



Modification Report Section 4.55(1A) Modification

Elevation at Greystanes Estate Clunies Ross Street, Pemulwuy

**SSD 10399 Modification
Warehouse 1**



**Prepared for ISPT Pty Ltd c/- Aliro Management Pty Ltd
Submitted to Department of Planning and Environment**

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Appendix 5	Landscape Plan
Appendix 6	Noise Impact Assessment
Appendix 7	Air Quality Assessment
Appendix 8	SEPP Industry and Employment Assessment
Appendix 9	Stormwater Management Statement

1 Introduction

This Modification Report has been prepared by *Keylan Consulting Pty Ltd* (Keylan) to accompany a section 4.55(1A) application to modify the State Significant Development (SSD) consent for the Elevation at Greystanes Estate (SSD 10399), which was approved by the Department of Planning and Environment (DPE) on 2 July 2021 and subsequently modified on 2 occasions.

The application has been prepared on behalf of *ISPT Pty Ltd c/- Aliro Management Pty Ltd* (the Applicant) and is submitted to DPE pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed modification seeks changes to the built form, warehouse layout and number of car spaces associated with the approved Warehouse 1. The proposed changes to SSD 10399 (as modified) are as follows:

- reduction in warehouse gross floor area (GFA) from 18,912 m² to 17,168 m²
- reduction in the building ridge height from 25 m to 16.8 m
- increase in the number of car parking spaces from 125 spaces to 201 spaces
- relocation of the café and office space
- reorientation of the fire tanks and pump room to avoid a zone of influence issue with the Sydney Water easement
- use of building for refrigerated and temperature-controlled storage
- incorporation of dangerous goods (noting, the quantity will remain below the thresholds of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP))
- inclusion of plant room and equipment such as high-voltage kiosks and backup power generator
- internal fitout of pallet racking, automation systems and other process equipment to suit the Tenants operational requirements.

The following reports and updated plans have been prepared in support of this modification application (Table 1 and included as appendices to this report):

Appendices	Supporting Documentation
Appendix 1	Architectural Plans
Appendix 2	Traffic Impact Statement
Appendix 3	Preliminary Hazard Analysis
Appendix 4	Landscaping and Visual Impact Assessment
Appendix 5	Landscape Plan
Appendix 6	Noise Impact Assessment
Appendix 7	Air Quality Assessment
Appendix 8	Signage Assessment
Appendix 9	Stormwater Management Statement

Table 1: List of Appendices

This report concludes that the proposal is substantially the same development and will not result in any significant environment impacts. Accordingly, we recommend that the proposed modification be supported by DPE and approved.

2 The site

Elevation at Greystanes Estate (the site) is located on the western side of Clunies Ross Street in the Blacktown and Cumberland LGA's. The site comprises an area of approximately 18.6 hectares (ha) and forms part of the 90 ha Greystanes Northern Employment Lands (NEL) in the Western Sydney Employment Area (WSEA), under the *State Environmental Planning (Industry and Employment) 2021* (Industry and Employment SEPP).

The legal description of the site is as follows:

- Lot 4 in DP 1192514
- Lot 10 in DP 1022044
- Lot 107 in DP 1028208
- Lot 63 in DP 752051
- Lot 216 in DP 1030744
- Lot 601 in DP 1047403

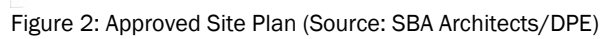
The location of the site is shown in Figure 1 below.



Figure 1: Aerial Image (Source: ISPT)

The site includes an easement for a water supply pipeline managed by Sydney Water, remnant vegetation along the northern boundary, between buildings and hardstand areas and a flood retention basin in the north west corner of the site.

Approved uses on site included cold storage, e-commerce, freight and logistics, food processing and other light industrial uses, consistent with the permissible land uses under the site's IN1 General Industrial zoning. The approved site layout is shown in Figure 2.



3 Background

On 2 July 2021, DPE approved SSD 10399 for the development of the site. SSD 10399 comprises a warehouse and logistics estate including construction, fit out and operation of seven warehouses, offices, a cafe, and associated infrastructure with a combined gross floor area of 95,150 square metres (m²).

Approved uses on site included cold storage, e-commerce, freight and logistics, food processing and other light industrial uses, consistent with the permissible land uses under the site's zoning.

3.1 Modification 1

On 21 December 2021, DPE approved a modification application to SSD 10399 to increase the quantity of dangerous goods that can be stored in Warehouse 2 above the thresholds identified in *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) (now the Resilience and Hazards SEPP).

3.2 Modification 2

On 2 March 2022, DPE approved a subsequent modification application to SSD 10399 for the amendments to the layout, built form and access arrangements for Warehouse 7 to meet the needs of the prospective food processing tenant.

3.3 Modification 3 (under preparation)

A separate modification application is currently under preparation which seeks changes to the approved built form, warehouse layout and access arrangements to the site. The proposed changes are as follows:

- consolidating Warehouses 3, 4 and 5 to a single building (to become Warehouse 3)
- amendments to Warehouse 6 to support a cold storage facility, with minor amendments to the layout.

4 Proposed modification to SSD 10399

The proposed modification seeks changes to the built form, warehouse layout and carparking spaces associated with Warehouse 1. The proposed changes to Warehouse 1 are summarised below:

- reduction in warehouse GFA from 18,912 m² to 17,168 m², reducing the overall warehouse site coverage to 47.79%
- reduction in the height of the building from 25 m to 16.8 m ridge
- increase in the number of car parking spaces from 125 spaces to 201 spaces
- relocation of the café and office space
- reorientation of the fire tanks and pump room to avoid a zone of influence issue with the Sydney Water easement
- use of building for refrigerated and temperature-controlled storage
- incorporation of dangerous goods (noting, the quantity will remain below the Resilience and Hazards SEPP thresholds)
- inclusion of plant room and equipment such as high-voltage kiosks and backup power generator
- internal fitout of pallet racking, automation systems and other process equipment to suit the Tenants operational requirements.

There are no proposed changes to the approved use, being a *warehouse and distribution centre and ancillary office and café*.

A scoping brief of the proposed modification was provided to DPE on 13 July 2022.

The proposed layout of Warehouse 1 is shown in Figure 3.

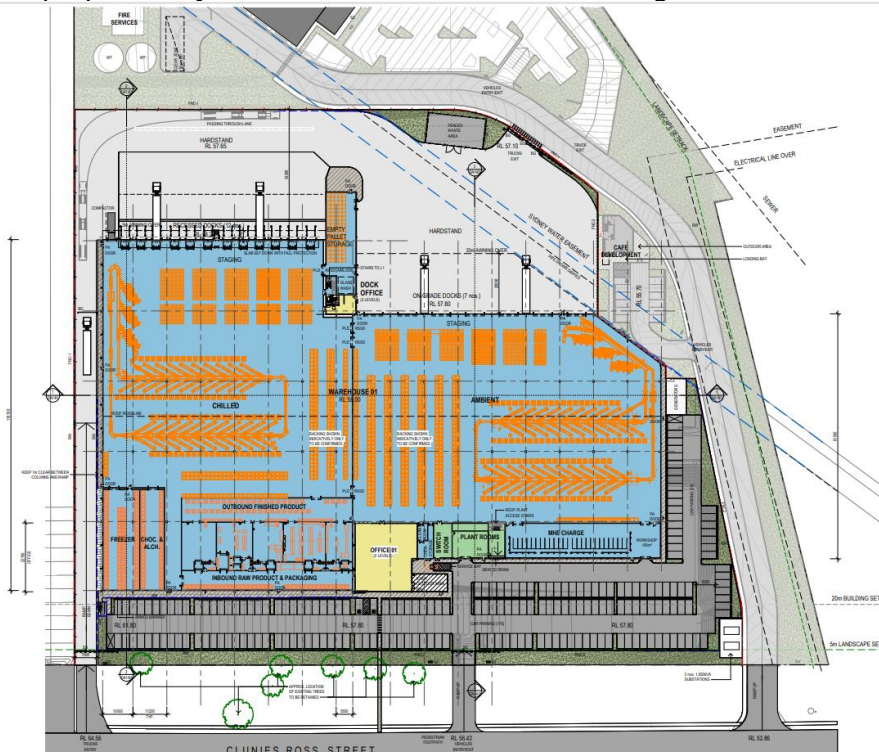


Figure 3: Proposed Warehouse 1 Site Plan (Source: Watson Young)

4.1 Request to modify the Conditions of Consent

The words proposed to be inserted are shown in *bold italics* and words proposed to be deleted are shown in ~~*bold italics strikethrough*~~.

4.1.1 Condition A7 – Limits of Consent

It is recommended that Condition A7 be amended as follows:

<i>Development Aspect</i>	<i>Control</i>
<i>Height from finished floor level:</i>	
Warehouse 1	25 m 16.8 m
Warehouse 2, 3, 4, 5, 6 and 7	13.7 m

4.1.2 Condition A8 – Limits of Consent

It is recommended that Condition A8 be amended as follows:

*Warehouse buildings 2, 3, 4, 5, 6 and 7 shall not exceed a ridgeline height measured from the finished floor level of 13.7 m (+/- 500 mm), excluding roof mounted mechanical plant and solar panels. Warehouse building 1 shall not exceed a ridgeline height of ~~**25 m**~~ **16.8 m** (+/- 500 mm), excluding roof mounted mechanical plant and solar panels.*

4.1.3 Appendix 1

Replace Figure 3 in Appendix 1 with the amended site layout plan, as shown in the Architectural Plans at Appendix 1.

5 Statutory Planning Framework

5.1 Environmental Planning and Assessment Act 1979

The EP&A Act sets out the statutory planning framework for NSW. The Act aims to promote the orderly and economic use and development of land, facilitate ecologically sustainable development and integrate economic, environmental and social considerations as part of the decision-making processes for environmental planning and assessment matters.

5.1.1 Section 4.55(1A) of the EP&A Act

The provisions under Section 4.55(1A) of the EP&A Act are required to be considered by the consent authority in determining a modification application. Section 4.55(1A) of the EP&A Act states:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

Section 4.55(1A) Provision	Response
(a) <i>it is satisfied that the proposed modification is of minimal environmental impact, and</i>	The proposed changes result in minimal visual, traffic, hazard or acoustic impacts. The proposed changes are a substantial improvement to the built form of the approved Warehouse 1 under SSD 10399. Consideration of the potential environmental impacts is provided at Section 6 of this report.
(b) <i>it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and</i>	The proposed changes include minor amendments to building form, layout, and access arrangements for the site. The proposed changes involve a decrease in the approved height and FSR, which are considered an improvement to the approved design. The approved use of the Warehouse as a <i>warehouse and distribution centre</i> remains consistent. No modifications are proposed to any other lots or buildings in the wider Elevation at Greystanes Estate. Therefore, the development as modified by this modification application would be substantially the same as the development for which consent was originally granted.
(c) <i>it has notified the application in accordance with:</i> <i>i. the regulations, if the regulations so require, or</i>	The application will be notified in accordance with the regulations.

Section 4.55(1A) Provision	Response
ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and	
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	Consideration will be given to any submission received.

Table 2: Section 4.55(1A) Assessment

5.1.2 Section 4.55(3) of the EP&A Act

Section 4.55(3) of the EP&A Act states:

In determining an application for modification of a consent under this section, the consent authority must take into consideration of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The following section of the report provides an assessment against the statutory environmental planning instruments relevant to the development. The section also includes discussion and evaluation of the key issues and matters for consideration under section 4.15(1) of the EP&A Act.

5.1.3 Section 4.15(1)(a) Planning Instruments

This section provides an assessment against section 4.15(1) of the EP&A Act.

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	The relevant environmental planning instruments are addressed at Section 5. The proposed modification will not impact the approved developments compliance with the planning instruments as described in the assessment below.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The relevant proposed environmental planning instruments are addressed at Section 5.

Relevant Provision	Comment
(iii) any development control plan, and	The site is on land subject to the <i>Blacktown Development Control Plan 2015</i> (BDCP 2015) and the <i>Holroyd Development Control Plan 2013</i> (HDCP 2013). Nonetheless, given the development is approved as SSD, the development controls for the site are established in condition A7 of SSD 10399. The proposed modification seeks changes to the relevant development controls in SSD 10399 as assessed in this application.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	The Applicant has progressed the process to enter into a planning agreement with the Minister for Planning and Public Spaces for the development of the site as part of SSD 10399. In accordance with Section 2.28 of the Industry and Employment SEPP, the Secretary of DPE has confirmed that satisfactory arrangements have been made with regard to the planning agreement for this development. The proposed modifications do not alter or impact any of the obligations under the draft planning agreement
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The requirements of the EP&A Regulations are addressed in Section 5.3.
(v) (Repealed)	N/A
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The impacts of the proposal are addressed in Section 6.
(c) the suitability of the site for the development,	Site suitability is addressed at Section 6.7.
(d) any submissions made in accordance with this Act or the regulations,	Any submissions made on this subject development application will be duly considered and addressed by Keylan. In addition, DPE will consider any public submissions relating to the proposal during its assessment.
(e) the public interest.	The original SSD application addressed public interest. Given the minor amendments proposed by this modification, the proposal remains consistent with the original assessment of the public interest.

Table 3: Section 4.15(1) Assessment

5.2 State Environmental Planning Policies

5.2.1 State Environmental Planning Policy (Industry and Employment) 2021

The Industry and Employment SEPP seeks to support diverse, inclusive and productive employment opportunities across the state, both on employment lands, and through opportunities to work flexibly.

Chapter 2 – Western Sydney employment area

Chapter 2 establishes the WSEA and identifies eleven precincts within its boundary, the site is located within Precinct 10 – Greystanes Northern Employment Lands. The Industry and Employment SEPP is the primary EPI applying to the site and establishes the site's planning controls.

An assessment against the provisions of Chapter 2 (former Western Sydney Employment Area SEPP) was provided as part of SSD 10399, this assessment remains relevant to the proposed modification.

Chapter 3 – Advertising and Signage

Chapter 3 aims to ensure that advertising and signage is well located, compatible with the desired amenity of an area and of high quality.

Chapter 3 applies to all signage, advertisements that advertise or promote any goods, services or events and any structure that is used for the display of signage that is permitted under another environmental planning instrument.

SSD 10399 was accompanied by an indicative signage strategy for building identification signs which will primarily be visible from the internal road and Clunies Ross Street. The revised Architectural Plans (Appendix 1) show the 4 proposed signs, with 2 on the eastern elevation and 1 each on the northern and southern elevations of Warehouse 1.

The proposed signage comprises an area of 40 m² per sign. The amendments to the signage are a result of the revised built form and tenants' requirements.

An assessment against Chapter 3 is provided at Appendix 8. The assessment concludes amended signage will be consistent with relevant provisions of the Industry and Employment SEPP.

5.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* seeks to reduce risk and build resilience in the face of natural hazards as well as development-related hazards.

Chapter 2 – Coastal management

Chapter 2 aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*.

Chapter 2 applies to land within the coastal zone which is comprised of the following areas identified by the SEPP maps:

- the coastal wetlands and littoral rainforests area
- the coastal vulnerability area
- the coastal environment area
- the coastal use area.

The coastal management map identifies a constructed dam at the north-western part of the site. The dam is identified as a coastal wetland, with an extended proximity area. As a result, development consent must not be granted unless the consent authority is satisfied that sufficient measures have been taken to protect the integrity of the coastal wetland.

The proposed amendments to Warehouse 1 will not impact the approved measures in place, as approved under SSD 10399. Accordingly, the original assessment against the Coastal Management SEPP (now Resilience and Hazards SEPP) remains relevant.

Chapter 3 – Hazardous and offensive development

Chapter 3 aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

A Hazards and Risk Analysis was undertaken by Riskon Engineering (Appendix 3). The analysis concludes the threshold quantities for the dangerous goods to be stored and transported do not exceed the thresholds. As such Chapter 3 of the Resilience and Hazards SEPP does not apply.

Further detail regarding the storage of dangerous goods is provided in Section 6.3.

5.3 Environmental Planning and Assessment Regulation 2021

There are no known matters prescribed by the *Environmental Planning and Assessment Regulation 2021* that are relevant to the consideration of this application. The proposal will remain compliant with the BCA.

6 Environmental Planning Assessment

The modification is consistent with the conclusion of the EIS submitted with SSD 10399 that found the development is compatible with the zoning of the land and generates employment within the WSEA, will result in minimal environmental impacts, appropriately mitigates any impacts on surrounding sensitive receivers and demonstrates consistency with the relevant environmental planning instruments.

Notwithstanding, Section 4.15(1) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built) and social and economic impacts. These are discussed in detail below.

6.1 Built Form

The proposed modification involves amendments to the approved layout, built form and overall design of Warehouse 1. The reconfiguration will result in a decreased warehouse GFA and height.

Changes to the approved GFA and Warehouse height is provided in Table 4.

Aspect	Approved	Proposed	Change
Warehouse	18,912 m ²	17,168 m ²	- 1744 m ²
Office	1,196 m ²	843 m ²	- 353 m ²
Dock Office	200 m ²	122 m ²	- 78 m ²
Plant Room	-	279 m ²	+ 316 m ²
Total	20,308 m²	18,412 m²	-1,896 m²

Table 4: Warehouse 1 GFA summary

The amendments also include a substantial decrease in the approved warehouse ridge height by 8.2 m (from 25 m to 16.8 m). The proposed decrease in height will have a positive impact on the perceived bulk and scale of the estate, particularly when viewed from Clunies Ross Street.

The proposed decrease in the warehouse ridge height will assist in reducing the overall visual impact on surrounding sensitive users. As such, it is considered this modification will result in a significantly improved outcome for the estate and surrounding area when compared to the approved warehouse. The proposed elevations are shown in Figures 4 to Figure 6.

The frontage to Clunies Ross Street continues to provide a heavily landscaped area within the 20 metre setback. The setback and landscaped buffer assist to screen the bulk of the buildings from Clunies Ross Street.

The nature of the material finishes, and design are comprised of neutral tones including dark grey and cream colour palettes. The design of the warehouses is intended to be minimalist and largely recessive.

Based on the above, the proposed modification will continue to achieve a high standard of design, consistent with the approved development under SSD 10399.

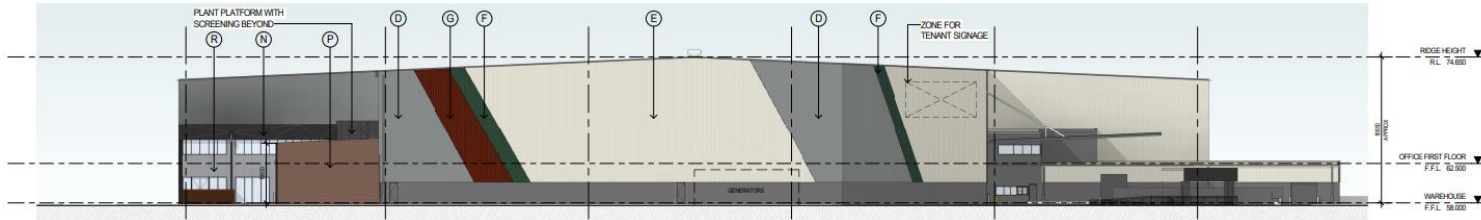


Figure 4: Proposed Northern Elevation (Source: Watson Young)

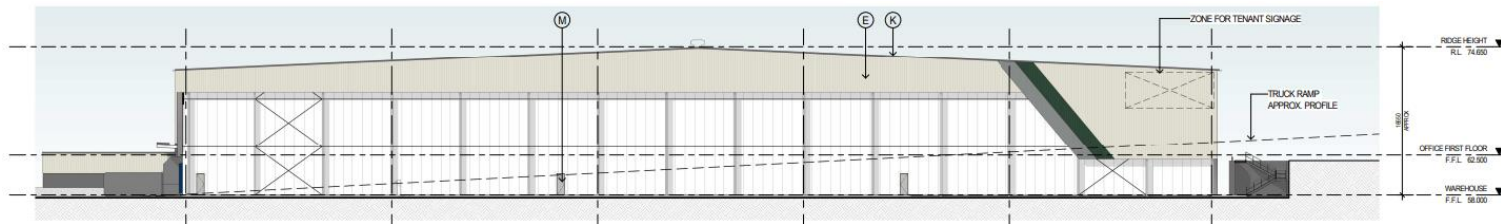


Figure 5: Proposed Southern Elevation (Source: Watson Young)

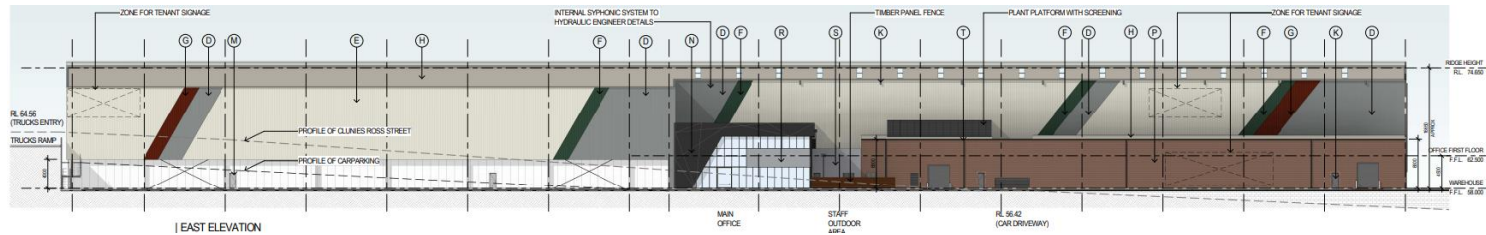


Figure 6: Proposed Eastern Elevation (Source: Watson Young)

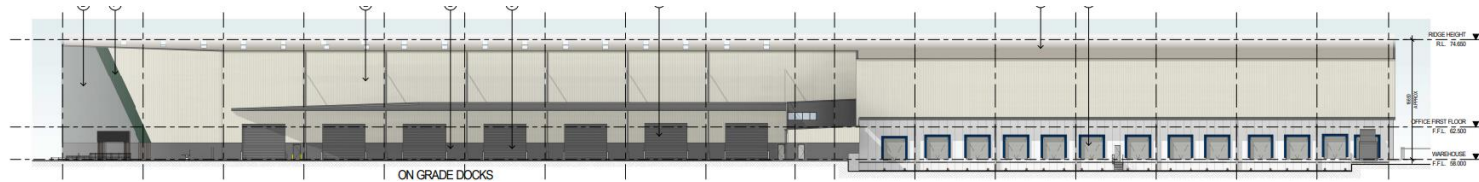


Figure 7: Proposed Western elevation (Source: Watson Young)

The modification also seeks the relocation of the café and office spaces, as a result of the reconfigured warehouse.

The proposed office and cafe locations will be central to the parking spaces and warehouse, ensuring staff and visitors will have ease of access, better suiting the functioning of the warehouse and surrounding area.

Internal changes to the approved design include the fit-out to suit the proposed tenants' operational requirements. This includes pallet racking, automation systems and other process equipment and machine handling charging stations.

The proposed internal arrangements will have no adverse impacts to the approved design or surrounding area.

6.2 Visual Impacts and Landscaping

A detailed Landscape and Visual Impact Assessment (LVIA) has been prepared by Habit8 and is included at Appendix 4. The LVIA identifies the proposed amendments to Warehouse 1 are appropriate for the estate and surrounding locality. These aspects are discussed below.

6.2.1 Landscaping

The amended Landscape Plans have been prepared by Habit8 and included at Appendix 5 and Figure 8.



Figure 8: Proposed Landscaping Scheme (Source: Habit8)

The amended landscaping scheme is designed to ensure it will remain consistent with the surrounding industrial development and sensitive land uses opposing the site. The proposed design reflects high industrial standards and provides a visually balanced form.

The design of the setbacks ensures significant mitigation to the surrounding lots in the form of dense canopy tree planting, together with a shrub and groundcover understory. This scheme will continue to assist in softening the bulk and appearance of the development from nearby sensitive receivers on Clunies Ross Street.

6.2.2 Visual Impacts

The LVIA assesses the visual impacts of the development from 13 receptors on Clunies Ross Street and the Prospect Heritage Hill area (Figure 9).

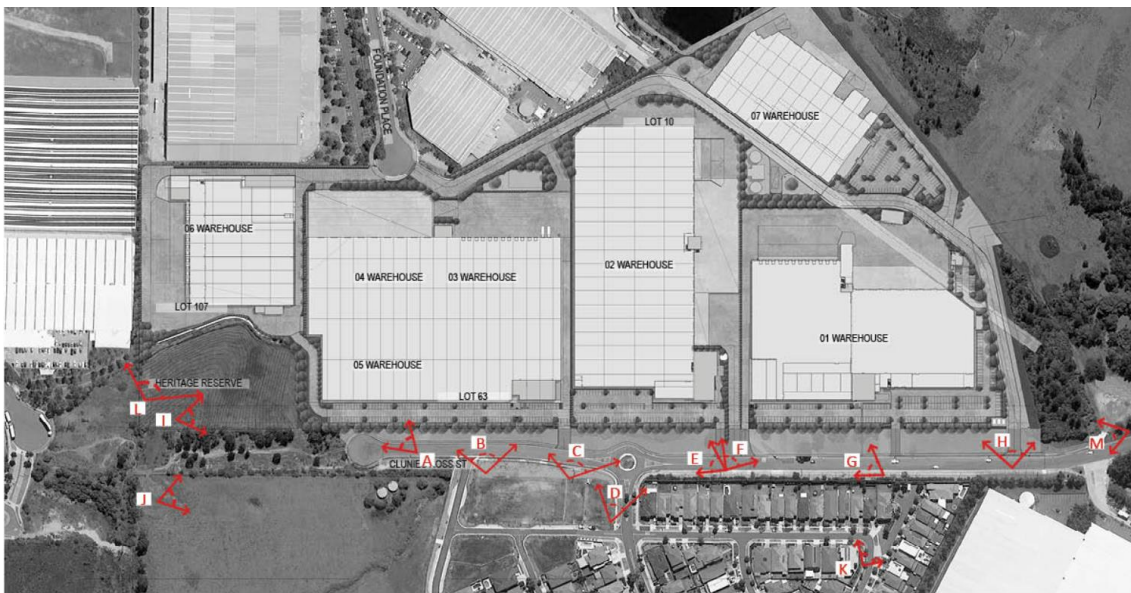


Figure 9: Visual receptor locations (Source: Habit8)

Figure 10 to Figure 15 demonstrate the proposed visual impacts on the surrounding streetscape and land uses. The photomontages provide a comparison against the existing, previously approved Warehouse 1 and proposed Warehouse amendments under this modification application.



Figure 10: Existing view from Clunies Ross St (looking NW) (Source: Habit8)



Figure 11: EIS indicative view from Clunies Ross St (looking NW) (Source: Habit8)



Figure 12: Proposed indicative view from Clunies Ross St (looking NW) (Source: Habit8)

(Note: the central driveway forms part of the approved layout of Warehouse 2 under SSD 10399)



Figure 13: Existing view from Clunies Ross St (facing west) (Source: Habit8)



Figure 14: Approved indicative view from Clunies Ross St (facing west) (Source: Habit8)



Figure 15: Proposed indicative view from Clunies Ross St (facing west) (Source: Habit8)

As demonstrated in the LVIA and photomontages, it is concluded that the visual impacts will range from negligible to minor based on the presence of existing industrial development on the estate. This represents an improvement on the visual impact assessment for the approved warehouse, which ranged from minor to moderate.

The LVIA notes that one corner residential property, located on the corner of Wombat and Muttong Street will have filtered views towards Warehouse 1. Notwithstanding this, the proposed modification to reduce the height and scale of Warehouse 1 will ensure a less intense visual impact on this residential property when compared to the previously approved scheme.

The development will continue to provide substantial landscape planting in the setbacks to offset the visual impacts with dense tree and shrub planting. The landscaping scheme will assist in softening and screening views or surrounding residents.

The proposed modification to Warehouse 1 will contribute to minimising the visual impacts and is therefore considered to provide a better outcome on the surrounding visual character when compared to the approved development.

6.3 Hazard and Risk

Riskon Engineering conducted an assessment of the thresholds and commodities proposed to be located within the Warehouse. The assessment is included at Appendix 3.

The warehouse will partially function as a chiller, with a section used as a freezer for the purposes of cold chain logistics operations. The freezer portion of the warehouse will be chilled using an anhydrous ammonia system to provide cooling down to -33 °C which will be used to cool the warehouse by chilling air inside penthouses within the warehouse which will circulate into the warehouse providing temperature control. The chilled portion of the warehouse will operate at approximately 2 °C.

In addition, the Warehouse will house alcoholic beverages as part of the Harris Farm line and there will also be a chemical store containing chemicals used to clean the warehouse and storage areas as necessary.

The proposed inventory of Dangerous Goods (DG's) is provided in Table 5.

Class	Description	PG	Quantity (kg)	SEPP Threshold (kg)	Comply
2.3	Anhydrous ammonia	n/a	500	5,000	Yes
3	Flammable liquids	II & III	6,000	3.5 m	Yes
5.1(8)	Oxidising agents subrisk corrosive	II & III	2,000	5,000	Yes
8	Corrosive substances	II & III	4,000	25,000	Yes
C1	Diesel Fuel	n/a	15,000	n/a	n/a

Table 5: Proposed quantities and SEPP Hazard and Resilience threshold assessment (Source: Riskon)

The DGs stored at the site will be based upon the refrigeration system which is a closed loop system and will not require regular top ups of the system to maintain function. Therefore, other than the initial charging and commissioning of the system, additional anhydrous ammonia deliveries to the site are not expected to occur frequently.

With respect to other DGs stored, these are either for use in cleaning and would not have high turn over of product or are potable spirits in small packages which do not exceed the minimum package size for transport assessment.

In regard to cumulative impacts, it is expected that the site would not significantly contribute to the site risk profile such that cumulative criteria would be exceeded and is therefore considered acceptable.

The findings of the Hazard and Risk analysis conclude there is no potential for offensive operations at the site or noise that has been assessed as part of the estate DA and therefore the Resilience and Hazards SEPP does not apply in this case.

Notwithstanding the above, the DG's will be stored in accordance with the *Work Health and Safety Regulation 2017* and required documentation will be provided prior to occupying the Warehouse with DGs.

6.4 Traffic and Transport

The proposed modification seeks to amend the GFA, layout and access arrangements approved under SSD 10399. Accordingly, a Traffic Impact Assessment has been prepared by SLR Consulting and is included at Appendix 2.

6.4.1 Car Parking Provision

Warehouse 1

The proposed modification will result in changes to the configuration of the Warehouse 1 car park. As such, an additional 76 car parking spaces are proposed as part of the modification. The additional spaces are sought in response to the tenant's operational staff requirements.

Table 6 outlines the proposed car parking rates, against the approved scheme under SSD 10399.

Element	Approved	Proposed	Difference
Warehouse 1 central car park	125 spaces	176 spaces	+ 51 spaces
Warehouse 1 car park western extension	0 spaces	25 spaces	+ 25 spaces
Total	125 spaces	201 spaces	+ 76 spaces

Table 6: Car parking summary (Source: SLR Consulting)

As identified in the Traffic Impact Assessment, the proposed increased in car spaces will not adversely impact the operation of the surrounding traffic network or the estate. The proposed car spaces will continue to ensure of the objectives of the SSD, as approved, are met. Therefore, the proposed increase in car spaces is considered appropriate.

Ancillary Café

As identified, the proposed modification seeks to relocate the café to the north-western corner of the lot. As a result, the approved access arrangements no longer service the café, and a new driveway is proposed.

As a result of the proposed café relocation and GFA reduction, the associated parking provisions have been reduced by 2 spaces (from 15 spaces to 13 spaces). The modification proposed to the café will reduce the GFA of the café by 26 m² to 120 m² and parking provisions to 13 spaces, which is comparable with the approved rate of 9.23 spaces per 100 m². Based on this, the proposed 13 car parking spaces are considered suitable and consistent with previous approvals.

The proposed one-way arrangement will allow for safer heavy vehicle movements and improve the general vehicular circulation within the site.

As such, it is considered the proposed access arrangements will ensure a better outcome for the site and surrounding locality.

6.5 Noise

A Noise Impact Assessment (NIA) has been prepared by SLR Consulting to accompany the proposed modification and is included at Appendix 6.

The NIA identifies the nearest sensitive receivers, as follows:

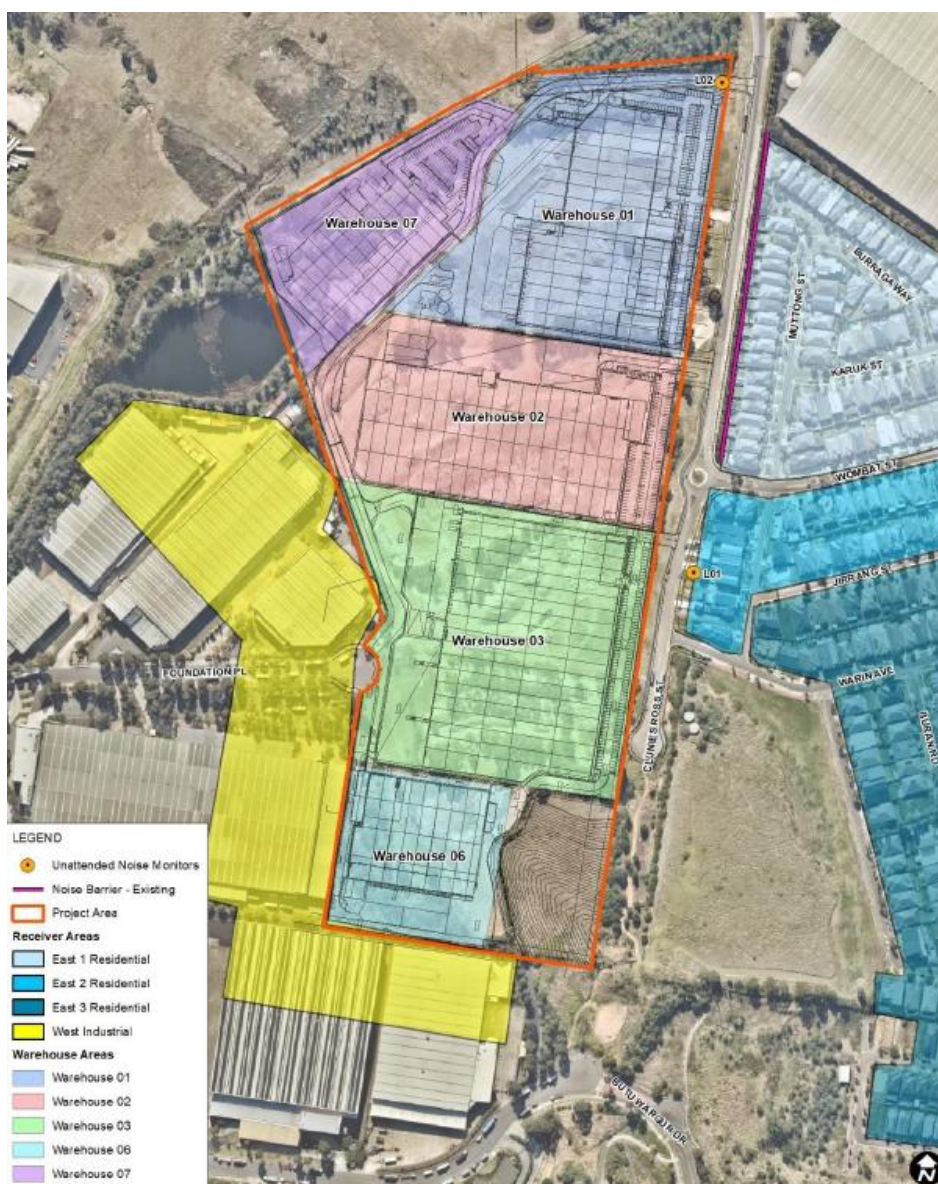


Figure 17: Nearest sensitive receivers (Source: SLR consulting)

The NIA identifies the proposed modification to Warehouse 1 may have the potential to alter noise emissions from the approved layout, as follows:

- alterations to heavy and light vehicle volumes to Warehouse 1
- operation of Warehouse 1 as a cold storage warehouse. This requires additional mechanical plant and the use of refrigerated trucks for certain deliveries
- the reduced height of the Warehouse 1 building

The following mitigation measures will be implemented to minimise the impacts on nearby sensitive receivers:

- reduction in roof mounted fans sound power levels from 98 dBA to 78 dBA
- ensure the detailed design of plant room and associated equipment progresses to minimise noise emissions
- close plant room roller doors when equipment is operational, particularly during the night-time
- use broadband and/or ambient sensing alarms on heavy vehicles and forklifts where they are required to reverse during the night-time
- driver code of conduct (required as per Consent Condition B34(d)) will be produced. This will promote awareness of the proximity of residential receivers to the site and the need to minimise noise emissions from trucks, where possible
- roller doors will be kept closed when un/loading is not occurring
- verification monitoring to be completed within three months of commencement of operation of each warehouse, as per the requirements of Consent Conditions B36 and B37
- limiting sound power level for the Warehouse 1 cold storage roof condensers
- reduced sound power level for Warehouse 7 roof fans

A summary of the anticipated noise impacts, with mitigation measures are shown in the table below.

Receiver Location	L _{Aeq} (15 minutes) Noise Level (dBA)				
	Period	Noise Criteria	Approved	Predicted	Difference
East 1 Residential	Day	57	47	49	+2
	Evening	53	47	47	0
	Night	48	48	48	0
East 2 Residential	Day	53	48	48	0
	Evening	48	47	46	-1
	Night	43	48	47	-1
East 3 Residential	Day	53	38	38	0
	Evening	48	38	37	-1
	Night	43	37	37	0
West Industrial	When in use	68	63	63	0

Table 7: Operational Noise Impact Summary (Source: SLR Consulting)

The predicted noise levels represent the cumulative noise impacts, including the proposed impacts associated with the Warehouse 1 modification. For the purposes of this assessment, the predicted noise impacts are compared to the noise level predictions as previously proposed under Modification 3 (under assessment).

The above assessment indicates the indicative noise levels are generally consistent with previously proposed noise levels. The only predicted exceedance of the noise criteria is during the night-time in the East 2 Residential area. This exceedance has however, reduced by 1 dB from 5 dB in Modification 3 (under assessment) to 4 dB in this assessment. This is due to the reduced number of roof fans serving Warehouse 1 and the lowered sound power level of the Warehouse 7 roof fans. Consistent with Modification 3, this exceedance is mostly caused by a combination of noise from the light vehicle movements in the carparks of Warehouse 2 and 3 and loading activities and heavy vehicle movements in the Warehouse 2 loading areas. Notwithstanding, the predicted levels will remain less than the noise trigger levels.

The NIA concludes that the operation of the backup generator would not result in any additional impacts and no specific mitigation is required.

Overall, it is concluded that the operational noise levels are generally compliant with the noise criteria and with the implementation of the abovementioned mitigation measures, will not result in any additional adverse impacts on the surrounding sensitive receivers.

6.6 Air Quality

The proposed modification includes the installation of 2 (1500 kVA) backup generators within the Warehouse 1 lot. Accordingly, an Air Quality Impact Assessment has been undertaken by JBS&G Australia and included at Appendix 7 to determine the potential air quality impacts on nearby receptors as related to potential exhaust emissions from the generators.

The generators will only be utilised in the event that the electricity supply from the grid is temporary unavailable or suspended. Notwithstanding, the assessment has been conducted on the basis that the generators will be constantly in use (i.e., 24 hours, 7 days a week).

The assessment finds that the predicted air emissions from the use of the generators will not exceed the applicable criteria value. The proposed chemical and particulate emissions to air from operation of two generators at the site will not result in unacceptable air quality impacts to human health in the surrounding area to the site.

Notwithstanding, the above findings, the generators installed will be routinely tested and maintained as per the suppliers' requirements, and any relevant legislative obligations for maintenance of backup generators.

Based on the above, the proposed installation of 2 backup generators will not result in adverse environmental impacts on the estate or surrounding environment.

6.7 Utilities and Services

Electricity Substations

The proposed modification incorporates the inclusion of two 1500 kW electricity substations, located adjacent to the north-eastern driveway. The substations are located within the landscape setback to Clunies Ross Street. Additionally, the substations will be screened by dense vegetation and mature landscaping to minimise visual impacts from Clunies Ross Street.

The Applicant is currently liaising with Endeavour Energy to ensure that the detailed design of the substation addresses its requirements.

Water Tanks and Pump Room

The proposed modification seeks to reorientate the pump room in the south-western corner of the Site. The reorientation is sought to ensure that the tanks are not located within the zone of influence of the Sydney Water main. The proposed location will allow the proposal to continue operating in accordance with Sydney Water's requirements.

The reoriented pump room and water tanks will not have any impacts on the fire truck access. Fire truck access is indicated in the architectural plans and estate masterplan, including the clear zone for brigade parking only.

Stormwater Management

The proposed modification does not require or seek any changes to the approved estate stormwater management strategy, as approved under SSD 10399.

A statement has been prepared by Costin Roe Consulting (Appendix 9) to confirm the are no changes required which would impact the approved water quality and quantity management strategy, discharge arrangements and flood risks.

The statement concludes the site stormwater system remains consistent with the approved conditions, in particular Condition B30 of SSD 10399.

6.8 Suitability of the site for the development

The site remains suitable for the proposed development for the reasons outlined in the SEE submitted with the original DA.

6.9 Submissions

The proposed development will be notified in accordance with DPE's notification policy. DPE will consider any submissions received prior to the determination of the application.

6.10 Public interest

The original SSD application addressed public interest. Given the minor amendments proposed by this modification, involving a decrease in the bulk and scale of the Warehouse, the proposal remains consistent with the original assessment of the public interest.

In addition, DPE will consider any public submissions relating to the proposal during its assessment. Accordingly, it can be concluded that the proposed development is entirely in the public interest.

7 Conclusion

This report has assessed the proposed modification of SSD 10399 against the requirements of sections 4.15 and 4.55(1A) of the EP&A Act, supported by technical studies. This assessment has concluded that the proposed modification is acceptable for the following reasons:

- the proposal is suitable for the site and the area, after consideration against Section 4.15(1) of the EP&A Act.
- the proposal does not alter or change the approved use and intensity of the use at the site
- the proposed changes to the height, configuration and orientation of the warehouse building, car spaces and access arrangements provide an improved development outcome for the site, compared to the approved development
- the proposal will not result in significant impacts on the amenity of the area
- the proposal, as modified will continue to align with the aims and objectives of relevant state and local planning instruments
- the proposal will not result in an increase in the approved environmental impacts or adverse impacts on the amenity of surrounding land
- the proposal seeks a reduction to the approved, overall bulk and scale of the development, subsequently reducing the anticipated visual impacts on the surrounding area.

This assessment has concluded that on balance, and in the context of the entire estate, the changes proposed:

- are of minimal environmental impact
- are substantially the same as the development for which consent was originally granted
- will not result in any adverse environmental impacts; and
- will facilitate the orderly economic development of the land.

Based on the assessment in this report, we consider that the applicant has shown good cause for the Department to modify the consent as requested.