Modification of Development Consent

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, under delegation executed on 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.

Kelly McNicol
Acting Director
Industry Assessments

Sydney 11 JANUARY 2018   File: DOC/A3862290

SCHEDULE 1

Application No:	SSD 7155
Applicant:	The Trust Company (Australia) Limited as Trustees for Logos Australian Logistics Venture Prestons Trust
Consent Authority:	Minister for Planning
Development:	Staged construction of five warehouse buildings, associated office space, access roads, parking, drainage and landscaping.
Date of Original Consent:	24 June 2016
Modification:	SSD 7155 MOD 2– alterations to the design of Warehouse 3 and Warehouse 4 and amendments to car parking provision, stormwater design, landscaping and vehicle access arrangements to the site

SCHEDULE 2

This consent is modified as follows:

1.   Delete the word 'shall' and replace with 'must' throughout the development consent, except in Condition B3.

In Schedule B: Administrative Conditions

2.   In Condition B2 (c), after the words '(see Appendix B);' delete the 'and'.

3.   In Condition B2 (d) delete the period and replace with '; and'.

4.   In Condition B2, after (d) insert '(e) Modification Application SSD 7155 MOD 2 and accompanying document titled *Prestons Industrial Estate Warehouse Section 96 (1A) Modification Environmental Assessment Report* dated November 2017 prepared by Urbis Pty Ltd.'

In Schedule C: Environmental Performance and Management

5.   In Condition C6 (a), after the words 'along Bernera Road;' delete the 'and'.

6.   In Condition C6 (b), delete the period and replace with '; and'.

7.   In Condition C6, after (b) insert '(c) install the central median island on Bernera Road opposite Warehouse 4 prior to the commencement of the operation of Warehouse 4'.

8.   Insert new Condition C7A immediately after Condition C7 as follows:

C7A. The Applicant must submit design plans prepared to the satisfaction of the relevant roads authority prior to the commencement of construction of the access to Warehouse 3B from Bernera Road. The design plans must demonstrate the access to Warehouse 3B from Bernera Road:
(a)   is designed to accommodate the turning path of a semi-trailer and heavy rigid vehicle;
(b)   is for egress only;
(c)   will be controlled by a gate which only permits egress; and
(d)   enables road widening along Bernera Road and a central median island on Bernera Road opposite Warehouse 3B and 3C.

9.   Insert new Condition C7B immediately after Condition C7A as follows:

C7B. Prior to the commencement of construction of Stage 3 of the Development, the Applicant must complete the widening of part of Bernera Road (located adjacent to the site) to the satisfaction of Council. The Applicant must:
(a)   provide civil design plans to Council for the road widening prior to the issue of a construction certificate for Stage 3 works; and
(b)   obtain approval for the works to Bernera Road under section 138 of the *Roads Act 1993*.

10.   In Condition C10 (g), after the words 'public road network;' delete the 'and'.

11.   In Condition C10 (h), delete the period and replace with '; and'.

12.   In Condition C10 after (h) insert '(i) heavy vehicle egress onto Bernera Road must be restricted to the heavy vehicles associated with the occupant of Warehouse 3B.'

13.   In Condition C20, after the words 'included in the RTS for each Stage of the Development', add the words 'and included in the Modification Application SSD 7155 MOD 2'.

14.   In Condition C26, delete the words 'development plans in the EIS' and replace with the words 'development plans submitted with the Modification Application SSD 7155 MOD 2'.

15.   Insert new subheading 'External Walls and Cladding Flammability' and Condition C51A immediately after Condition C51 as follows:

C51A. The external walls of the building including attachments must comply with the relevant requirements of the NCC. Prior to the issue of a Construction Certificate and Occupation Certificate the Certifying Authority must:
(a)   be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
(b)   ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

A copy of the documentation required under (b) must be provided to the Secretary within 7 days of being accepted by the Certifying Authority.

16.   In Condition C61, after the words 'approved in the development plans in the EIS', add the words 'and Modification Application SSD 7155 MOD 2'.

In Schedule D: Environmental Management and Reporting

17.   Delete Condition D6 and replace with new Condition D6 as follows:

D6. The Applicant must make the following information publicly available on its website and keep the information up to date:
(c)   the documents referred to in conditions D1 and D2 of this consent;
(d)   all current statutory approvals for the development;
(e)   all approved strategies, plans and programs required under the conditions of this consent;
(f)   regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
(g)   a summary of the current stage and progress of the development;
(h)   contact details to enquire about the development or to make a complaint;
(i)   a complaints register, updated monthly; and

(j)   any other matter required by the Secretary.

Note: *This condition does not require any confidential information to be made available to the public.*

In Appendix A: Development Layout Plans

18.   Replace all drawings with the following drawings:

APPENDIX A: DEVELOPMENT LAYOUT PLANS

Figure 1: Site Plan