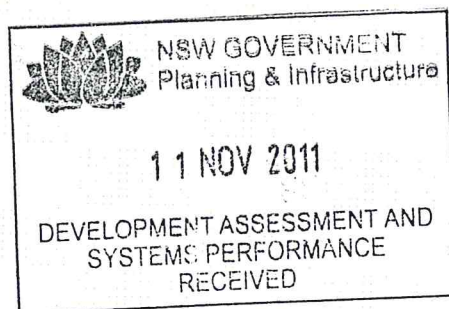


10 November 2011

The Director General  
**Department of Planning**  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Heather Warton



Dear Heather,

**Development of Lots 1, 2 + 5 Interlink Industrial Estate, Mamre Road Erskine Park (Major Project 07\_0093)**

**Modification (MOD 2) Lot 5, Building 5A and 5B into 1 Building**

**1.0 Introduction**

Goodman Limited (Goodman) (formerly Macquarie Goodman Management Limited) is proposing to make a modification to the approval previously granted in relation to Lot 5 of its Interlink Industrial Estate, Mamre Road Erskine Park (Major Project No.07\_0093), (copy attached).

The Minister previously issued DGRs to Goodman pursuant to the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the proposed modification and an application for modification was duly lodged in May 2008.

During the assessment process, the only issue that was a matter of contention was the proposal to locate a fire access path along the rear of the proposed modified building and relevantly, within the landscape setback. This matter required the Council to provide some input before the Department would finalise its report on the proposed modification.

That issue has now been finalised as between Goodman and the Council and relevant correspondence is included in the attached revised modification package.

**2.0 The Site**

Interlink Industrial Estate (the site) is located off Mamre Road in Erskine Park, and forms part of the Erskine Park Employment Area, which in turn forms part of the Western Sydney Employment Hub.

The site has an area of 64 hectares, is identified as Lot 141 in DP 843899, and is located within the Penrith local government area.

**3.0 Background**

On 20 December 2007, the Minister for Planning approved a major project application (MP 07\_0093) for development of the remaining undeveloped lots – namely 1, 2 and 5. The project involves:

- development of a warehouse and distribution facility for an unspecified future end-user on Lot 1 – to be developed in two stages;
- development of a light industrial and distribution facility for Ubeeco Packaging Solutions Pty Ltd on Lot 2;
- development of a warehouse and distribution facility for Allied Pickfords Pty Ltd on Lot 5A; and

- development of a light industrial/warehouse and distribution facility for an unspecified future end-user on Lot 5B.

#### **4.0 Proposed Modification**

It is proposed to modify the previously approved two freestanding buildings on Lot 5 (being building 5A and building 5B) to comprise one contiguous facility.

DGR's were issued for that proposed modification. However, during the period of assessment the actual configuration of that final proposed building form as undergone further resolution. Accordingly, a new plan, attached to the Environmental Assessment has been prepared. In essence, the previously proposed modification was to combine the previously approved buildings into one contiguous building (but divided into two (2) adjoining tenancies). It is now proposed that the modified built form will be divided into three (3) adjoining tenancies.

In terms of the modification to the consent itself the only alterations is the substitution of some plan references, there are no proposed substantive amendments to any of the other conditions of consent.

We attach the amendments proposed to the existing conditions (**Attachment 1**).

#### **5.0 Conclusion**

It is considered that the proposed modifications to Lot 5 of the Interlink Industrial Estate are consistent with the project as approved by the Minister in December 2007, as:

- The project as modified remains compliant with the applicable development standards;
- The proposed modifications would involve minimal environmental impact; and
- The proposed modifications do not alter the purpose or general layout of the project.

Accordingly, it is considered that the modifications may be considered under Section 75W and it is formally requested that the Minister approve the proposed modification.

Should you require further information, please do not hesitate to contact me on (02) 9230 7312.

Yours Faithfully,



**Will Dwyer**  
National Manager - Planning



## Attachment 1

### Proposed Modifications to the Existing Approval

- Replacement of Condition No. 2 with the following:-

2. *The Proponent shall carry out the project generally in accordance with the:-*

- a) EA;
- b) *Site plans INT DA03 (F), INT DA04 (F), INT DA101(C), INT DA102(C), INT DA103(C), INT DA104(C), INT DA105(C), INT LINX SK07(B), INT DA203(D), INT DA204(D), INT DA206(A), INT DA501(C), INT DA502(C), INT DA503(C), INT DA505(C), INT DA506(C), INT DA507(C), INT DA508(C), INT DA509(C), INT DA510(C) and DA-1131-01 (see Appendix A);*
- c) *Modification application 07\_0093 MOD 1, and accompanying Environmental Assessment Report, prepared by Phil Jones Environmental Planning on behalf of Goodman Limited titled 'Environmental Assessment – Goodman Interlink Industrial Estate Project (MP 07\_0093) Modification (MOD 1)' dated 22 December 2010;*
- d) *Modification application 07\_0093 MOD 2, and accompanying Environmental Assessment Report, prepared by BBC Consulting Planners on behalf of Goodman Limited titled 'Environmental Assessment to Accompany a Section 75W Application – Proposed Modifications to MP 07\_0093 at Lot 5, Interlink Industrial Estate, Mamre Road, Erskine Park' dated November 2011;*
- e) *Statement of Commitments (see Appendix B); and*
- f) *Conditions of this approval.*

- Condition No. 3 shall be amended to include the details of MOD 2 as amended above. Condition No. 3 should now read as follows:-

3. *If there is any inconsistency between the documents in 2 a) – d), the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.*

- Condition No. 22 shall be amended to delete the need for detailed plans for the facade of Building 5A. As Building 1 has now been constructed this condition should be deleted.
- Appendix A should be amended by replacing the superseded site plans as well as by removing the plans relating to Buildings 5A and 5B and replacing them with the plans that have been prepared for Lot 5 under MOD 2.
- Appendix B shall be amended in accordance with the Draft Statement of Commitments found in Section 7 of our EA.

All other conditions of the Project Approval Application No. 07\_0093 (as amended) shall remain the same.

# Major Project application



NSW GOVERNMENT  
Department of Planning

Date received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Project Application No. \_\_\_\_\_

## 1. Before you lodge

This form is required to apply for the approval of the Minister to carry out a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

Before lodging this application, it is recommended that you first consult with the Department of Planning (the Department) concerning your project.

A Planning Focus Meeting (PFM) may need to be held for this project involving the Department, relevant agencies, council or other groups identified by the Department. If a PFM is held, the Department will issue the Director-General's requirements for the Environmental Assessment following the meeting.

**All applications must be lodged with the Director-General, by courier or mail. An electronic copy should also be emailed to the assessment contact officer assigned to the project.**

NSW Department of Planning  
Ground floor, 23-33 Bridge Street, Sydney NSW 2000  
GPO Box 39 Sydney NSW 2001  
DX 10181 Sydney Stock Exchange  
Phone 1300 305 695

## 2. Details of the proponent

Company/organisation/agency

Goodman Limited

ABN

69 000 123 071

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Will

Family name

Dwyer

Position

National Manager Planning

STREET ADDRESS

Unit/street no.

Lv 17, 60

Street name

Castlereagh Street

Suburb or town

Sydney

State

NSW

Postcode

2001

POSTAL ADDRESS (or mark 'as above')

GPO Box 4703

Suburb or town

Sydney

State

NSW

Postcode

2001

Daytime telephone

02 9230 7312

Fax

02 9230 7366

Mobile

0404 848 665

Email

will.dwyer@goodman.com



### 3. Identify the land you propose to develop

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Erskine Park

2759

Local government area(s)

State electorate(s)

Penrith

REAL PROPERTY DESCRIPTION

Lot 141 DP 843899

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the project applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR detailed description of land attached. ☒

MAP: A map of the site and locality should also be submitted with this application.

### 4. Major Project description and other requirements

Provide a brief title for your project.

Proposed Motification to Lot 5, Interlink Industrial Estate, MP (07\_0093)

#### PROJECT APPROVAL

If you are applying for approval of a project, include in the project title, all significant components for which approval is being sought. If the application relates to part only of a project, the project title should reflect this.

Is the application for approval of a project?

☐ Yes ☒ No

Is the application related to part only of a project?

☐ Yes ☒ No

#### CONCEPT PLAN APPROVAL

If you are applying for approval of a concept plan, include in the project title, all components for which approval 'in concept' is being sought. If the application also relates to approval of a project, a description of this should also be included in the project title.

Is the application for approval of a Concept Plan?

☐ Yes ☒ No

Is a project application being made concurrently for all or part of the project?

☐ Yes ☒ No

**You are also required to provide a Project Description and address any matters required by the Director-General in accordance with section 75E or section 75M of the Act. Failure to do so may lead to your application being rejected.**

Is a Project Description attached?

☒ Yes ☐ No

Does the Project Description include any additional matters required by the Director-General under section 75E or section 75M of the Act?

☐ Yes ☒ No

Note: An electronic copy of the project description is also required as all applications must be provided on the Department's website. You should contact the Department on the correct electronic format.



## ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the project. The CIV includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment (but excluding GST and land costs).

\$ 57.4 million

## EQUIVALENT FULL-TIME JOBS

Please indicate the number of jobs created by the project. This should be expressed as a proportion of full time jobs over a full year.

Construction jobs (full-time equivalent)

300

Operational jobs (full-time equivalent)

460

## 5. Approvals from State agencies

Does the project require any of the following: (tick all that are appropriate)

- ☐ an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- ☐ an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- ☐ a mining lease under the *Mining Act 1992*
- ☐ a production lease under the *Petroleum (Onshore) Act 1991*
- ☐ an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- ☐ a consent under section 138 of the *Roads Act 1993*
- ☐ a licence under the *Pipelines Act 1967*

## 6. Landowner's consent or notification

As the owner(s) of the above property, I/we consent to this application being made on our behalf by the proponent:

Land

Signature

Name

Date

Land

Signature

Name

Date

Note: Under clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require the consent of the landowner, however, the proponent is required to give notice of the application:

- in the case of linear infrastructure projects, by notice in a newspaper circulating in the locality prior to the commencement of the public consultation period,
- in the case of mining or petroleum production projects, by notice in a newspaper circulating in the locality within 14 days of this application being made,
- in the case of critical infrastructure projects, to the owner of the land within 14 days of this application being made, and
- in other cases, to the owner of the land at any time before the application is made.

SEE ATTACHED AUTHORITY




## 7. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the project and address all matters required by the Director-General pursuant to section 75E and/or section 75M of the Act, and
- apply, subject to satisfying clause 8D of the Environmental Planning and Assessment Regulation, for the Director-General's environmental assessment requirements pursuant to Part 3A of the Act, and
- declare that all information contained within this application is accurate at the time of signing.

Signature



Name

Will Dwyer

Date

8 November 2011

In what capacity are you signing if you are not the proponent

Authorised by owner

Name, if you are not the proponent

NATIONAL MANAGER  
PLANNING

# BGAI 2 Pty Limited

ACN 120 605 718

01 November, 2011

To whom it may concern,

## BGAI2 Pty Limited ("BGAI2") Letter of Consent

Property: Lot 5, Interlink Industrial Estate, Mamre Road, Erskine Park, NSW  
(Property)

Please be advised that BGAI2 consents to Goodman Property Services (Aust) Pty Limited (or an agent or employee) to lodge and submit relevant documentation on behalf of BGAI2 in regard to the following matters relating to the Property;

- Development Applications and Amending Applications;
- Tenancy Fit-outs;
- Applications for Construction Certificates;
- Subdivision Applications;
- Applications to Utility Authority;
- Applications for Interim and Final Occupation Certificates;
- Applications for Easement Creation

Yours Sincerely,

Signed for BGAI2 Pty Limited by its  
attorney pursuant to Power of Attorney  
Registered No. 4597 Book No. 517 dated  
18 August 2010  
(who states that by executing this document  
that the attorney has received no notice of  
revocation of the power of attorney):

Witness Signature

Attorney Signature

Print Name

Print Name

Witness Signature

Attorney Signature

Jodie Cliffe

Samantha Evans

Print Name

Print Name