

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning and Public Spaces, under delegation executed on 9 March 2020, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Sydney

3/4/2020

File: EF19/29682

SCHEDULE 1

Application Number:	SSD 7348
Applicant:	Goodman Property Services (Aust) Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 1 DP 663937, Lot 2 DP 1215268, Lot 6 DP 229784, Lot 2 DP 84578, Lot 3 DP 85393 and Lot 11 DP 1178389 2 Aldington Road, Kemp Creek NSW 2178
Development:	A Concept Proposal including: <ul style="list-style-type: none">• concept layout of 22 warehouse buildings inclusive of dock offices and ancillary offices providing 476,000 square metres of gross lettable area, built over five development stages;• concept layout of development lots, internal roads, drainage, landscaping, noise walls, basins and biodiversity offsets; and• development controls A Stage 1 Development including: <ul style="list-style-type: none">• bulk earthworks across all five stages including retaining walls and noise walls;• lead in services including but not limited to drainage, power, sewer, water and telecommunications;• service infrastructure to Precinct 1, including drainage, power, sewer, water and telecommunications;• construction and operation of three warehouse buildings inclusive of dock offices and ancillary offices in Precinct 1 (1A, 1B and 1C) providing 118,000 square metres of gross lettable area;• Western North-South Link Road and associated subdivision, basins and drainage;• estate roads 1, 2 and 6 and eastern part of road 7;

- landscaping of Stage 1, the western boundary, Western North-South Link Road, estate roads 1, 2 and 6 and the eastern part of road 7, detention basins and the amenity lot
- subdivision of Stage 1 lots and road infrastructure including the services (substation) lot;
- stormwater drainage infrastructure for Lots 2A and 2B and all basins;
- temporary works to facilitate construction including but not limited to swales, haul road (construction access), landscaping and basins;
- works including construction of traffic signals at Lenore Drive/Grady Crescent/WNSLR intersection.

Date of Original Consent: 13 September 2019

Modification: SSD 7348 MOD 3 – Modifications to Concept Proposal and Stage 1 DA

SCHEDULE 2

This consent is modified as follows:

In Definitions:

1. Delete the definition for Development, and replace with:

Development	The development described in the EIS and RtS, including construction and operation of 22 warehouse buildings, offices and associated infrastructure, as modified by the conditions of this consent, as shown on the plans in Appendix 1, Appendix 2 and Appendix 3 and as modified by SSD 7348 MOD 3.
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2. Insert the following definition in alphabetical order:

SSD 7348 MOD 3	The section 4.55(1A) modification application prepared by Goodman Property Services (Aust) Pty Ltd titled 'Oakdale West Industrial Estate Concept Plan and Stage 1 Modification (MOD 3 SSD 7348)', January 2020.
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In Schedule B: Conditions for the Concept Proposal

3. Delete the words "Lots 2E, 2F, 2G, 2H, 2J and 4A" in Condition B3 and replace with the following:

B3. Lots 3A, 3B, 3C, 3D, 3E, 3F, 3G and 4A

4. Insert new Condition B5(d) after Condition B5(c) as follows:

B5(d) modifications to this consent.

5. Delete the words "Lots 2E, 2F, 2G, 2H, 2J and 4A" in Condition B9(c) and replace with the following:

B9. Lots 3A, 3B, 3C, 3D, 3E, 3F, 3G and 4A

6. Insert new Conditions B9(d), (e) and (f) after Condition B9(c) as follows:

B9(d) any rooftop mechanical plant on buildings on Lots 2C, 2D, 2E, 3A, 3B, 3C, 3D, 3E, 4A, 4B and 4E are not to be operated during the night-time period;

B9(e) forklifts are not to operate during the night-time period on Lots 2C, 2D, 2E, 3B, 3C, 3D, 3E, 4A, 4E and 5A; and

B9(f) vehicles associated with the Development shall adhere to the following speed limits when using estate roads within the Development:

- i) 25 kilometres per hour for heavy vehicles; and
- ii) 40 kilometres per hour for light vehicles.

7. Delete Table 1 in Condition B9 and replace with the following:

Table 1: GLA Maximum for Concept Proposal

Land Use	Maximum GLA square metres (m ²)
Total Warehousing	533,670
Total Office	23,126
Total GLA	556,796

8. Insert the additional text into the row titled “Height” in Table 2 in Condition B10 as follows:

Table 2: Development Controls

Development Aspect	Control
- Building 2B	28 m

9. Insert the following words into Condition B11, after the words “no warehouse building in the Concept Proposal”:

B11. except Building 2B in Precinct 2,

10. Delete Table 3 in Condition B18 and replace with new Table 3 as follows:

Table 3: Noise Limits dB(A)

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AMax}
N1 Emmaus Village Residential	44	43	41	52
N3 Kemps Creek – nearest residential property	39	39	37	52
N4 & N5 Kemps Creek – other residences	39	39	37	52
N2 Emmaus Catholic College (school)	When in use: 35 (internal)			

11. Insert the following words into Condition B19, after the words “N3”:

B19. N4 and N5

12. Insert the following words into Condition B20(b), after the words “dated September 2016”:

B20(b). and updated 13 January 2020

In Schedule C: Conditions for Future Development Applications

13. Delete the words “lots 2E, 2F, 2G, 2H, 2J and 4A” in Condition C3 and replace with the following:

C3. lots 3A, 3B, 3C, 3D, 3E, 3F, 3G and 4A

14. Delete the words “lots 2E, 2F, 2G, 2H, 2J and 4A” in Condition C4 and replace with the following:

C4. lots 3A, 3B, 3C, 3D, 3E, 3F, 3G and 4A

15. Insert the following words in Condition C12(b) after the words “dated September 2016”

C12(b) and updated 13 January 2020

16. Delete the words “and 2B” from Condition C16.

In Schedule D: Conditions for Stage 1 DA

17. Insert new Condition D2(f) after Condition D2(e) as follows:

D2(f) in accordance with modifications to this consent.

18. Insert new Condition D35(i) after Condition D35(h) as follows:
D35(i) update the LMP to include modifications to the western bund, bio-retention basin 2/3 and the noise wall approved under MOD 3.
19. Insert new Condition D65(i) after Condition D65(h) as follows:
D65(i) update the CTMP to include modifications to construction traffic management approved under MOD 3.
20. Insert new Conditions D75(a) and D75(b) after Condition D75 as follows:

Noise Barrier

D75(a) The Applicant must install the noise barrier located on the western boundary, as shown on **Figure 7** in **Appendix 5**, to the satisfaction of the Planning Secretary. The noise barrier must be completed no later than 31 October 2020, unless otherwise agreed by the Planning Secretary.

Noise Verification

D75(b) Within three months of commencing operation of any buildings on the site, the Applicant must prepare a noise verification report, to the satisfaction of the Planning Secretary. The noise verification report must:

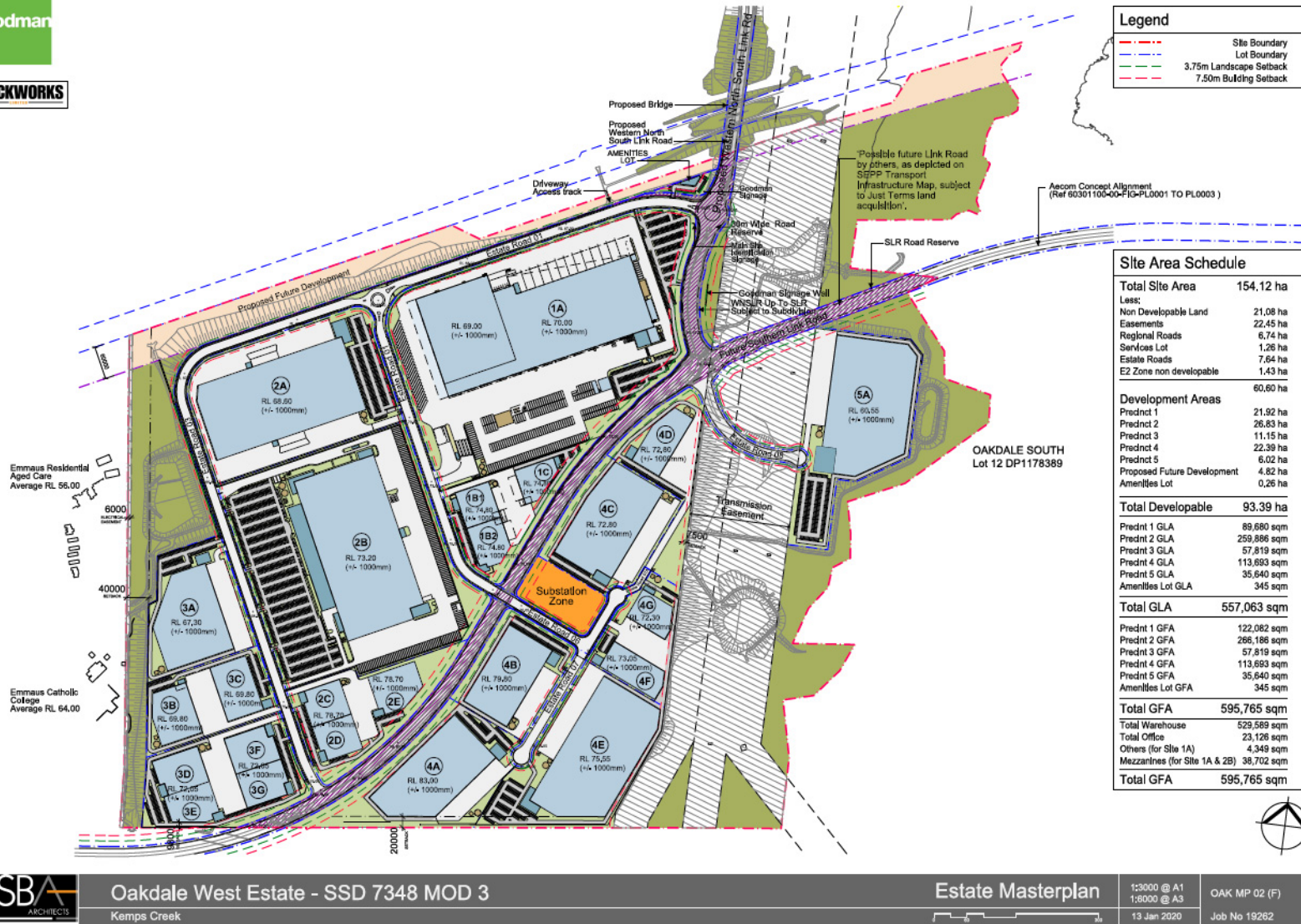
- (i) be prepared by an appropriately qualified and experienced noise expert;
- (ii) describe the noise monitoring undertaken to verify the effectiveness of the noise barrier;
- (iii) demonstrate compliance with the noise limits in Condition B18; and
- (iv) if required, recommend, prioritise and implement measures to improve noise controls to ensure the development meets the noise limits in Condition B18.

In the Appendices

21. Delete Table 6 in Appendix 1 and replace with the following:
The architectural, landscape and civil plans included in the RtS dated 25 March 2020.
22. Replace Figure 1 and Figure 2 in Appendix 1 with new figures as follows:
Figure 1: Concept Proposal Layout (MOD 3)
Figure 2: Staging Plan (MOD 3)
23. Replace Figure 7 in Appendix 5 with a new figure as shown in Appendix 5.

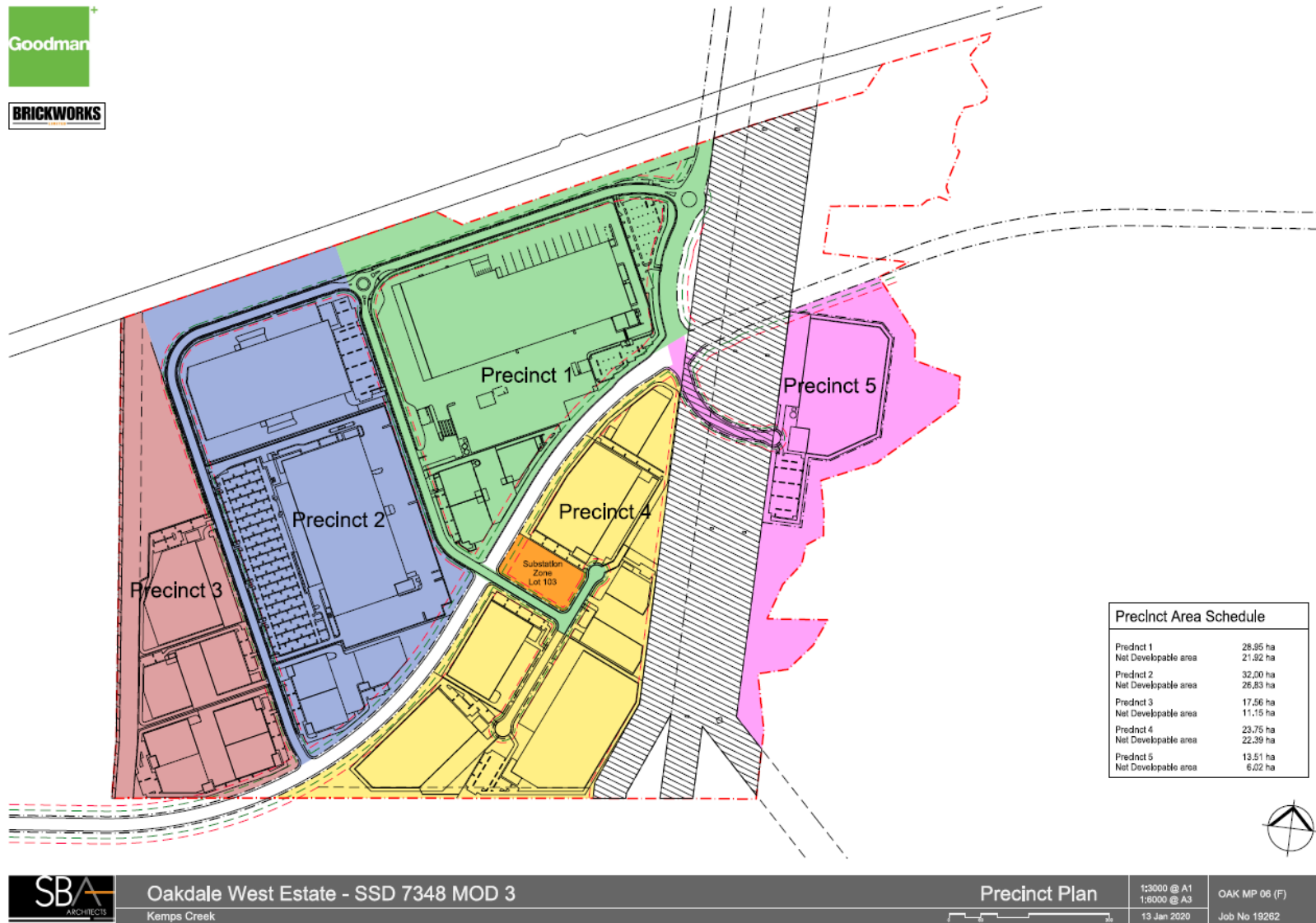
APPENDIX 1 CONCEPT PROPOSAL

The architectural, landscape and civil plans included in the RtS dated 25 March 2020.



	Oakdale West Estate - SSD 7348 MOD 3 Kemps Creek	Estate Masterplan	1:3000 @ A1	OAK MP 02 (F)
			1:8000 @ A3	13 Jan 2020
			Job No 19262	

Figure 1: Concept Proposal Layout (MOD 3)




Oakdale West Estate - SSD 7348 MOD 3
 Kemps Creek

Precinct Plan
 1:3000 @ A1
 1:8000 @ A3
 13 Jan 2020

OAK MP 06 (F)
 Job No 19282

Figure 2: Staging Plan (MOD 3)

APPENDIX 5 NOISE RECEIVER LOCATIONS

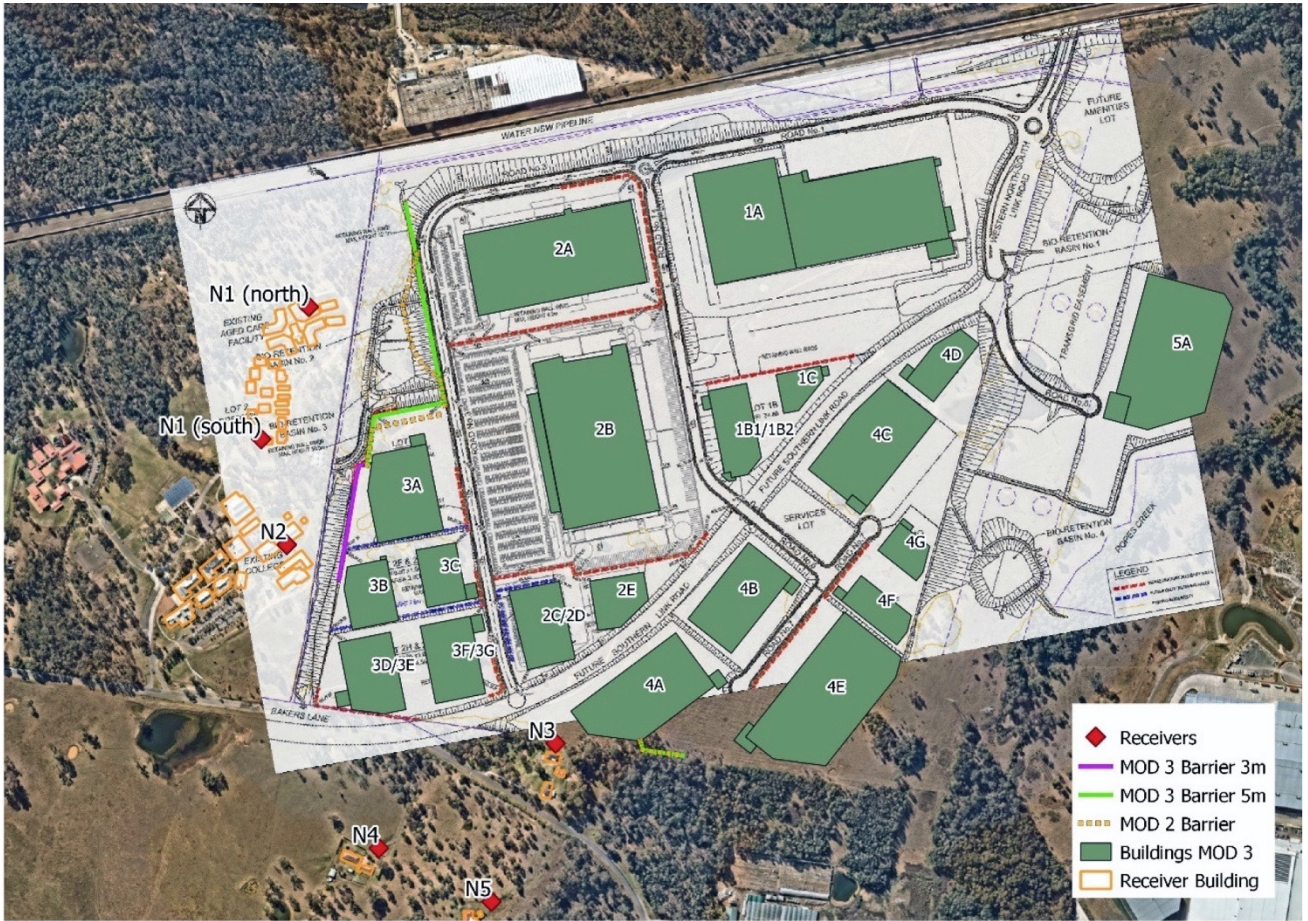


Figure 3: Noise Receivers and Noise Wall Locations