

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of 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 in Schedule 2.



Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Sydney

21/4/2020

SCHEDULE 1

Applicant 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, Kemps Creek NSW 2178
For the following:	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; and
- works including construction of traffic signals at Lenore Drive/Grady Crescent/WNSLR intersection.

Date of Original Consent: 13 September 2019

Modification: SSD 7348 MOD 2 – 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 1, SSD 7348 MOD 2, SSD 7348 MOD 3 and SSD 7348 MOD 4.

2. Insert the following definition in alphabetical order:

Building 1A Warehouse building 1A including high-bay (39 metres) and low-bay (28 metres) components, located on Lot 1A as described in the EIS and RtS for MOD 2

SSD 7348 MOD 2 The section 4.55(2) modification application prepared by Goodman Property Services (Aust) Pty Ltd titled 'Section 4.55(2) Modification Applicant (SSD 7348 MOD 2) Oakdale West Estate – Amendments to Concept Plan and Stage 1 Development', dated 12 December 2019.

In Schedule B: Conditions for the Concept Proposal

3. Replace Table 1 in Condition B9 as follows:

Table 1: GLA Maximum for Concept Proposal

Land Use	Maximum GLA square metres (m ²)
Total Warehousing	529,101
Total Office	23,374
Other	4,349
Total GLA	556,824

4. Insert the following Note after Table 1 in Condition B9 as follows:

Note: Other includes but is not limited to the skybridge, gatehouse, dangerous goods store and energy complex in Building 1A.

5. Insert Condition B9(g) after Condition B9(f) as follows:

B9(g) all traffic associated with operation of the Development shall use the West North South Link Road, and the future SLR, to access the site and shall not use Bakers Lane or Aldington Road.

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

Table 1: Development Controls

Development Aspect	Control
- Building 1A	39 m

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

B11. except Building 1A in Precinct 1,

8. Insert a new row in Table 3 in Condition B18 as follows:

Table 2: Noise Limits dB(A)

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AMax}
All other non-associated residences	40 ²	35 ²	35 ²	52

9. Insert the following notes after Table 3 in Condition B18:

Notes:

- Noise generated by the development is to be measured in accordance with the relevant procedures and modifications, including certain meteorological conditions, of the Noise Policy for Industry (EPA, 2017). Refer to the plan in Appendix 2 for the location of residential sensitive receivers.
- or background + 5 dB, whichever is higher.

In Schedule D: Conditions for Stage 1

10. Insert new Condition D6(c) as follows:

D6(c) all construction traffic associated with the Stage 1 warehouse buildings (Buildings 1A, 1B and 1C) must use the West North South Link Road to access the site.

11. Replace Table 4 in Condition D6 as follows:

Table 3: GLA Maximum for Stage 1

Land Use	Maximum GLA (m ²)
Total Warehousing	81,286
Total Office	4,151
Other	4,004
Total GLA	89,440

12. Insert the following Note after Table 4 in Condition D6 as follows:

Note: Other includes but is not limited to the skybridge, gatehouse, dangerous goods store and energy complex in Building 1A.

13. Insert new Condition D43A as follows:
- D43A Prior to construction of any signage for Stage 1, the Applicant must consult with Council on the final signage strategy and obtain approval of the final signage strategy from the Planning Secretary.
14. Insert new Condition D45A as follows:
- D45A Prior to construction of Building 1A, the Applicant must submit a final architectural design for Building 1A detailing building articulation, colour schemes and signage. The Applicant must not commence construction of Building 1A until the final architectural design is approved by the Planning Secretary.
15. Insert the additional words in Condition D65(i) after the words 'construction traffic management approved under':
- 'MOD 2 and'
16. Replace Condition D69(b) with the following:
- D69(b) parking for Stage 1 is provided in accordance with the EIS and RtS for MOD 2;
17. Insert new Condition D69A as follows:
- Operational Traffic Management Plan**
- D69A The Applicant must prepare an Operational Traffic Management Plan (OTMP) for Stage 1. The OTMP must form part of the OEMP required by condition D130 and must:
- (a) be prepared by a suitably qualified and experienced expert, in consultation with Council and TfNSW;
 - (b) detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
 - (c) include measures to maintain road safety and network efficiency;
 - (d) detail measures to minimise traffic noise, including procedures for receiving and addressing complaints from the community about Stage 1 related traffic and noise;
 - (e) include a Driver's Code of Conduct that addresses:
 - (i) travelling speeds and adherence to site-specific speed limits;
 - (ii) procedures to ensure drivers adhere to designated heavy vehicle routes; and
 - (iii) procedures to ensure drivers implement safe driving practices.
18. Insert new Condition D69B as follows:
- D69B The Applicant must:
- (a) not commence operation of Stage 1 until the OTMP required by condition D69A is approved by the Planning Secretary; and
 - (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of operation.
19. Insert new Condition D75(c)(v) after D75(b)(iv) as follows:
- (v) include monitoring during the night-time to confirm the development complies with the sleep disturbance limits in Condition B18.
20. Insert new Condition D75(c) as follows:
- Noise Barrier**
- D75(c) The Applicant must install the noise barrier as shown on Figure 7B in Appendix 5, no later than 31 October 2020, unless the noise barrier is installed in accordance with Condition D75(a).
21. Delete Condition D109 and replace it with new Condition D109 as follows:

D109. The storage of dangerous goods in Building 1A must not exceed the quantities provided in Table 6.

Table 6: Maximum storage quantities of dangerous goods

Class	Description	Packing Group	Quantity (kg)
1.4s	Explosives	n/a	20,000
2.1	Flammable gas (LPG)	n/a	7,500L /4125
2.1	Flammable Gas (LPG) – kitchen	n/a	450L / 247.5
2.1	Flammable gas (aerosols)	n/a	70,000*
2.2	Non-flammable, non-toxic gas (aerosols)	n/a	25,000
3	Flammable liquids	II & III	300,000
4.1	Flammable solids	III	24,000
5.1	Oxidising agents	III	25,000
6.1	Toxic substances	III	45,000
8	Corrosive substances	II & III	45,000
9	Miscellaneous Dangerous Goods	III	105,000

*This refers to the quantity of LPG within the aerosols and not the total package weight. The LPG content within the cannisters is typically around 25% of product weights.

22. Insert new Condition D109(a) as follows:

Pre-construction

D109(a) The Applicant must prepare the studies set out under subsections (b) to (c) below (the pre-construction studies). Construction, other than of preliminary works that are outside the scope of the hazard studies, must not commence until study recommendations have been considered and, where appropriate, acted upon. The Applicant must submit the studies to the Planning Secretary no later than one month prior to the commencement of construction of Building 1A (other than preliminary works), or within such further period as the Planning Secretary may agree.

- (b) A Fire Safety Study for Building 1A. This study must cover the relevant aspects of the Department of Planning'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 must meet the requirements of Fire and Rescue NSW.
- (c) A Final Hazard Analysis (FHA) of Building 1A, consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'*. The FHA must report:
 - layout of dangerous goods storage area for specific dangerous goods classes;
 - firewall and fire safety requirement between the dangerous goods storage and Energy Complex 2
 - implementation of all recommendations of the Preliminary Hazard Analysis prepared by RiskCon Engineering dated 24 October 2019
 - compliance with all relevant standards.

Pre-commissioning

- (a) Prior to commissioning Building 1A, the Applicant must develop and implement the plans and systems set out under subsections (b) to (c) below. The Applicant must submit to the Planning Secretary documentation describing the plans and systems no later than two months prior to

the commencement of commissioning of Building 1A, or within such further period as the Planning Secretary may agree.

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

Post-startup

Hazard Audit

- (a) Twelve months after the commencement of operation of Building 1A and every five years thereafter, or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of Building 1A and within one month of each audit submit a report to the Planning Secretary.

The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, and must be consistent with the Department of Planning's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*.

23. Insert the following into Condition D131(c) after Condition D131(c)(iii):

(iv) Operational Traffic Management Plan (see Condition D69A)

In the Appendices

24. Delete Table 7 in Appendix 2 and replace it with the following:

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

25. Replace Figures 3, 4 and 5 in Appendix 2 with two new figures as follows:

Figure 3: Stage 1 DA Detail

Figure 4: Stage 1 Landscape Plan

26. Insert new Figure 7B in Appendix 5 as follows:

Figure 7B: Noise Receivers and Noise Wall Locations (MOD 2)

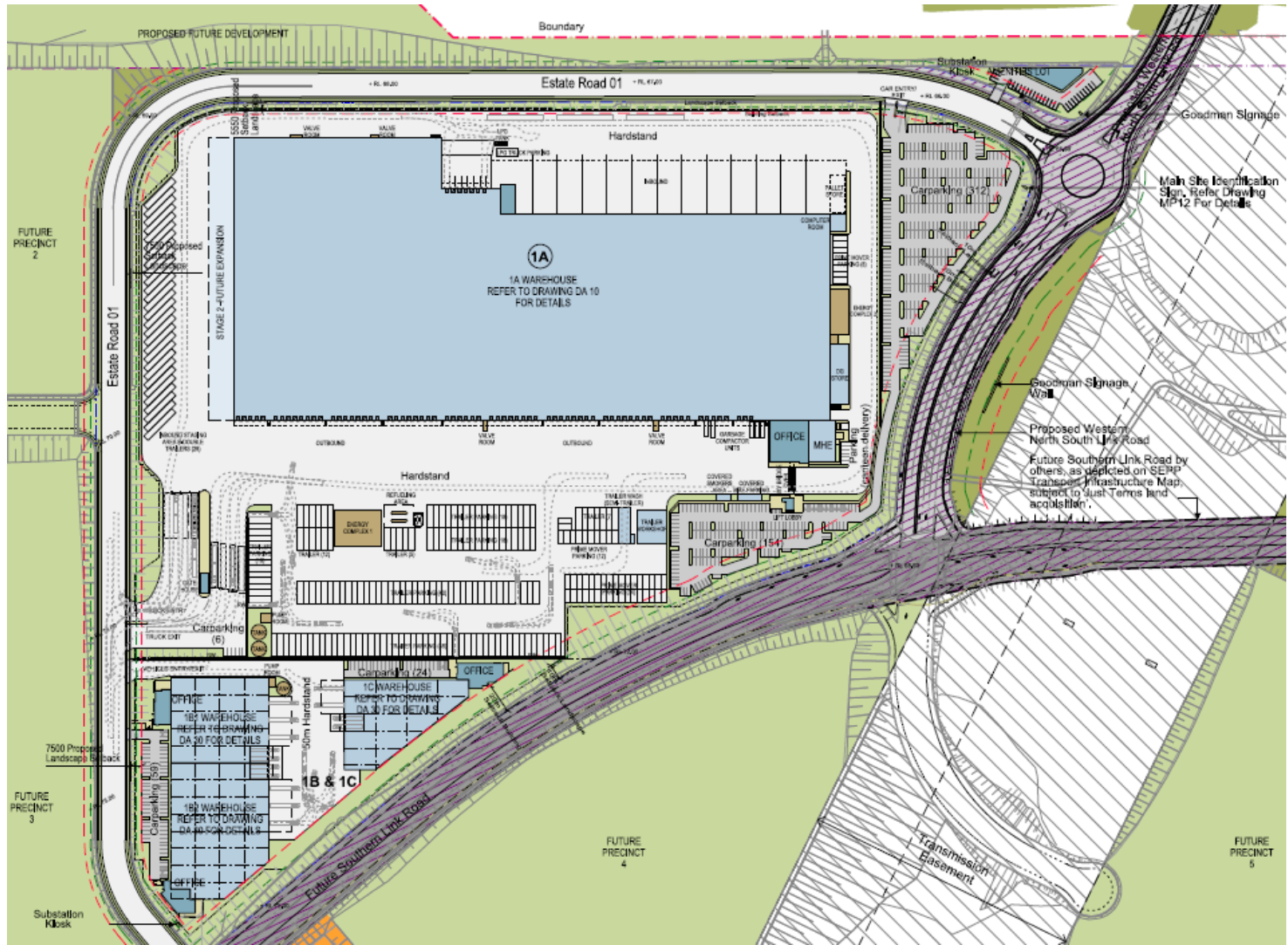


Figure 3: Stage 1 DA Layout



Figure 4: Stage 1 Landscape Plan

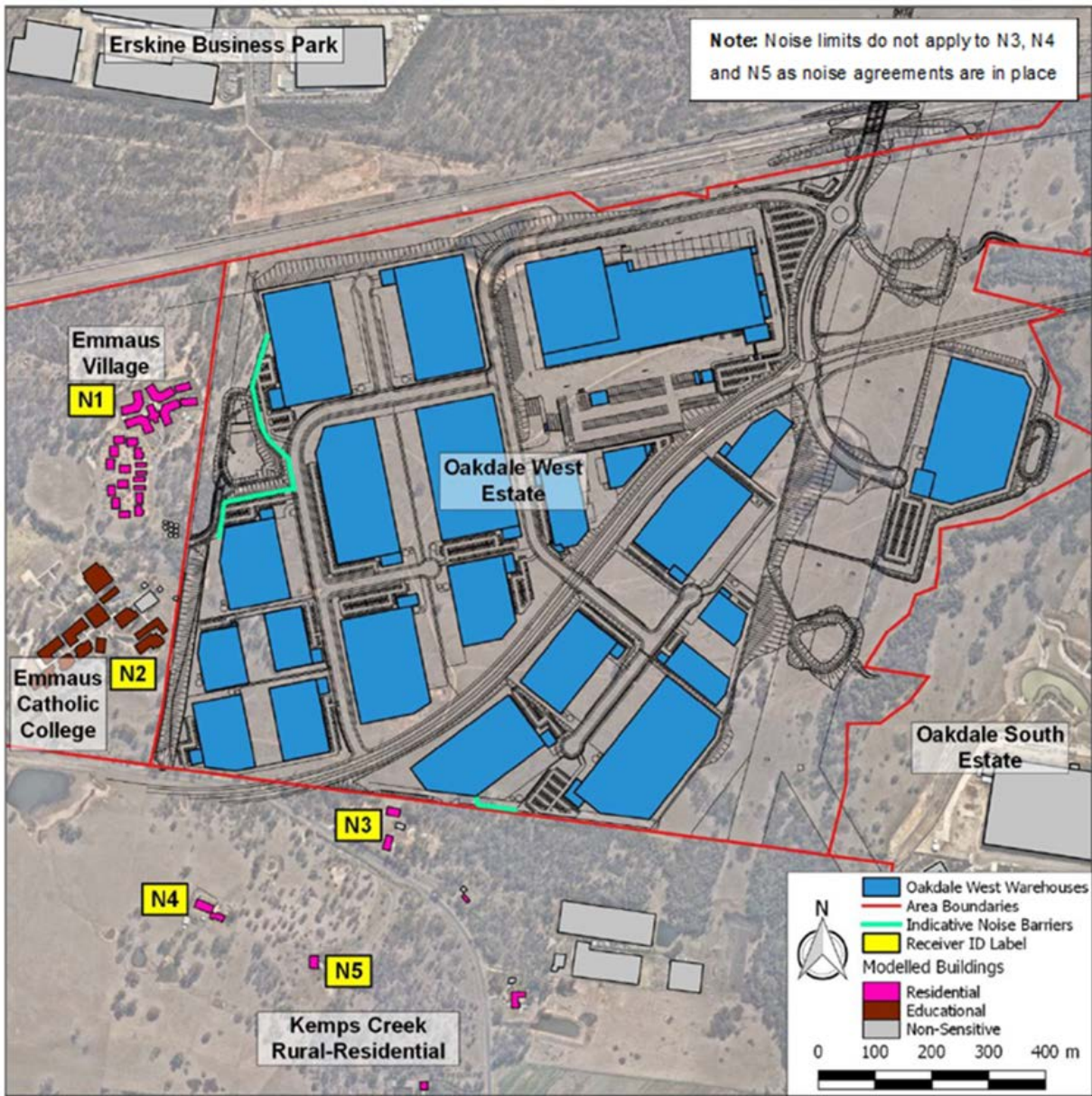


Figure 1B: Noise Receivers and Noise Wall Locations (MOD 2)