is to be provided to Council.

(j) Insert new Condition 20C following Condition 20B as follows:

- 20C. Prior to occupation for works approved as part of 06_0164 MOD 1, the Proponent shall comply with the following stormwater engineering requirements:
- a) A Positive Covenant is to be provided over the Stormwater Quality Improvement Devices and Rainwater Tank in accordance with the

requirements of Council's Engineering Guide for Development 2005 (and as amended).

- b) An accredited plumber or experienced hydraulic engineer is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan have been installed and are working correctly.
- c) The Hydraulic Engineer is to certify that all the requirements of the approved drainage plan have been undertaken including installation of minimum pipe and pit sizes, that the gross pollutant trap and Enviropods have been installed as per the manufacturer's recommendations and that all the signage and warning notices have been installed for the site.
- d) Written evidence is to be provided that the owner/developer has entered into and prepaid a minimum 5 year maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Enviropods and Rainwater Tank.

(k) Insert new Condition 22A following Condition 22 as follows:

22A. Any proposed fill to be imported to the site must be certified clean and contamination free at the source. Evidence of this is to be submitted to Council.

(l) Insert new Condition 27A following Condition 27 as follows:

27A. Landscaping works approved as part of 06_0164 MOD 1 shall be mature planting to a height comparable to the adjoining retaining walls.

(m) Insert new Condition 27B following Condition 27A as follows:

27B. Landscaping and retaining walls proposed along the Reedy Creek Riparian corridor are required to be carried out in accordance with the requirements of the NSW Office of Water.

(n) Insert new Appendix 5 following Appendix 4 as follows:

**APPENDIX 5:
PLANS APPROVED AS PART OF 06_0164 MOD 1**
