

Modification of Development Consent

Section 4.55(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.



Chris Ritchie
Director
Industry Assessments

Sydney 15 JUNE

2018

File: EF18/3514

SCHEDULE 1

Application No:	SSD 6917
Applicant:	Goodman Property Services (Aust) Pty Ltd
Consent Authority:	Minister for Planning
Development:	Oakdale South Industrial Estate, Lot 12 DP 1178389 and Lot 87 DP 752041, Kemps Creek, Penrith local government area
Date of Original Consent:	26 October 2016
Modification:	SSD 6917 MOD 6 – Amendments to the Vegetation Management Plan, Biodiversity Offset Strategy, Landscape Plans, Condition E46 and Condition E47

SCHEDULE 2

This consent is modified as follows:

1. Delete all references to "section 96(1A)" and replace with "section 4.55(1A)".

2. Delete the definition for "Development" and replace with:

Development	The development as described in the EIS, RTS known as SSD 6917 for the Oakdale South Industrial Estate, approved by this Development Consent and as described in Schedule A and modified by the section 4.55(2) modification application (SSD 6917 MOD 1), the section 4.55(1A) modification application (SSD 6917 MOD 3), the section 4.55(1A) application (SSD 6917 MOD 4), the section 4.55(1) application (SSD 6917 MOD 5) and the section 4.55(1A) application (SSD 6917 MOD 6)
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3. Insert the following definitions in alphabetical order:

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
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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
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In Schedule B: Conditions of Consent for Concept Proposal

4. Delete and replace Condition B4 as follows:

- 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) the section 4.55(2) Modification Application prepared by Urbis, dated 4 November 2016 and all supporting information;
 - (g) the section 4.55(1A) Modification Application SSD 6917 MOD 3, prepared by Goodman, dated 5 April 2017 and all supporting documentation, excluding Appendix E;
 - (h) the section 4.55(1A) Modification Application SSD 6917 MOD 4, prepared by Urbis, reference: "Oakdale South MOD 4_Final" and all supporting documentation;
 - (i) the section 4.55(1) Modification Application SSD 6917 MOD 5, prepared by Goodman, dated 1 November 2018 and all supporting information;
 - (j) the section 4.55(1A) Modification Application SSD 6917 MOD 6, prepared by Goodman, dated 26 March 2018 and all supporting information;
 - (k) the development layout plans and drawings listed at **Appendix 1**; and
 - (l) the Management and Mitigation Measures at **Appendix 3**.

In Schedule D: Conditions of Consent for the Stage 1 DA

5. Delete and replace Condition D2 as follows:

- 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 SSD 6917 MOD 1, SSD 6917 MOD 3, SSD 6917 MOD 4, SSD 6917 MOD 5 and SSD 6917 MOD 6.

6. Delete and replace Condition D3 as follows:

- D3. The Applicant shall carry out the Development 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) the section 96(2) Modification Application prepared by Urbis, dated 4 November 2016 and all supporting documentation;
 - (g) the section 96(1A) Modification Application SSD 6917 MOD 3, prepared by Goodman, dated 5 April 2017 and all supporting documentation, excluding Appendix E;
 - (h) the section 96(1A) Modification Application SSD 6917 MOD 4, prepared by Urbis, reference: "Oakdale South MOD 4_Final" and all supporting documentation;
 - (i) the section 4.55(1) Modification Application SSD 6917 MOD 5, prepared by Goodman, dated 1 November 2018 and all supporting information;
 - (j) the section 4.55(1A) Modification Application SSD 6917 MOD 6, prepared by Goodman, dated 26 March 2018 and all supporting documentation;
 - (k) the development layout plans and drawings listed at **Appendix 1**; and
 - (l) the Management and Mitigation Measures at **Appendix 3**.

In Schedule E: Environmental Performance and Management

7. Delete and replace Condition E10 as follows:

- E10. Prior to the commencement of construction works for any estate road(s) that connects to the existing public road network and works within any estate road(s) reserve(s), the Applicant shall obtain approval for the works under section 138 of the *Roads Act 1993*.
8. Delete and replace Condition E12 as follows:
- E12. Following the issue of a Subdivision Certificate, the internal access roads shall be dedicated to the relevant roads authority. Prior to any dedication, the Applicant shall ensure that the construction of the internal access roads have been completed to the satisfaction of the relevant roads authority. Despite any formal dedication, the Applicant shall remain responsible for the maintenance of the roads and road reserves for the duration of the maintenance period, being 12 months from the date of dedication of the road to the roads authority.
9. Delete and replace Condition E46 as follows:
- E46. Within 12 months of the date of this consent, or as otherwise agreed by the Secretary, the Applicant shall retire 158 ecosystem credits to offset the removal of native vegetation on-site.
10. Delete and replace Condition E47 as follows:
- E47. Prior to the issue of any Construction Certificate that includes creek realignment works, the Applicant shall submit a revised **Vegetation Management Plan** (VMP). The revised VMP shall;
- be submitted to the satisfaction of the Secretary;
 - be prepared in consultation with the OEH;
 - be consistent with the management measures and recommendations of the draft Vegetation Management Plan prepared by EcoHort Pty Ltd, dated 31 August 2015; and
 - be implemented for a period of no less than five (5) years.
11. Insert new Condition E47A immediately after Condition E47 as follows:
- E47A. The management actions of any BioBanking Agreement applicable to the site are to be implemented.
12. Delete and replace Condition E61 as follows:
- E61. Prior to the commencement of construction, the Applicant shall prepare and submit a **Landscape Management Plan** (LMP) to the satisfaction of the Secretary. The LMP shall:
- be prepared in consultation with Council and submitted to the Secretary;
 - ensure landscaping is undertaken in accordance with the Landscape Plans prepared by Site Image contained within the EIS as amended by the RTS and 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;
 - ensure that provisions are made for landscaping at the western boundary of Lot 1A to be established prior to the commencement of works for Building 1A;
 - detail the management measures to be implemented for the maintenance of the perimeter landscape treatments along the southern and eastern boundaries, including the earth bund wall along the southern property boundary of the site, for the life of the Development;
 - detail the management measures to be implemented for the maintenance of the internal landscaping, for the life of the development; and
 - be updated within six months of the approval of SSD 6917 MOD 6.

In the Appendices

13. Delete and replace the "Concept Landscape Plans prepared by Site Image Landscape Architects" in Appendix 1 as follows:

Concept Landscape Plans prepared by Site Image Landscape Architects			
Drawing No.	Rev.	Name of Plan	Date
LR-003	Q	Landscape Concept Master Plan	03/04/2018
LR-004	Q	Typical Site Section	03/04/2018
LR-005	Q	Southern Boundary Landscape Section	03/04/2018
LR-006	Q	Eastern Boundary Landscape Section	03/04/2018
LR-007	Q	Vegetation Typologies	03/04/2018
LR-008	Q	Typical Species List and Reference Table	03/04/2018
LR-009	Q	Street Tree Master Plan	03/04/2018

LR-010	Q	Streetscape Typical Detail	03/04/2018
LR-011	Q	Landscape Node 1 – Plan & Section	03/04/2018
LR-012	Q	Landscape Node 2 – Plan / Section	03/04/2018
LR-013	Q	Stage 1 Development	03/04/2018

14. Delete and replace the "Stage 1 DA Landscape Plans prepared by Site Image Landscape Architects" in Appendix 2 as follows:

Stage 1 DA Landscape Plans prepared by Site Image Landscape Architects			
Drawing No.	Rev.	Name of Plan	Date
ELW-001	Q	Stage 1 Development Works – Landscape Plan	03/04/2018
ELW-002	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-003	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-004	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-005	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-006	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-007	Q	Estate Landscape Works – Landscape Plan	03/04/2018
ELW-008	Q	Estate Landscape Works - Landscape Plan	03/04/2018
ELW-009	Q	Estate Landscape Works - Landscape Plan	03/04/2018
ELW-010	Q	Estate Landscape Works - Typical Landscape Details & Plan Schedule	03/04/2018
ELW-011	Q	Estate Landscape Works - Typical Landscape Details	03/04/2018
LP1-001	Q	Lot Landscaping – Precinct 1	03/04/2018
LP1-002	Q	Lot Landscaping – Precinct 1 – Primary Presentational Frontage – Typical Landscape Detail Plan	03/04/2018
LP1-003	Q	Secondary Presentational Frontage Plan – Typical Landscape Detail Plan	03/04/2018
LP1-004	Q	Lot Landscaping – Precinct 1 – Planting Palette	03/04/2018