

# Modification of Development Consent

Section 4.56 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Dominic Crinnion  
**Director**  
**Infrastructure Management**

Sydney

22 July 2024

## SCHEDULE 1

**Development consent:** SSD-7709

**For the following:** Moorebank Intermodal Precinct West Stage 2 (MPW Stage 2), comprising:

- Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum, including:
  - a rail terminal with nine rail sidings and associated locomotive shifter
  - a rail link connection from the sidings to the rail link constructed under MPE Stage 1 (SSD-6766) to the Southern Sydney Freight Line (SSFL)
  - rail and truck container loading and unloading and container storage areas
  - truck waiting area and emergency truck storage area
  - container wash-down facilities and degassing area
  - mobile locomotive refuelling station
  - engineer's workshop, administration facility and associated car parking.
- Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) site.
- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
  - six warehouses with a total gross floor area (GFA) of
  - 215,000 m<sup>2</sup> and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking

- 800 m<sup>2</sup> freight village (operating from 7am to 6pm, 7 days/ week) including staff/ visitor amenities
- internal roads, noise wall, landscaping, lighting and signage.
- Intersection upgrades on Moorebank Avenue at:
  - Anzac Road providing site access
  - Bapaume Road for left turn only out of the site.
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.
- Construction works and temporary ancillary facilities, including:
  - vegetation clearing, top soil stripping and stockpiling and site earthworks and temporary on site detention
  - importation of up to 1,600,000 m<sup>3</sup> of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3 m
  - materials screening, crushing and washing facilities
  - importation and placement of engineering fill and rail line ballast
  - installation and use of a concrete batching plant
  - utilities installation/ connection.

**Applicant:** Woolworths Group Limited

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** Moorebank Avenue, Moorebank

Lot 1 DP 1197707                      Lot 100 DP 1049508  
 Lot 101 DP 1049508                  Lot 2 DP 1197707  
 Part Lot 3 DP 1197707  
 Part Anzac Road and Moorebank Avenue public road reserves

**Modification:** **SSD-7709-MOD-3:** changes to the quantities and classes of dangerous goods that can be stored in Warehouse JR and JN.

## SCHEDULE 2

The consent is modified as follows:

Note:

Text that has been deleted is shown as: ~~deleted~~

Text that has been added is shown as: added

1. In Schedule 1, amend the 'Applicant' as follows:

**Applicant**

~~Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited~~

The Trust Company Limited (ACN 004 027 749)

2. In the table of 'Definitions', insert new term and definition as follows:

<u>Warehouse JR and JN Distribution Precinct</u>	<u>The premises occupied by Warehouse JR and JN, and associated facilities, structures, and other development elements.</u>
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3. In Schedule 2, amend condition 'A3' as follows:

- A3. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; ~~and~~
  - (d) in accordance with the modification application SSD-7709-Mod-3 and supporting documentation; and
  - (e) in accordance with the management and mitigation measures in Appendix 2.

4. In Schedule 2, amend condition 'A42' and insert new condition 'A42A' as follows:

- A42. Unless stated otherwise in this consent, the Applicant ~~with the approval of the Planning Secretary~~ may:
- (a) prepare and submit any strategy, plan or program required by this consent as part of the construction or operational environmental management plan on a staged basis;
  - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- Note:** Documents that cannot be staged include Development Layout Drawings required under Condition B2, and Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required under Condition B4, and Site Audit Statement required under Condition B169.

**A42A. Any strategy, plan or program prepared in accordance with Condition A42, where previously approved by the Planning Secretary under this consent,**

**that is subsequently updated in accordance with Condition A42(c), must be submitted to the satisfaction of the Planning Secretary.**

5. In Schedule 2, amend conditions 'B176A' to 'B176B' as follows:

B176. The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department's Hazardous and Offensive Development Guidelines Applying SEPP 33 (January 2011), with the exception of dangerous goods storage ~~for at the~~ Warehouses JR and JN **Distribution Precinct.**

B176A. The storage of dangerous goods and combustible materials ~~within at the~~ Warehouses JR and JN **Distribution Precinct** must not exceed the maximum storage quantities listed in ~~Table 7~~ **Table 3-8 of the Preliminary Hazard Analysis prepared by Riskcon Rev 1 (Document No. RCE-21050) dated 13 March 2023** at all times.;

**Table 7: Storage of dangerous goods within Warehouses JR and JN**

Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)
JR Warehouse	2.1	n/a	Liquefied Petroleum Gas (LPG) in bulk tank	3,080
	2.1	n/a	Aerosols with LPG propellant	40,000
	n/a	n/a	Diesel fuel (C1 combustible material)	60,000
JN Warehouse	1.4s	n/a	Explosives (i.e. party poppers)	200
	2.1	n/a	LPG in bulk tank	3,080
	3	II	Flammable liquids (i.e. paints)	32,700
	3	III	Flammable liquids (i.e. paints)	44,100
	4.1	III	Flammable solids (i.e. matches)	4,200
	5.1	III	Oxidising agents (i.e. hair dyes)	1,300
	8	II	Corrosive substances (i.e. cleaners)	12,00
8	III	Corrosive substances (i.e. cleaners)	33,000	

B176B. ~~Prior~~ **Unless otherwise agreed with the Planning Secretary, at least one month prior** to the commencement of ~~construction~~ **the storage of dangerous goods at the Warehouse JR and JN Distribution Precinct**, the ~~pre-construction~~ studies set out below must be ~~completed~~ **submitted to the Planning Secretary:**

(a) a Fire Safety Study for Warehouse JR and/or Warehouse JN, **addressing the storage of dangerous goods quantities listed in Table 3-8 of the Preliminary Hazard Analysis prepared by Riskcon Rev 1 (Document No. RCE-21050) dated 13 March 2023, and** covering 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 must ~~be prepared in consultation with~~ **satisfy the operational requirements of** Fire and Rescue NSW **and include documentary evidence that a suitably qualified and experienced person is satisfied that the Applicant constructed the Warehouse JR and JN Distribution Precinct in accordance with the fire safety systems and proposed designs assessed in the Fire Safety Study.**

(b) a Final Hazards Analysis for ~~the~~ Warehouse JR and ~~or~~ Warehouse JN **Distribution Precinct**, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis', **and addressing the storage of dangerous goods quantities listed in Table 3-8 of the Preliminary Hazard**

**Analysis prepared by Riskcon Rev 1 (Document No. RCE-21050) dated 13 March 2023.**

~~Construction of Warehouse JR or Warehouse JN, other than of preliminary works that are outside the scope of the hazards studies, Storage of dangerous goods at the Warehouse JR and JN Distribution Precinct~~ must not commence until ~~the relevant~~ study recommendations ~~for the subject warehouse~~ have been considered and, where appropriate, acted upon. ~~The studies must be submitted to the Planning Secretary no later than one month prior to the commencement of construction of relevant warehouse to which they apply (other than preliminary works), or within such further period as the Planning Secretary may agree.~~

- B176C. ~~Prior to the commissioning of~~ **Unless otherwise agreed with the Planning Secretary, at least one month prior to the commencement of the storage of dangerous goods at the** Warehouse JR and ~~Warehouse JN~~ **Distribution Precinct** (or prior to the ~~commissioning of~~ **commencement of the storage of dangerous goods** at the relevant warehouse, should the development be staged), the ~~pre-commissioning plans and systems~~ **plans** set out below must be ~~completed~~ **submitted to the Planning Secretary**:
- (a) a comprehensive Emergency Plan and detailed emergency procedures for the safety of all people outside ~~the~~ Warehouse JR and ~~/or Warehouse JN~~ **Distribution Precinct**, who may be at risk from the warehouse/s. The plan must 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 for ~~the~~ Warehouse JR and ~~/or Warehouse JN~~ **Distribution Precinct**. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. The Safety Management System shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site at all times and must be available for inspection by the Secretary upon request.
- ~~Documentation must be submitted to the Planning Secretary no later than two months prior to the commencement of commissioning of the proposed development, or within such further period as the Planning Secretary may agree.~~

6. In Schedule 2, amend condition 'B178' as follows:

- B178. Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment, ~~and locomotives~~ **and internal delivery trucks associated with the operation of the Warehouse JR and JN Distribution Precinct.**

**End of modification  
(SSD-7709-MOD-3)**