

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 executed on 1 October 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.


Deputy Director-General
**DEVELOPMENT ASSESSMENT & SYSTEMS
PERFORMANCE**

Sydney

11 April

2012

SCHEDULE 1

Project Approval:

10_0010 granted by the Planning Assessment Commission on 3 June 2010

For the following:

The establishment of a warehouse facility for Dick Smith and associated infrastructure at Cowpasture Road, Hoxton Park

Modification:

10_0010 Mod 2: To change the use of the site from a Dick Smith Electronics distribution warehouse to include a Masters Home Improvement distribution warehouse, and to alter relevant signage to reflect that change.

SCHEDULE 2

The approval as described in Schedule 2 is modified as follows:

Condition 2 is amended as follows:

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) site plans DA-01/F, DA-06, DA-07, DA-10/D and DA-11/E, DA-12 (see Appendix 1);
 - (c) preferred project report;
 - (d) statement of commitments (see Appendix 2);
 - (e) modification application 10_0010 MOD 1 and accompanying letter and Environmental Assessment titled: *Hoxton Park – Dick Smith Warehouse Facility & Associated Infrastructure Project Approval 10_0010* dated 29 November 2010;
 - (f) **modification application 10_0010 Mod 2 and accompanying Environmental Assessment titled: Len Waters Industrial Estate (Former Hoxton Park Aerodrome) Modification to the Dick Smith Warehouse to include a Masters Home Improvement use and amend signage details to Masters Home Improvement, dated 9 December 2011; and**
 - (g) conditions of this approval.

Condition 5 is amended as follows:

5. This approval only relates to the Dick Smith Warehouse, as described in the EA **and condition 2 above.**

Insert new Condition 5A as follows:

- 5A. The use of the premises is to operate in accordance with the Liverpool Local Environment Plan 2008 definition of “warehouse or distribution centre” and as such there shall be no retail sales or access to the premises by the general public.

The approval as described in Schedule 3 is modified as follows:

Condition 25 is amended as follows:

25. ~~Business identification signage detailed in plan DA-04 Rev B and dated 25 January 2010, shall be~~ **generally in accordance with Site signage plan, Drawing No. SK18, Revision K, dated 22 July 2011 and** is approved as part of this project approval. Any changes to the signage, including any additional signage associated with the project must be approved prior to installation.

In seeking approval for any additional business identification signage the Proponent shall submit detailed plans of this signage to the Director-General. These plans must be prepared in consultation with Council. Following approval, the Proponent must ensure that the signage is installed in accordance with the approved plans.

Insert new Condition 28A as follows:

- 28A. Prior to occupation of the site by the proposed Masters Home Improvement business unit, the proponent shall ensure that the Fire Safety Strategy set out in Section 4.0 of the *Fire Engineering Report: Home Improvement Warehouse*, prepared by AECOM and dated 1 December 2010 is successfully implemented prior to the proposed Masters Home Improvement business unit commencing operations.

Insert new Condition 28B as follows:

- 28B. The proponent shall comply with the relevant provisions of “AS/NZS 3833:2007 *The Storage and Handling of Mixed Classes of Dangerous Goods, in Packages and Intermediate Bulk Containers*” prior to the proposed Masters Home Improvement business unit commencing operations.