

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Lindsey Blecher

Team Leader

Industry Assessments

Sydney

30 November 2022

SF22/104463

SCHEDULE 1

Development consent: SSD-10448 granted by the Director, Industry Assessments as delegate of the Minister for Planning on 24 May 2022

For the following: The Staged Development Application for the Aspect Industrial Estate comprised of:

- a Concept Proposal for the staged development of an industrial estate comprising of 11 buildings with a total GFA of up to 247,990 square metres (m²) for industrial, warehousing and distribution centres, and café uses; and
- Stage 1 development comprising site preparation works, vegetation clearing, realignment of the existing creek, construction of access roads and eastern half of Mamre Road/ Access Road 1 intersection works, construction, fit out, and operation of one warehouse and one industrial building with ancillary offices, car parks, landscaping, signage and a café, construction and operation of services and utilities, and subdivision of the site into three lots.

Modification 2

Modification Application: SSD-10448-MOD-2

Applicant: Mirvac Projects Pty Ltd

Consent Authority: Minister for Planning

The Land: Lot 54-58 DP 259135

788-882 Mamre Road, Kemps Creek NSW 2178

Modification: Modification to:

Concept Plan

- a revised layout of the Concept Plan

Stage 1 Development Application

- revised layouts of Warehouses 1, 2, and 3
- revised layout of Access Road 2
- removal of the approved café at Warehouse 1
- removal of the approved deceleration lane on Access Road 1.

SCHEDULE 2

This consent is modified as follows:

In Schedule 1

1. Delete the development description and replace with the following:

The Staged Development Application for the Aspect Industrial Estate comprised of:

- a Concept Proposal for the staged development of an industrial estate comprising of 11 buildings with a total GFA of up to 243,431 square metres (m²) for industrial, warehousing and distribution centres, and café uses; and
- Stage 1 development comprising site preparation works, vegetation clearing, realignment of the existing creek, construction of access roads and eastern half of Mamre Road/ Access Road 1 intersection works, construction, fit out, and operation of one warehouse and one industrial building with ancillary offices, car parks, landscaping, signage, construction and operation of services and utilities, and subdivision of the site into three lots.

In Definitions

2. Add the following definition:

Modification Assessments	The document assessing the environmental impacts of a proposed modification of this consent and any other information submitted with the following modification application made under the EP&A Act: <ol style="list-style-type: none">a) Section 4.55(1) Application to Amend SSD-10448, Aspect Industrial Estate, prepared by Urbis, dated 19 July 2022.b) Section 4.55(1A) Application to Amend SSD-10448, Aspect Industrial Estate, prepared by Urbis, dated June 2022.
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In Schedule 2, Part A Conditions for Concept Proposal

3. Delete Condition A7 and replace with the following:

- A7. The maximum GFA for future development on the site for the land uses described in **Table 1** must not exceed the limits described in that table.

Table 1 Maximum GFA of the Concept Proposal

Land Use	Maximum GFA (m ²)
Warehouse and distribution centres and general industrial	232,381
Ancillary offices	11,050
Total	243,431

4. Insert Condition A9A immediately after Condition A9 with the following:

- A9A The maximum height for future development on the site described in **Table 1A** must not be exceeded.

Table 1A Maximum Building Height of the Concept Proposal

Warehouse	Height (m)
Warehouse 1	<ul style="list-style-type: none">• 16.0 m (excluding rooftop plant)• 18.4 m (including rooftop plant)
All other warehouses	13.7 m

5. Delete Condition A16 and replace with the following:

A16 The Applicant must:

- (a) ensure the development at the site does not exceed the noise limits outlined in Table 2 when measured at the monitoring locations identified in Appendix 3; and
- (b) ensure the cumulative noise emission of fixed external mechanical plant for each warehouse building do not exceed 90 dB(A) and do not exhibit tonal characteristics or strong low frequency content.

Table 2 Operational Noise Limits for Development (dB(A))

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Amax}
NML1	50	50	47	63
NML2	62	62	60	79
NML3	64	64	61	79
NML4	65	65	62	82
NML5	66	66	64	82

Note:

- Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for the location of residential sensitive receivers.

In Schedule 2, Part C Stage 1 Development General Conditions

6. Delete Condition C6 and replace with the following:

C6. The maximum GFA for the Stage 1 development must not exceed the limits in **Table 3**.

Table 3 Maximum GFA for the Stage 1 Development

Land Use	Maximum GFA (m ²)
Warehouse 1	
Warehouse and distribution centres and general industrial	32,686
Ancillary offices	1,200
Subtotal	33,886
Warehouse 3	
Warehouse and distribution centres and general industrial	20,735
Ancillary offices	800
Subtotal	21,535
Total	55,421

In Schedule 2, Part D Stage 1 Development Specific Environmental Conditions

7. Delete Condition D3 and replace with the following:

D3. Prior to commencement of operation of Building 1 or 3 and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program. The program must verify light and heavy vehicle traffic numbers, including the heavy vehicle volumes limited by Condition D3A, against the prediction in the Aspect Industrial Estate, Mamre Road Precinct – Modification 2 to State Significant Development Application (SSD-10448) Traffic Impact Assessment prepared by Ason Group, dated 25 July 2022. The Program must also monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:

- detail the numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;
- queue monitoring at the Mamre Road/Access Road 1 intersection and background travel counts on Mamre Road;
- verify the predicted traffic numbers and level of service against the actual impacts of the Stage 1 Development, and analyse the potential cause of any significant discrepancies;
- consider the current capacity and efficiency of the existing road network including Mamre Road; and
- include procedures for the reporting and monitoring of results to evaluate the traffic performance of the Stage 1 Development.

8. Insert Condition D3A immediately after Condition D3 with the following:

D3A. The Applicant must ensure the total number of hourly heavy vehicles entering Warehouse 1 from Access Road 1 does not exceed 22 or is in line with Part 6 of Austroads Standards Guide to Traffic Management, whichever is lesser.

9. Insert Condition D11A immediately after Condition D11 with the following:
- D11A. The Applicant must ensure:
- (a) Warehouse 1 driveway on Access Road 1 is used by inbound heavy vehicles only;
 - (b) Warehouse 3 driveway on Access Road 1 adjacent Warehouse 2 is used by inbound heavy vehicles only;
 - (c) Warehouse 3 driveway on Access Road 1 opposite Warehouse 8 car park driveway is used by fire engines only; and
 - (d) Warehouse 3 driveway on Access Road 2 is used by outbound heavy vehicles, inbound and outbound light vehicles.
10. Insert Condition D11B immediately after Condition D11A with the following:
- D11B. Prior to the commencement of operation of Warehouse 3, the Applicant must:
- (a) install stop signs at Warehouse 3 where the loading area adjoins the private driveway to the north of the Warehouse 3 building; and
 - (b) finish line-marking of the private driveway to the north of the Warehouse 3 building.
11. Delete Condition D28 and replace with the following:
- D28. Prior to the commencement of operation of the development, the Applicant must implement the Stormwater Management System described in the ADR amended by Modification Assessments and as shown in Figure 2 in Appendix 2. The design and subsequent construction and establishment of the WSUD systems must be supervised and certified by a suitably qualified chartered professional engineer with experience in modelling, design, and supervision of WSUD systems.
12. Delete Condition D52 and replace with the following:
- D52. The Applicant must:
- (a) establish five (5) noise monitoring locations at the site's boundaries as shown in Appendix 3 prior to commencement of operation of the Stage 1 Development;
 - (b) undertake noise monitoring at the five locations to confirm that noise generated by the operation of the Stage 1 development does not exceed the noise limits in Table 5; and
 - (c) ensure the cumulative noise emission of fixed external mechanical plant for each warehouse building does not exceed 90 dBA and must not exhibit tonal characteristic or strong low frequency content.

Table 5 Stage 1 Development Operational Noise Limits (dB(A))

Location	Day	Evening	Night	
	L _{Aeq} (15 minute)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Amax}
NML 1	37	37	37	48
NML 2	49	49	46	58
NML 3	48	48	46	58
NML 4	46	46	44	56
NML 5	66	66	62	82

Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

In Appendix 1

13. Delete Table 6 and replace with the following:

Table 6 Schedule of Approved Plans – Concept Proposal

Drawing No	Title	Issue	Date
Architectural Plan prepared by SBA Architects			
MP 02	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – SSDA MOD 2 Estate Master Plan	G	28/11/2022
Landscape Plan prepared by Site Image Landscape Architects			

Drawing No	Title	Issue	Date
003	Aspect Industrial Estate Kemps Creek Landscape Masterplan MOD 2	H	21/10/2022
Tree Canopy Plan prepared by Site Image Landscape Architects			
MOD2_Sk001	Kemps Creek Lots 54-58 DP259135 Mamre Road Kemps Creek NSW Tree Canopy Plan	L	28/11/2022

14. Delete Figure 1 and replace with the following:



15. Insert Figure 1A immediately after Figure 1 with the following:



16. Delete Table 7 and replace with the following:

Drawing No	Title	Issue	Date
Architectural Plan prepared by SBA Architects			
DA100	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Overall Site Plan	W	30/11/2022
DA101	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Signage Plan	G	05/08/2022
DA110	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Lot 1 Site & Warehouse Floor Plan	DD	19/10/2022
DA310	Aspect Industrial Estate Lots 54-58 (DP 259135) Mamre Road, Kemps Creek – Lot 3 Site & Warehouse Floor Plan	M	19/10/2022

LEGEND

- Landscape Setback
- Building Setback
- SS Substation Indicative Location
- RM Relating Road
- FS Fire Service
- FB Fire Brigade Truck Parking
- RM Railmaster Tank
- IC AC Plant Indicative Location
- Phase 1 Roadworks
- Phase 2 Roadworks

LEGEND

- Stage 1 Infrastructure Works
- Stage 2 Bulk infrastructure / temporary access / temporary / later work / later
- Stage 1 on Lot Works
- Temporary right of carriageway
- Stage 1 Retaining Walls

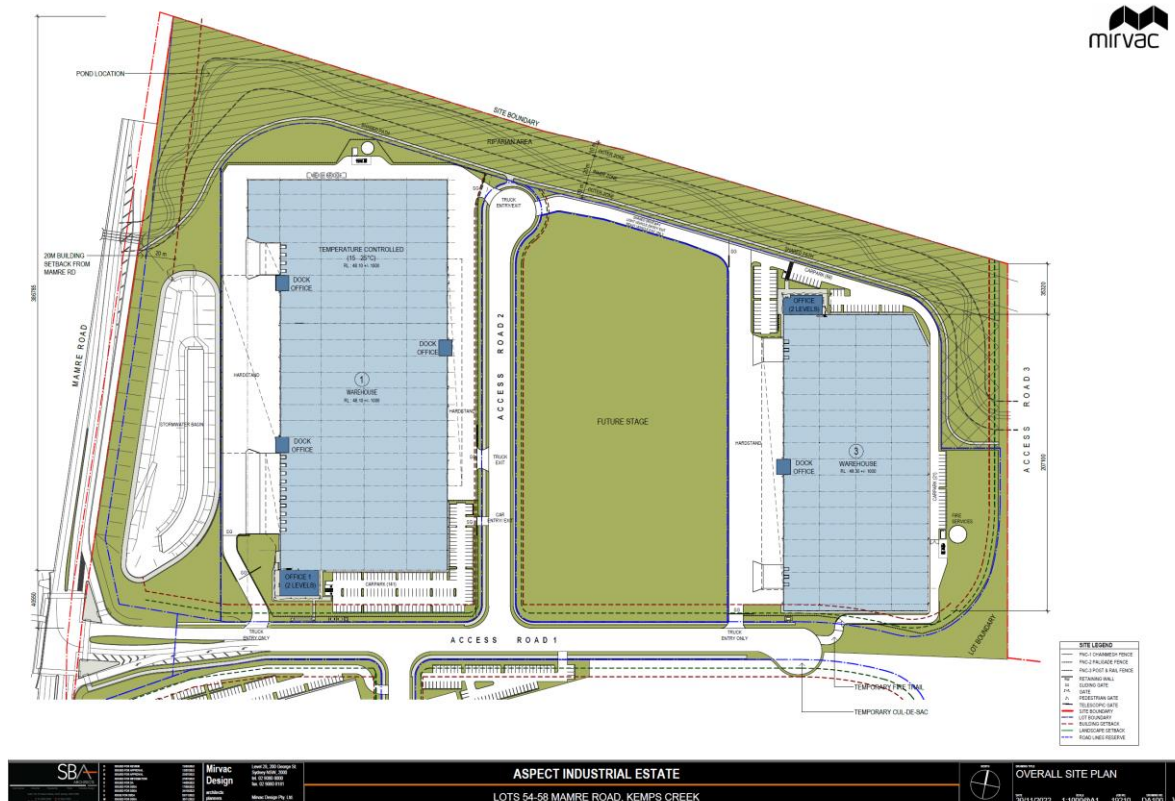
SSDA INDUSTRIAL ESTATE

LOTS 54-58 (DP1591135) MAMRE ROAD, KEMPS CREEK

SSDA MOD 2 ESTATE WORKS STAGING PLAN

28.11.2022 1:4000 @ A3 19216 MP72-03

NSW Government
Department of Planning and Environment



19. Delete Figure 3 and replace with the following:

Landscape Concept Masterplan Stage 1



20. Delete Figure 4 and replace with the following:



21. Delete Figure 5 and replace with the following:



In Appendix 3

22. Delete Figure 6 and replace with the following:

OVERALL DEVELOPMENT DATA

Total Site Area	555,323 m ²
Storm Water Reserve Area	15,554 m ²
Non-Residential Site Area	541,318 m ²
Aviation Reserve Area	43,880 m ²
Future Reserve Area	5,170 m ²
Crash Reserve Area	29,718 m ²
Residential Reserve Area	5,562 m ²
Public Lot Area	16,137 m ²
Total Development Area	645,837 m ²
Total Office Area (see also 11,280 m ²)	11,280 m ²
Total Warehouse Area	235,811 m ²
Total Building Area	247,091 m ²
Residential Lot Area	4,633 m ²

WAREHOUSE 1

Site Area	61,170 m ²
Office	800 m ²
Warehouse	32,500 m ²
Dock Office	300 m ²
Total GFA	33,600 m ²
Carpark Provision	541

WAREHOUSE 2

Site Area	40,112 m ²
Office	500 m ²
Warehouse	22,580 m ²
Dock Office	200 m ²
Total GFA	23,280 m ²
Carpark Provision	150

WAREHOUSE 3

Site Area	42,735 m ²
Office	700 m ²
Warehouse	20,735 m ²
Dock Office	100 m ²
Total GFA	21,535 m ²
Carpark Provision	85

WAREHOUSE 4

Site Area	41,565 m ²
Office	700 m ²
Warehouse	18,700 m ²
Dock Office	100 m ²
Total GFA	19,500 m ²
Carpark Provision	85

WAREHOUSE 5

Site Area	28,185 m ²
Office	600 m ²
Warehouse	12,800 m ²
Dock Office	100 m ²
Total GFA	13,500 m ²
Carpark Provision	60

WAREHOUSE 6

Site Area	37,371 m ²
Office	700 m ²
Warehouse	23,450 m ²
Dock Office	100 m ²
Total GFA	24,250 m ²
Carpark Provision	150

WAREHOUSE 7

Site Area	37,602 m ²
Office	700 m ²
Warehouse	21,450 m ²
Dock Office	100 m ²
Total GFA	22,250 m ²
Carpark Provision	150

WAREHOUSE 8

Site Area	48,112 m ²
Office	700 m ²
Warehouse	27,450 m ²
Dock Office	100 m ²
Total GFA	28,250 m ²
Carpark Provision	160

WAREHOUSE 9

Site Area	35,135 m ²
Office	700 m ²
Warehouse	17,250 m ²
Dock Office	100 m ²
Total GFA	18,050 m ²
Carpark Provision	85

WAREHOUSE 10

Site Area	33,332 m ²
Office	700 m ²
Warehouse	11,450 m ²
Dock Office	100 m ²
Total GFA	12,250 m ²
Carpark Provision	67

WAREHOUSE 11

Site Area	38,800 m ²
Office	700 m ²
Warehouse	20,340 m ²
Dock Office	100 m ²
Total GFA	21,140 m ²
Carpark Provision	90

*Areas are measured to future
Mawre Rd boundary to not
*GFA is subject to survey



ASPECT INDUSTRIAL ESTATE

LOTS 54-59 (DP259135) MAWRE ROAD, KEMPS CREEK

SSDA MOD 2 ESTATE MASTERPLAN

DATE: 28.11.22 SCALE: 1:4000 @ A3 10210 MP2-02 G

**End of modification
(SSD-10448-MOD-2)**