

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 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney *5 AUGUST* 2019

File: EF19/20251

SCHEDULE 1

Development Consent

Development Consent:

SSD 6917 granted by the then Minister for Planning on 26 October 2016

For the following:

The Staged Development Application for the Oakdale South Industrial Estate comprised of:

A Concept Proposal with:

- 395,880 m² of GFA comprised of 376,295 m² of warehousing and 19,585 m² of ancillary office floor space;
- six development precincts with a total of 15 building envelopes; and
- conceptual lot layout, site levels, road layout, urban design controls, conceptual landscape designs and infrastructure arrangements.

A Stage 1 Development Application including:

- staged subdivision;
- construction of bulk and detailed earthworks;
- construction of internal estate roads, water, sewer, telecommunications and gas infrastructure;
- construction of stormwater management devices;
- installation of estate landscaping; and
- construction and operation of nine warehouse and distribution buildings across precincts 1, 4 and 5 as follows:
 - Precinct 1: five warehouse buildings with a total GFA of 104,739 m²;
 - Precinct 4: three warehouse buildings with a total GFA of 48,256 m²; and
 - Precinct 5: one warehouse building with a GFA of 84,075 m².

Modification 10

Modification Application:

SSD 6917 MOD 10

Applicant:

Goodman Property Services (Aust) Pty Ltd

Consent Authority:

Minister for Planning and Public Spaces

Land:

Lot 12 in Deposited Plan 1178389 and Lot 87 in Deposited Plan 752041,
Kemps Creek, Penrith local government area

Modification:

Modification to enable storage of dangerous goods within
Warehouse 1D.

SCHEDULE 2

This consent is modified as follows:

1. Delete the following definitions:

SSD 6917 MOD 1	The Section 96(2) modification application lodged by the Applicant on 18 November 2016 to amend the Concept Proposal and Stage 1 DA layouts of the Oakdale South Industrial Estate.
SSD 6917 MOD 3	The section 4.55(1A) modification application lodged by the Applicant on 5 April 2017 to temporarily extend the permissible construction hours for fill importation under the Stage 1 DA, excluding the proposed amendments to the management at Appendix E of the modification application
SSD 6917 MOD 4	The section 4.55(1A) modification application lodged by the Applicant on 29 June 2017 to amend the Concept Proposal and Stage 1 DA layouts, estate road network and landscaping of the Oakdale South Industrial Estate and all supporting documentation
SSD 6917 MOD 5	The section 4.55(1) modification application lodged by the Applicant on 11 October 2017 to amend Condition E27A and Condition E37
SSD 6917 MOD 6	The section 4.55(1A) modification application lodged by the Applicant on 25 January 2018 to amend the Vegetation Management Plan, Biodiversity Offset Strategy, Condition E46, Condition E47 and the Landscape Plans
SSD 6917 MOD 7	The section 4.55(1A) modification application lodged by the Applicant on 19 February 2018 to add additional hardstand and amend the E2 Environmental Conservation zone
SSD 6917 MOD 8	The section 4.55(1A) modification application lodged by the Applicant on 17 December 2019 to increase the maximum height limit for Precinct 5 from 15 m to 16.5 m.
SSD 6917 MOD 9	The section 4.55(1A) modification application lodged by the Applicant on 21 February 2019 to amend the Concept proposal plan by consolidating the two warehouses in Precinct 6 into one warehouse.

2. Insert the following definitions in alphabetical order:

Modification Assessments

The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act:

- a) Modification Application SSD 6917 MOD 1 lodged by the Applicant on 18 November 2016 to amend the Concept Proposal and Stage 1 DA layouts of the Oakdale South Industrial Estate
- b) Modification Application SSD 6917 MOD 3 lodged by the Applicant on 5 April 2017 to temporarily extend the permissible construction hours for fill importation under the Stage 1 DA, excluding the proposed amendments to the management at Appendix E of the modification application
- c) Modification Application SSD 6917 MOD 4 lodged by the Applicant on 29 June 2017 to amend the Concept Proposal and Stage 1 DA layouts, estate road network and landscaping of the Oakdale South Industrial Estate
- d) Modification Application SSD 6917 MOD 5 lodged by the Applicant on 11 October 2017 to amend Condition E27A and Condition E37
- e) Modification Application SSD 6917 MOD 6 lodged by the Applicant on 25 January 2018 to amend the Vegetation Management Plan, Biodiversity Offset Strategy, Condition E46, Condition E47 and the Landscape Plans
- f) Modification Application SSD 6917 MOD 7 lodged by the Applicant on 19 February 2018 to add additional hardstand and amend the E2 Environmental Conservation zone
- g) Modification Application SSD 6917 MOD 8 lodged by the Applicant on 17 December 2019 to increase the maximum height limit for Precinct 5 from 15 m to 16.5 m.
- h) Modification Application SSD 6917 MOD 9 lodged by the Applicant on 21 February 2019 to amend the Concept proposal plan by consolidating the two warehouses in Precinct 6 into one warehouse.
- i) Modification Application SSD 6917 MOD 10 lodged by the Applicant on 19 June 2019 to enable storage of dangerous goods within Warehouse 1D.

In Schedule B

3. Delete Condition B4 and replace with the following:

B4. The Applicant shall carry out the Development generally in accordance with the:

- a) EIS and RTS;
- b) the letter titled 'Re: SSD6917 Oakdale South Industrial Estate, TransGrid Easement Flood Extents', ref 14-193-ATL-TRANSGRID-L2, prepared by At&I, dated 18 May 2016 and all appendices;
- c) the Supplementary Response to Submissions titled 'Re: Oakdale South Estate SSDA_6917' and all annexures, prepared by Urban Advisory Services, dated 12 July 2016;
- d) the letter report titled 'Oakdale South Estate, Operational Noise Contours, Adverse Weather Conditions', prepared by SLR, dated 13 July 2016;
- e) the letter titled 'Re: Oakdale South Estate - State Significant Development Application Ref. 6917' and all annexures, prepared by Urban Advisory Services, dated 8 September 2016;
- f) Modification Assessments
- g) the development layout plans and drawings listed at Appendix 1; and
- h) the Management and Mitigation Measures (see Appendix 3).

In Schedule D

4. Delete Condition D2 and replace with the following:
- D2. Development Consent is granted to the 'Stage 1 works' as described in Schedule A, the conditions contained in this Development Consent and the EIS, as amended by the RTS and Modification Assessments.
5. Delete Condition D3 and replace with the following:
- D3. The Applicant shall carry out the Development in accordance with the:
- EIS and RTS;
 - the letter titled 'Re: SSD6917 Oakdale South Industrial Estate, TransGrid Easement Flood Extents', ref 14-193-ATL-TRANSGRID-L2, prepared by At&I, dated 18 May 2016 and all appendices;
 - the Supplementary Response to Submissions titled 'Re: Oakdale South Estate SSDA_6917' and all annexures, prepared by Urban Advisory Services, dated 12 July 2016;
 - the letter report titled 'Oakdale South Estate, Operational Noise Contours, Adverse Weather Conditions', prepared by SLR, dated 13 July 2016;
 - the letter titled 'Re: Oakdale South Estate - State Significant Development Application Ref. 6917' and all annexures, prepared by Urban Advisory Services, dated 8 September 2016;
 - Modification Assessments
 - the development layout plans and drawings listed at Appendix 1; and
 - the Management and Mitigation Measures (see Appendix 3).

In Schedule E

6. Insert new Conditions after E54. as follows:

E54A. The storage of dangerous goods within Warehouse 1D must not exceed the quantities provided in Table 1 (below).

Table 1: Warehouse 1D Dangerous Goods Storage

Area	Class	Packing Group	Quantity (L or KG)
General Warehouse	2.1 (aerosols)^	N/A	556,554 L / 139,139 kg
	3	II & III	494,678 L
	4.1	II & III	7,051
	5.1	III	58,724
Autostore*	2.1 (aerosols)	N/A	290kg
	3	II & III	16,750 L
	5.1	II & III	450 L

^ The quantity of aerosols is in relation to the quantity of liquefied petroleum gas (LPG) contained in aerosol cans as propellant.

* Minor quantities of Class 4, 8 and 9 (<100 L) are not listed in the table.

Pre-construction

- E54B. Prior to the commencement of operation of SSD 6917 MOD 10, the Applicant shall implement all recommendations of the Preliminary Hazard Analysis prepared by RiskCon Engineering dated 20 May 2019.
- E54C. The Applicant shall submit the following studies to the Secretary no later than one month prior to the commencement of works associated with SSD 6917 MOD 10 (other than preliminary works), or within such further period as the Secretary may agree.
- A Fire Safety Study for the proposed project. This study shall cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety

Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall meet the requirements of Fire and Rescue NSW.

- b) A Final Hazard Analysis (FHA) of the development prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'. The FHA must specifically address all possible fire hazards and provide details of early heat/smoke/fire detection systems to be included in the design.

Pre-commissioning

E54D. Prior to commissioning, the Applicant shall develop and implement the plans and systems set out under subsections a) to b) below. The Applicant shall submit to the Secretary documentation describing the plans and systems no later than two months prior to the commencement of commissioning of the proposed project, or within such further period as the Secretary may agree.

- a) A comprehensive Emergency Plan and detailed emergency procedures for the proposed project. This plan shall include detailed procedures for the safety of all people outside of the project who may be at risk from the project. The plan shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.
- b) A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. The Safety Management System shall be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site and shall be available for inspection by the Secretary upon request.

Ongoing

E54E. Twelve months after the commencement of SSD 6917 MOD 10 operations and every five years thereafter, or at such intervals as the Secretary may agree, the Applicant shall carry out a comprehensive Hazard Audit of the development and within one month of each audit submit a report to the Secretary.

The audits shall be carried out at the Applicant's expense by a qualified person or team, independent of the Development, approved by the Secretary prior to commencement of each audit. The Hazard Audit shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'.

7. Insert new Condition after Condition E77 as follows:

FIRE SAFETY

E78. Prior to the issue of the relevant construction certificate for, or commencement of operation of, SSD 6917 MOD 10 the Applicant shall undertake consultation with FRNSW with regard to the fire and life safety systems for the development.

End of modification

(SSD 6917 MOD 10)