

## **MODIFICATION REPORT: SSD-10470**



### **APPROVED WAREHOUSE AND DISTRIBUTION CENTRE**

**WILLOWTREE**  
PLANNING

**11 & 13 Percy Street, Auburn  
LOT 1 & 2 DP 1183821**

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**WILLOWTREE**  
PLANNING

**Section 4.55(1A) Modification – SSD-10470 (MOD 1)**

Modification to approved warehouse and distribution centre  
11 & 13 Percy Street, Auburn

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## APPENDICES

APPENDIX	DOCUMENT	PREPARED BY
1	Architectural Plans	Nettleton Tribe Partnership (Nettleton Tribe)
2	Landscape Plans	Geoscapes Landscape Architects (Geoscapes)
3	BCA Assessment Report	Steve Watson & Partners (SWP)
4	Acoustic Review	Acoustic Logic
5	Traffic Assessment	Colston Budd Rogers & Kafes (CBRK)
6	SEPP 33 Report	Riskcon Engineering (Riskcon)
7	Fire Engineering Brief Questionnaire	LCI Consultants / FRNSW
8	Landowners Consent	Fabcot Pty Ltd



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# PART A PRELIMINARY

## 1.1 INTRODUCTION

This Modification Application (MA) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Fabcot Pty Limited (Fabcot), and is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of the proposed modification to the approved Warehouse and Distribution Centre at 11 and 13 Percy Street, Auburn (subject site), legally described as Lot 1 and 2 DP1183821.

The Warehouse and Distribution Centre was approved as State Significant Development (SSD), granted under delegation by the Minister of Planning on 25 June 2021. The SSD (**SSD-10470**) concerned approved the following aspects of development:

*Construction and 24-hour operation of a Warehouse and Distribution centre, comprising:*

- *demolition of two existing buildings, associated structures and landscaping;*
- *remediation work;*
- *bulk earthworks and tree clearing;*
- *construction and operation of a warehouse with ancillary offices and customer pick up component; and*
- *car parking, docking areas, associated infrastructure, site access points and landscaping.*

This MA represents the **first** modification to **SSD-10470**, which seeks modify the development consent to include a series of minor design amendments, attributed to both external and internal elements, as a result of the detailed design and tendering process.

The amendments sought have been assessed against the original Secretary's Environmental Assessment Requirements (SEARs) throughout this MA, confirming that the proposal remains substantially the same development as approved.

The structure of the statement is as follows:

- **Part A** Preliminary
- **Part B** Site Analysis
- **Part C** Proposed Modification
- **Part D** Legislative and Policy Framework
- **Part E** Likely Impacts of the Development
- **Part F** Conclusion

## 1.2 DEVELOPMENT APPLICATION HISTORY

Consent was granted to **SSD-10470** on 25 June 2021 for the construction and 24-hour operation of a Warehouse and Distribution centre at 11 and 13 Percy Street, Auburn (Lot 1 and 2 DP1183821).

Review of the approval granted under **SSD-10470** indicates there is nothing that may prevent the modifications sought under this MA.

The approved development is outlined in the **TABLE 1** and **Figure 1**.



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**TABLE 1. APPROVED DEVELOPMENT ATTRIBUTES**

<b>Aspect</b>	<b>Description</b>
<b>Development summary</b>	<p>Construction and 24-hour operation of a Woolworths Warehouse and Distribution centre, comprising:</p> <ul style="list-style-type: none"> <li>▪ demolition of two existing buildings, associated structures and landscaping</li> <li>▪ bulk earthworks and tree clearing</li> <li>▪ construction and operation of a warehouse with ancillary offices</li> <li>▪ car parking, docking areas, associated infrastructure, site access points and landscaping.</li> </ul>
<b>Site area</b>	32,453 m <sup>2</sup>
<b>Gross floor area (GFA)</b>	20,615 m <sup>2</sup>
<b>Floor space ratio (FSR)</b>	0.636:1
<b>Building height</b>	16.8 m (maximum height above ground level) / RL 24.65 m
<b>Key features</b>	<p>Warehouse area (19,260 m<sup>2</sup>) Ancillary office and customer pickup area (1,220 m<sup>2</sup>)</p>
<b>Vegetation clearing</b>	33 trees
<b>Earthworks, civil works and services</b>	Bulk earthworks, two new transformers, foundations, stormwater drainage, construction of hardstand, site access points and car parking
<b>Parking and manoeuvrability</b>	<p>The development would be accessed off Percy Street, and provide:</p> <ul style="list-style-type: none"> <li>▪ 150 staff parking spaces</li> <li>▪ 6 pickup bays (for customers)</li> <li>▪ 103 van parking spaces</li> <li>▪ Full manoeuvrability for a 20 m articulated vehicle (AV)</li> </ul>
<b>Traffic</b>	<p>Construction: up to 290 vehicle movements per day comprising 230 cars and 60 heavy vehicles Operation: 160 vehicle trips (120 cars and 40 delivery vans) per hour (vtph) during both AM and PM peak</p>
<b>Infrastructure</b>	<p>Site access and internal circulation - all access gained off Percy Street</p> <ul style="list-style-type: none"> <li>▪ Truck ingress/egress for inbound docks</li> <li>▪ Truck ingress/egress for outbound docks</li> <li>▪ Staff parking and customer pick up ingress/egress</li> <li>▪ Delivery van ingress/egress</li> </ul> <p>Stormwater drainage</p> <ul style="list-style-type: none"> <li>▪ Rainwater harvesting</li> <li>▪ On-site detention system, including one 1088 m<sup>3</sup> on-site detention tank, at the rear of the site draining to Haslams Creek</li> <li>▪ Water quality treatment train, including water tanks, pit baskets, filter cartridges and a gross pollutant trap</li> </ul>
<b>Landscaping</b>	Landscaping of approximately 2,430 m <sup>2</sup> or 7.5% of the total site area, including:

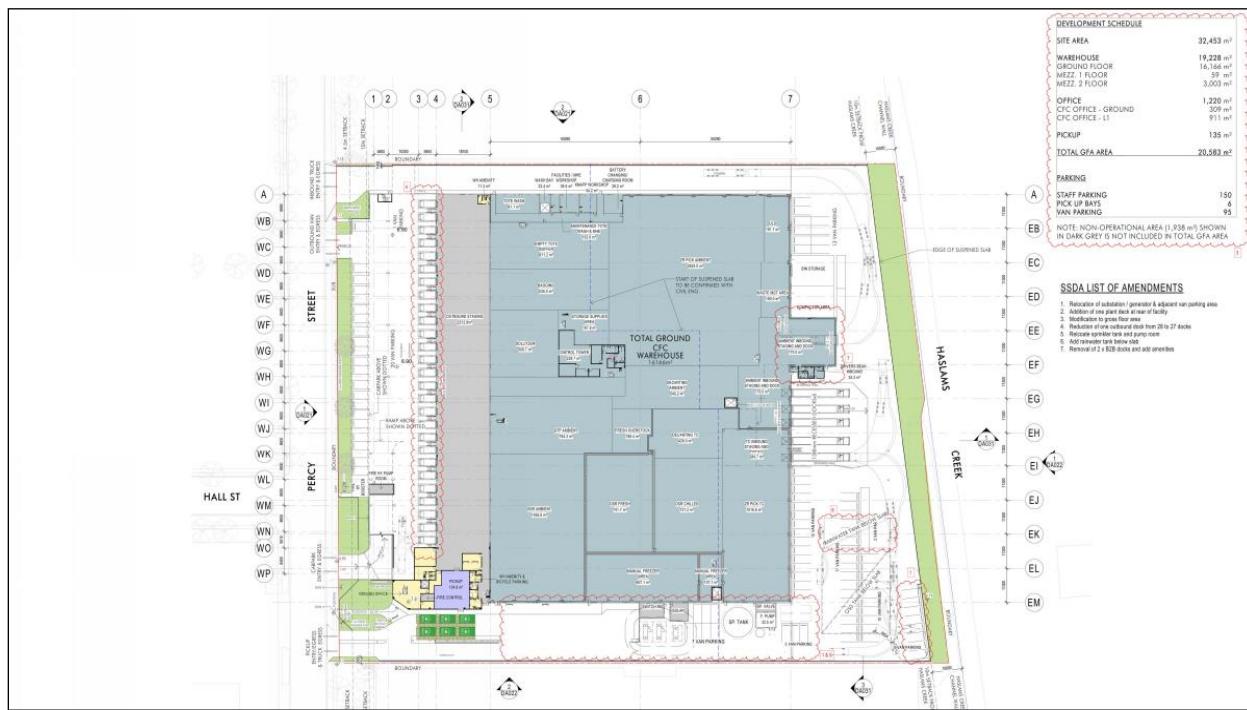


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**TABLE 1. APPROVED DEVELOPMENT ATTRIBUTES**

Aspect	Description
	<ul style="list-style-type: none"> <li>▪ landscaping along the frontage of the site of feature trees and screen planting</li> <li>▪ vegetation along the rear portion of the site of feature trees</li> <li>▪ feature planter box with climbers over vertical steel tensile wires to screen office area</li> </ul>
<b>Signage</b>	Five business identification signs
<b>Hours of operation</b>	24 hours a day, seven days a week
<b>Employment</b>	150 construction jobs and 350 operational jobs
<b>Capital investment value (CIV)</b>	\$64,677,000.00



**Figure 1. Approved Ground Floor Plan** (Source: Nettleton Tribe, April 2021)

### 1.3 SUMMARY OF PROPOSED MODIFICATIONS

Fabcot have recently tendered the approved development, and as a result seek to make some minor modifications to approved built form, including revision of:

- Car parking layout
- Plant and equipment
- Pick up store and waiting bays
- Internal office layout
- Additional landscaping
- Additional gates
- Detailed fit out layout



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- Additional building access(es)

The proposed modifications do not include any significant changes to the built form or scale of the approved development and attributed purely to further refinement of the ultimate operational outcomes.

The proposed modifications are further explained in the ensuing sections of this Modification Report.

## 1.4 JUSTIFICATION OF PROPOSED MODIFICATIONS

The proposed modification seeks to resolve the development design, attributed to both external and internal elements, as a result of the detailed design and tendering process, to inform site efficiencies.

The proposal, as modified, continues to support the function and operations of the subject site (approved under **SSD-10470**), by maintaining its industrial land use and employment objectives.

The proposed modifications represent development improvements that have been realised during the detailed design phase that ensure the site can operate as intended. The proposal, as modified, would not result in any adverse environmental impacts, as summarised below:

- The proposal maintains the expected economic outcomes, being a project CIV of \$64,677,000.00 and approximately 150 direct construction jobs and 250 ongoing operational jobs.
- The proposal will continue to contribute around \$16.9 million each year to the local economy, as outlined within the Socio-economic Impact Assessment, prepared by HillPDA, as part of the original **SSD-10470** application.
- The proposal results in a built form that is generally in accordance with the development approved under **SSD-10470**, maintaining a form that is consistent with approved form, particularly when viewed from the public domain.
- The proposal is supportable in terms of traffic impacts, providing parking and access that satisfies the *Auburn Development Control Plan 2010* (ADCP2010), and demonstrating that the surrounding the road network will be able to cater for the proposed modified development traffic.
- The proposal is capable of complying with the operational noise limits set out in condition B6 of the **SSD-10470** development consent.
- The proposal will be substantially the same development as approved and satisfies the requirements for the application to be assessed and approved pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposal, as modified, is commensurate with the objectives of the approved development, allowing for warehousing and distribution activities, whilst minimising the impact on the surrounding environment. The revised scheme, subject to this MA, harnesses the operational requirements of the end user, and aligns with the approved development of **SSD-10470**.

Overall, the proposed modifications are required to achieve the intended operations of the subject site, to operate as a distribution centre for Woolworths, to fulfill online grocery orders. The modifications outlined within **PART C** of this Modification Report, have come about through further refinement of detail design and other efficiencies raised by the development team.

The proposal maintains consistency with the relevant legislative frameworks, as outlined within **PART D** of this Modification Report. The proposal, as modified, is considered to be suitably justified on the basis that it is generally in accordance with the approved development, compatible with the locality in which it is sited, and results in a positive social and economic outcome, with minimal environmental impacts.



## PART B SITE ANALYSIS

### 2.1 SITE LOCATION AND CHARACTERISTICS

The subject site is located in the suburb of Auburn, approximately 19 kilometres west of the Sydney Central Business District (CBD), forming part of the Cumberland (former Auburn) Local Government Area (LGA). The subject site is legally described as Lot 1 DP1183821 and Lot 2 DP1183821, more commonly known as 11 and 13 Percy Street, Auburn. The subject site has an area of approximately 32,453 m<sup>2</sup> and a frontage of 166m to Percy Street.

The immediate area surrounding the subject site comprises a range of industrial land use activities, such as warehouses and corporate parks. Beyond this, the site context includes an assortment of zones which facilitate residential development ranging from low to high density, B4 Mixed Uses and B6 Enterprise Corridor (Commercial Precinct), located on Parramatta Road.

Haslams Creek immediately adjoins the rear of the subject site; Haslams Creek exists as a concrete lined drain, along the eastern boundary of the subject site. Auburn Park is located 700m west of the subject site. Wyatt Park is located 250m south-east of the subject site, which provides several recreational uses and services. Services such as a youth centre, scout hall, Parramatta and Auburn netball association, Lidcombe/Auburn cycle club and the Auburn athletics track are located within Wyatt Park area. Auburn Basketball and the Ruth Everuss Aquatic Centre are also provided in Wyatt Park, providing an array of uses to the surrounding areas. St Joseph's hospital is located 1km south-west of the subject site, in the Auburn town centre area.

Generally, the broader context of the subject site is typified by employment-generating land uses and residential areas. The employment generating land uses are predominately located along the enterprise corridor on Parramatta Road and the industrial zone, in which the subject site is located.

The subject site is within a highly accessible location in terms of an extensive local and regional road network, including the Great Western Highway/Parramatta Road, which is located approximately 450m north of the subject site and the M4 Motorway, which is 750m north of the subject site. The subject site is also highly serviced by public transport, being situated approximately 850m (by road) east of Auburn train station and 1.8km (by road) north-west of Lidcombe train station. An extensive bus network connects nearby streets to the surrounding suburbs and the wider region, the closest bus stop is located approximately 450m from the subject site, on Parramatta Road, and services both east and west directions. A visual representation of the surrounding land is included in **Figure 2**.

The subject site forms part of an industrial precinct, generally bound by St Hilliers Road and Rawson Street, to the west and south, and Parramatta Road and Nyrang Street, to the north and east. The industrial precinct includes:

- Large warehouse buildings;
- Industrial estates containing a collective of warehouse tenancies;
- Manufacturing, freight and logistics uses; and
- Large format retail.

Further to the north-west, beyond Percy Street and St Hilliers Road, are the nearest residential receivers from the subject site. It is noted that those with highest sensitivity are located at 48-52, 54 and 62 St Hilliers Road, sharing a line of sight to different portions of the subject site.

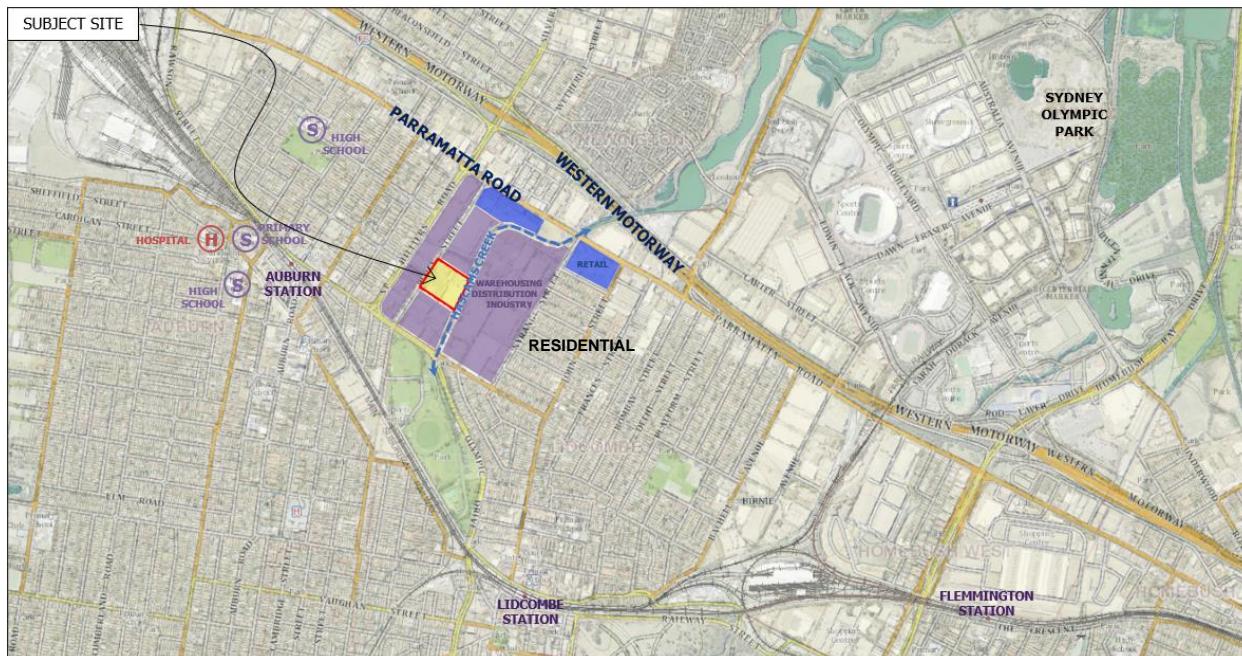
The subject site is located within an established industrial area and is zoned IN1 General Industrial under the *Auburn Local Environmental Plan 2010* (ALEP2010). The proposed development will facilitate the use



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of the subject site for warehousing and distributing, which is consistent with the zoning and the surrounding context. The subject site, within an industrial area and proximity to major arterial roads, serves as being ideal for distribution purposes.



**Figure 2. Site Context** (Source: SIX Maps, 2020)

## 2.2 LAND OWNERSHIP

Both land parcels are now under the ownership of Fabcot Pty Limited (ACN 002 960 983). Formal land owners consent has been obtained and forms **Appendix 8** of this Modification Report.

## 2.3 STRATEGIC CONTEXT

The subject site is included within the Land Application for the Auburn LGA and is zoned under ALEP2010 (refer to **Figure 4** below). Despite being located wholly within the Auburn LGA, the relevant Consent Authority for the subject MA will be the NSW DPIE; however, during the notification period, Cumberland Council will have the opportunity to comment on the proposed.

**SSD-10470** responds accordingly to the strategic context and direction intended for the subject site and surrounding area, providing an advanced purpose-built warehouse operating as an online customer fulfillment centre to support the growth and demand for online shopping across the wider Sydney Metropolitan Area.

In addition to the above, the subject site is identified within the Central City District under the *Central City District Plan* (issued by the Greater Sydney Commission (GSC), 2018). The proposed development, as modified, continues to contribute to the objectives of the *Central City District Plan*, by:

- increasing use of an otherwise inoperable site, in the form of a Warehouse and distributions facility;
- facilitating the provision of greater and improved infrastructure; and



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- promoting additional employment-generating opportunities, to the wider locality and community closer to home, whilst supporting economically and environmentally sustainable development.

These aims are specifically relevant to the proposed development.

**TABLE 2** below sets out the main strategic objectives of the *Central City District Plan* and demonstrate how the proposed development continues to assist in achieving the set vision.

<b>TABLE 2: CONSISTENCY WITH THE CENTRAL CITY DISTRICT PLAN</b>	
<b>Objective</b>	<b>Comment</b>
<b>A collaborative city</b>	
<i>Planning Priority C1</i> <i>Working through collaboration</i>	The proposed development, as modified, is consistent with the intended use of the subject site, being zoned IN1 General Industrial, under the provisions of the ALEP2010 and would integrate seamlessly with the surrounding area.
<b>A city supported by infrastructure</b>	
<i>Planning Priority C1</i> <i>Planning for a city supported by infrastructure</i>	The subject site is adequately supported by existing infrastructure capable of servicing the proposed development, as modified.
<b>A city for people</b>	
<i>Planning Priority C1</i> <i>Providing services and social infrastructure to meet people's changing needs</i>	The proposed development, as modified, would continue to provide employment opportunities during construction and operation, providing opportunity for those who reside in the area and contributing to the provision of services to meet people's changing needs.
<i>Planning Priority C2</i> <i>Fostering healthy, creative, culturally rich and socially connected communities</i>	The proposed development, as modified, would continue to provide employment opportunities during construction and operation, providing opportunity for those who reside in the area and contributing to the overall means of the community.
<b>Housing the city</b>	
<i>Planning Priority C5</i> <i>Providing housing supply, choice and affordability with access to jobs, services and public transport</i>	The proposed development, as modified, would continue to provide employment opportunities during construction and operation, contributing the economy, reducing the need for travel and supporting the vision of a 30-minute city.
<b>A city of great places</b>	
<i>Planning Priority C6</i> <i>Creating and renewing great places and local centres, and respecting the District's heritage</i>	The proposed development, as modified, continues to renew an otherwise stagnant former industrial site.
<b>A well connected city</b>	
<i>Planning Priority C9</i> <i>Delivering integrated land use and transport planning and a 30-minute city</i>	The proposed development, as modified, would continue to provide employment opportunities during construction and operation, contributing the economy, reducing the need for travel and supporting the vision of a 30-minute city.
<b>Jobs and skills for the city</b>	
<i>Planning Priority C7</i>	The subject site does not form part of Greater Parramatta.



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**TABLE 2: CONSISTENCY WITH THE CENTRAL CITY DISTRICT PLAN**

<b>Objective</b>	<b>Comment</b>
<i>Growing a stronger and more competitive Greater Parramatta</i>	
<i>Planning Priority C8 Delivering a more connected and competitive GPOP economic corridor</i>	The subject site is not within the GPOP economic corridor.
<i>Planning Priority C10 Growing investment, business and job opportunities in strategic centres</i>	The proposed development, as modified, would continue to encourage employment-generating opportunities and economic prosperity, for an otherwise unutilised site within the area targeted industrial use.
<i>Planning Priority C11 Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</i>	The subject site is within a highly accessible location in terms of an extensive local and regional road network, including the Great Western Highway/Parramatta Road, which is located approximately 450m north of the subject site and the M4 Motorway, which is 750m north of the subject site.
<i>Planning Priority C12 Supporting growth of targeted industry sectors</i>	The proposed development, as modified, would continue to allow for increased efficiencies to fulfillment and dispatching operations for Woolworths, in response to increased demands for online grocery shopping.
<b>Valuing green spaces and landscape</b>	
<i>Planning Priority C13 Protecting and improving the health and enjoyment of the District's waterways</i>	The subject site adjoins Haslams Creek, which is concrete-lined watercourse. The proposal, as modified, continues to ensure that the health of Haslams Creek is not impacted.
<i>Planning Priority C14 Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</i>	The subject site is not within the vicinity of South Creek.
<i>Planning Priority C15 Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</i>	The proposed development, as modified, footprint is located in areas containing no biodiversity values. Consideration of the existing scenic and cultural landscapes have informed the proposed development.
<i>Planning Priority C16 Increasing urban tree canopy cover and delivering Green Grid connections</i>	The proposed development, as modified, seeks to implement complementary landscaping, including shade trees along Percy Street.
<i>Planning Priority C17 Delivering high quality open space</i>	The proposed development, as modified, maintains areas of open space for employees and visitors.
<i>Planning Priority C18 Better managing rural areas</i>	This priority is not applicable to the subject site.
<b>A resilient city</b>	
<i>Planning Priority C20 Adapting to the impacts of urban and natural hazards and climate change</i>	The proposed development, as modified, would continue to incorporate sustainable design measures to enhance the operational and environmental performance of the subject site.



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**TABLE 2: CONSISTENCY WITH THE CENTRAL CITY DISTRICT PLAN**

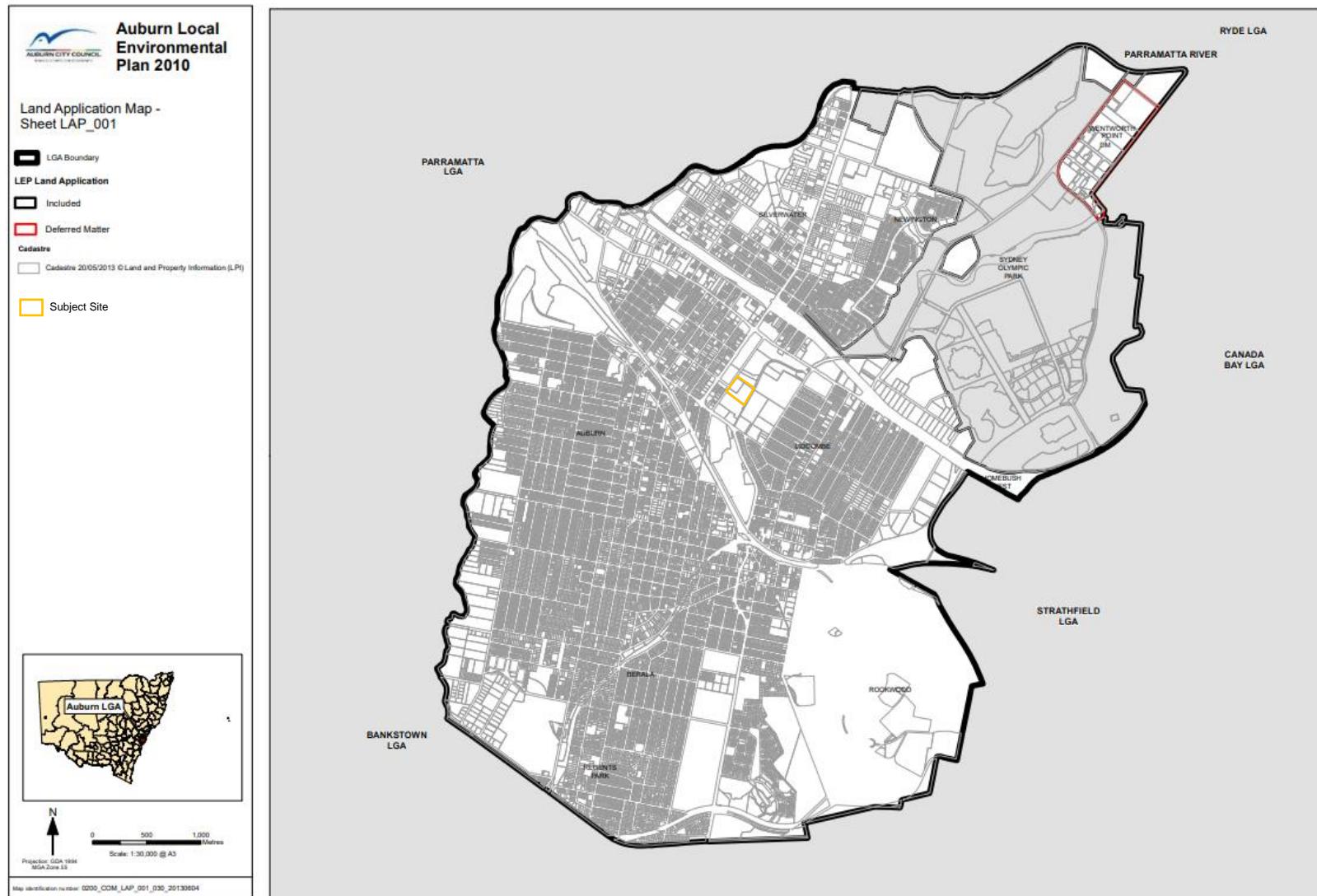
Objective	Comment
<b>An efficient city</b>	
<i>Planning Priority C19 Reducing carbon emissions and managing energy, water and waste efficiently</i>	<p>The following initiatives are maintained to ensure the proposed development, as modified, reduces its carbon emissions as far as possible with on-site measures:</p> <ul style="list-style-type: none"><li>▪ For the conditioned areas, high performance façade: optimisation of window to wall ratio on National Construction Code (NCC) compliance;</li><li>▪ High efficiency heating, ventilation and air-conditioning (HVAC) systems;</li><li>▪ High efficiency LED lighting (particularly relevant to the warehouse as lighting will be the main energy consumer);</li><li>▪ Roof mounted PV systems to offset grid energy and minimise peak energy demands;</li><li>▪ Implement sustainable strategies during construction, including procurement of green power electricity and construction and demolition waste recycling and recovery separation to minimise construction waste to landfill;</li><li>▪ Incorporation of commissioning, maintenance and building tuning into the project programme;</li><li>▪ Incorporation of ongoing monitoring trends from energy metering.</li></ul>

The proposed modifications sought, are considered to maintain consistency and responsiveness to the above priorities, making a valuable contribution to the Central City District.

At a more local level, the proposed development, as modified, continues to satisfy all the objectives of the ALEP2010 as it would continue to provide an employment generating land use in the form of a warehouse, operating as a distribution centre. Therefore, the existing industrial use of the land would be retained, and the subject site would continue to provide employment at a larger scale to encourage and support the economic growth of the locality.

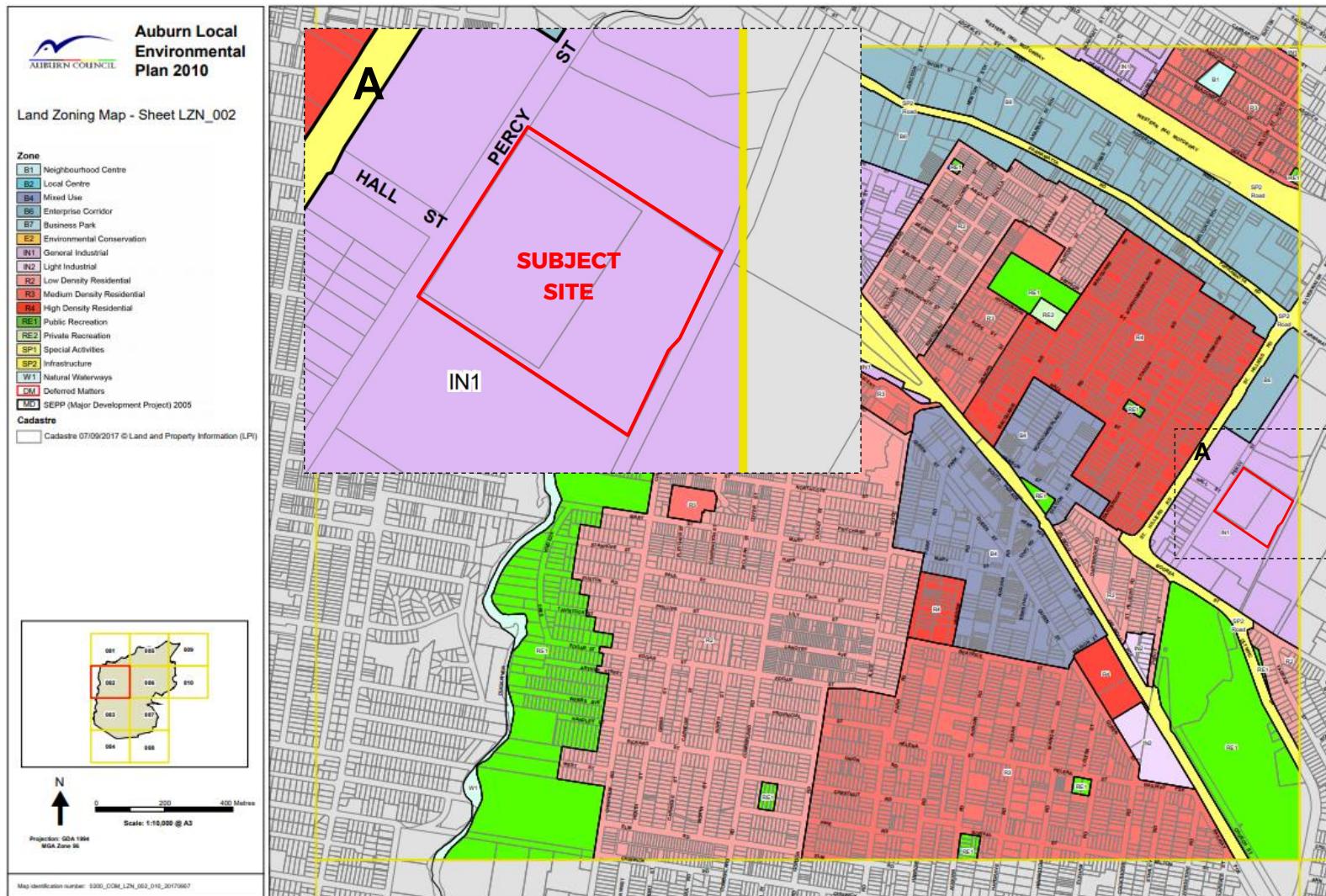


**Section 4.55(1A) Modification - SSD-10470 (MOD 1)**  
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**Figure 3. ALEP2010 Land Application Map** (Source: NSW Legislation, 2021)

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## PART C DESCRIPTION OF MODIFICATIONS

### 3.1 MODIFICATION SUMMARY

**TABLE 3** offers a summary of the proposed modifications against the approved aspects of development.

<b>TABLE 3: MODIFIED PROJECT SUMMARY</b>		
<b>Development Element</b>	<b>Approved</b>	<b>Proposed</b>
<b>Site area</b>	32,453 m <sup>2</sup>	No change
<b>GFA</b>	20,615 m <sup>2</sup>	20,140 m <sup>2</sup>
▪ <b>Warehouse</b>	19,228 m <sup>2</sup>	18,305 m <sup>2</sup>
▪ <b>Office</b>	1,220 m <sup>2</sup>	1,600 m <sup>2</sup>
▪ <b>Pick up</b>	135 m <sup>2</sup>	235 m <sup>2</sup>
<b>FSR</b>	0.636:1	0.62:1
<b>Building height</b>		
▪ <b>Warehouse height</b>	16.85 m (maximum RL24.65)	No change
▪ <b>Plant height</b>	N/A	20.7 m (maximum RL28.5) *
<b>Vegetation clearing</b>	33 trees	No change
<b>Parking</b>	150 staff parking spaces 6 pickup bays (for customers) 103 van parking spaces	144 staff parking spaces 8 pickup bays (for customers) + 8 holding bays 88 van parking spaces
<b>Manoeuvrability</b>	Full manoeuvrability for a 20 m articulated vehicle (AV)	No change
<b>Traffic demand</b>	160 (120 cars and 40 delivery vans) vtph during both AM and PM peak	Additional 10 vtph (customer pickup) during peak periods
<b>Landscaping</b>	2,430 m <sup>2</sup> or 7.5 %	2,424 m <sup>2</sup> or 7.47 %
<b>Signage</b>	Five business identification signs	No change
<b>Hours of operation</b>	24 hours a day, seven days a week	No change
Note: * Increase is attributed to the inclusion of rooftop plant only.		

### 3.2 DETAILS OF MODIFICATIONS

As part of the detailed design development (for construction), internal and external changes are proposed to satisfy construction, structural, fire safety and accessibility requirements. The proposed modifications to **SSD-10470** capture the following specific items:

<b>TABLE 4: ITEMS TO BE MODIFIED</b>		
<b>Item</b>	<b>Description</b>	<b>Justification</b>
<b>External changes</b>		
<b>1</b>	Carpark layout change	Design development
<b>2</b>	Extend roof over level 1 office entry	Design development



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**TABLE 4: ITEMS TO BE MODIFIED**

<b>Item</b>	<b>Description</b>	<b>Justification</b>
<b>3</b>	Add external egress stair, awning over pick up bays and plant deck	Requirement for fire egress
<b>4</b>	Add external egress stair to access mezzanine floors and roof	Requirement for fire egress
<b>5</b>	Add mechanical exhaust and plant on roof and remove translucent roof sheets	Design development
<b>6</b>	Reduce inbound dock awning	Design development
<b>7</b>	Add mechanical and refrigeration plant rooms to rear elevated plant deck, including associated egress stair	Design development
<b>8</b>	Removal of existing concrete channel (demolition)	Design development
<b>9</b>	Add pickup store and pickup bays, including reconfiguration of pickup bays	Higher efficiency configuration and additional staff safety
<b>11</b>	Add landscape area adjacent to pick up bays	Aesthetics to screen building services
<b>12</b>	Amend southern plant area layout	Design development
<b>12</b>	Minor change to solar and switch room layout	Design development
<b>12</b>	Substation and HVC update (revision of sizing)	Design development
<b>12</b>	Reduce permanent generator to single large generator, including added portable generator	Design development
<b>12</b>	Add diesel tank for backup generators	Design development
<b>12</b>	Add armco around substation and sprinkler plant area	Design development and protection of plant
<b>13</b>	Higher precast wall to support the rear elevated plant deck	Design development
<b>14</b>	Add maintenance and wash bays	Design development
<b>15</b>	Add external stair to inbound dock area	Requirement for fire egress
<b>16/17</b>	Add security gates and boom gates	Design development
<b>20</b>	Mechanical louvre added	Design development
<b>21</b>	Add heavy duty guardrail to suspended slab edges	Safety requirement
<b>22</b>	Replace transparent wall sheeting to longline metal cladding	Design development
<b>23</b>	Extend pickup graphic (sign 5)	Design development
<b>24</b>	CFC sheeting is removed from Office ground elevation	Design development
<b>26</b>	Increase in size – outbound loading dock and van parking	Design development
<b>27</b>	Addition of two (2) mechanical plant rooms to car parking deck	Design development
<b>28</b>	Addition of three (3) flag poles at Percy Street frontage	Design development
<b>29</b>	Addition of two (2) lightning protection poles to roof	Safety requirement
<b>Internal changes</b>		
<b>10</b>	Amend internal office layout	Design development
<b>18</b>	Minor increase to level 1 office lobby, including additional stair adjacent to recreation area	Design development
	Add detailed fitout layout	Design development

Details of the proposed modifications are clouded in red on the Architectural Plans prepared by Nettleton Tribe Partnership, contained within **Appendix 1** of this Modification Report.



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### 3.2.1 Built form

The proposal, as modified, maintains a consistent bulk and scale to the approved development, of which the building ridge height and boundary setbacks remain unchanged. The proposed modification will not result in substantial changes to the approved use, form or intensity of the approved development.

Key changes include:

- Car parking layout
- Plant and equipment
- Pick up store and waiting bays
- Internal office layout
- Additional landscaping
- Additional gates
- Detailed fit out layout
- Additional building access(es)

A comparison of the approved development and proposed development (as modified) is shown in the following images, overleaf.

#### 3.2.1.1 Building height

The proposal, as modified, would result in an increase of building height by 3.85m, which is attributed to plant areas only. The highest plant deck screen would extend to an RL of RL28.50.

The warehouse ridge height remains at an RL of RL24.65, as approved.

Pursuant to the ALEP2010, building height is defined as follows.

***building height (or height of building)*** means—

- (a) *in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or*
- (b) *in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,*

*including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

As such, despite the warehouse structure maintaining the same ridge height, additional building height is proposed to account for the inclusive of rooftop plant areas, which are to be considered when determine the maximum building height.

The proposed building height is 20.7 m (at a maximum RL of RL28.5), to the top of the plant area.

#### 3.2.1.2 Gross floor area

The proposal, as modified, results in the reconfiguration of some internal spaces, requiring an adjustment to areas attributed to gross floor area (GFA) – refer to **Section 5.1.2** for further detail.

### 3.2.2 Fit out

Fit out works for the warehouse comprise predominantly of the installation of proprietary automated machinery and equipment, to allow for the distribution centre to operate as intended.



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The warehouse ground floor includes the provision of:

- OSR shuttle areas – an automated material handling system by Knapp
- Flow racks for manual picking
- Goods to persons systems
- Empty tote buffer and wash area
- Staging racks

The first mezzanine includes the provision of:

- Sequencing conveyors
- Empty tote buffer area
- Control tower

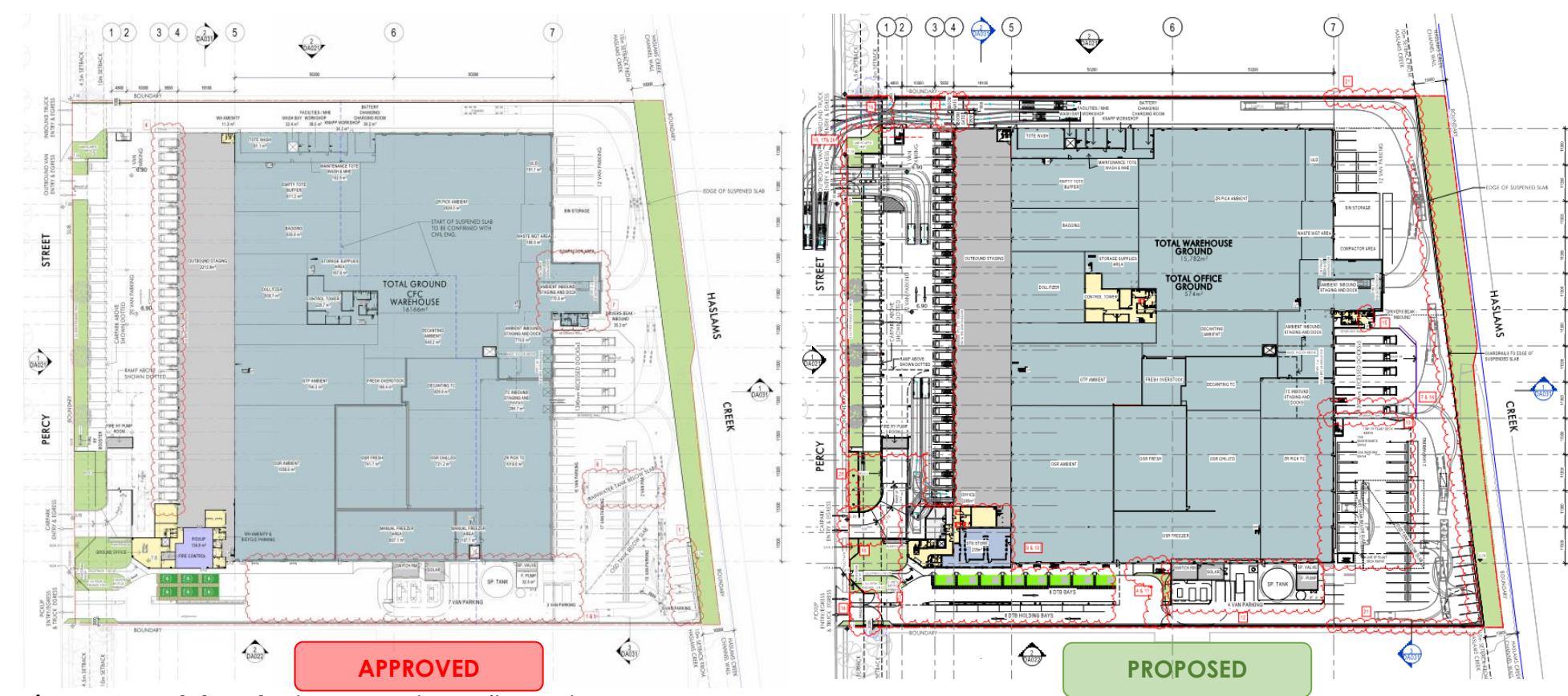
The warehouse level 1 (including second mezzanine) includes the provision of:

- OSR shuttle areas – an automated material handling system by Knapp
- Goods to persons systems
- Production areas
- Manual pick racking



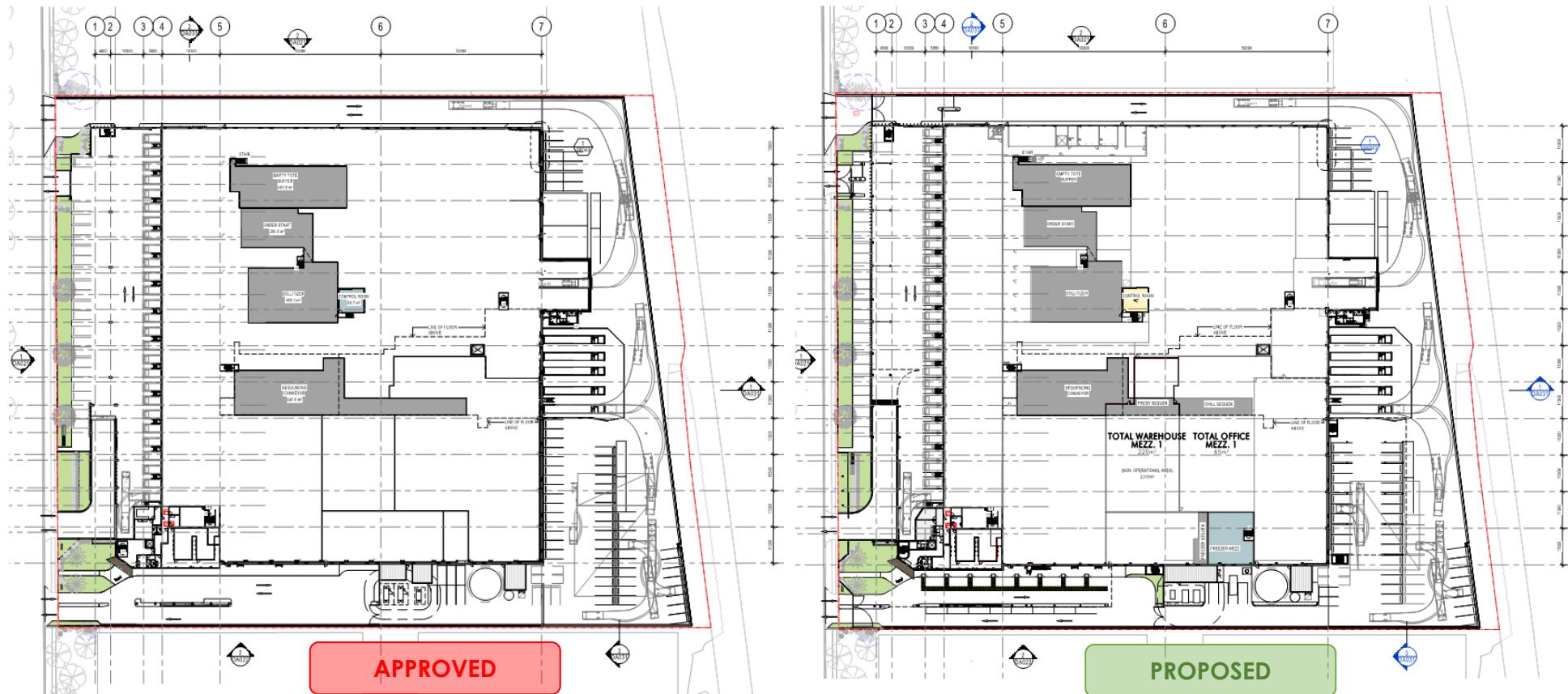
## Section 4.55(1A) Modification - SSD-10470 (MOD 1)

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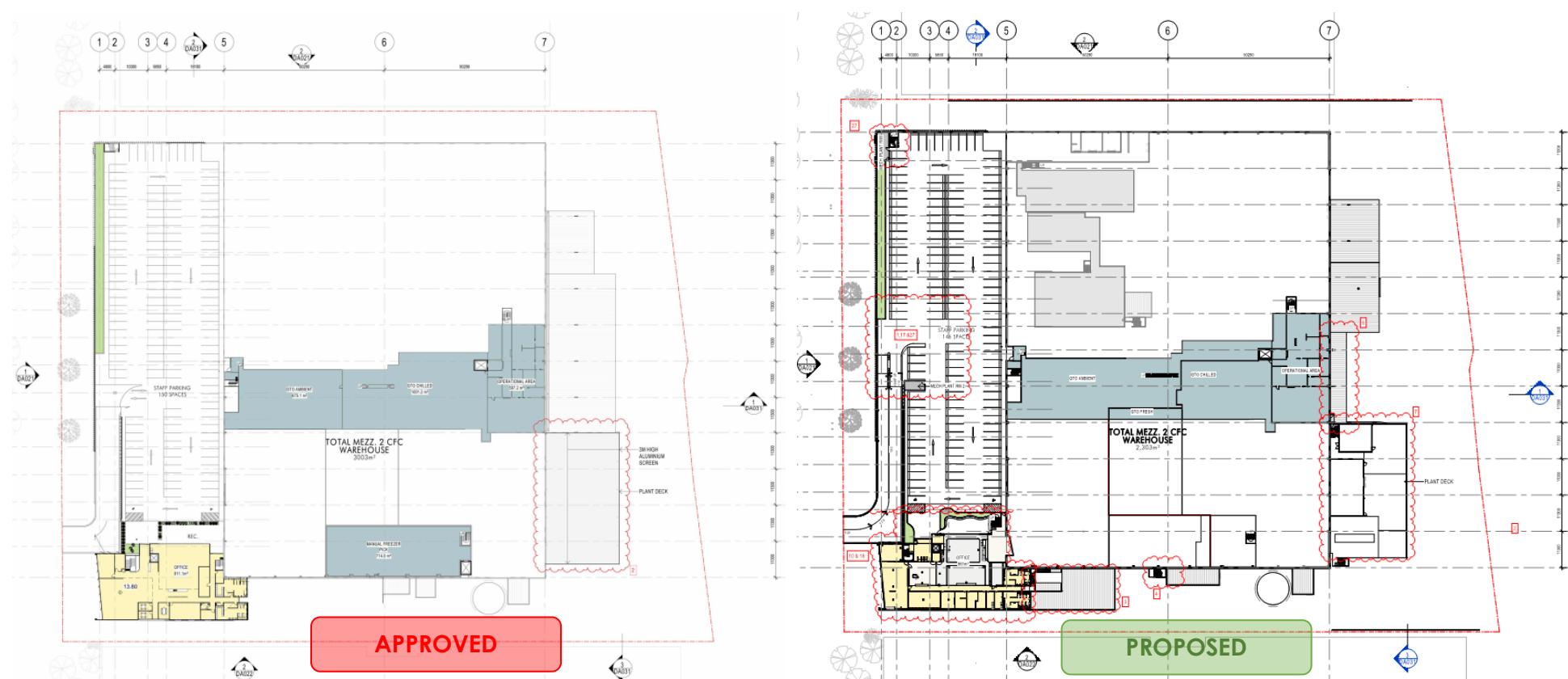
## **Figure 5. Ground Floor Plan** (Source: Nettleton Tribe, 2021)

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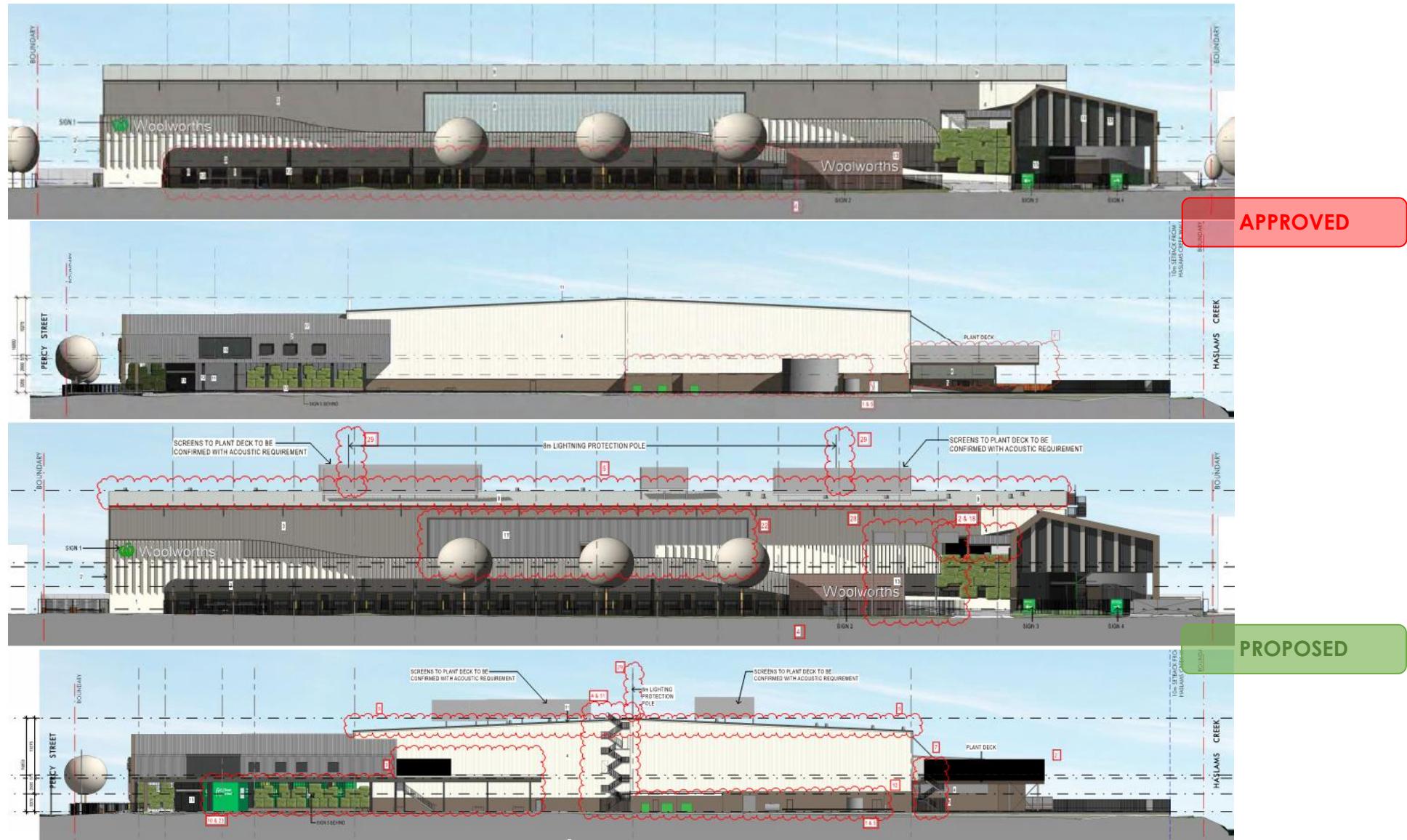
**Figure 6. Mezz 1 Floor Plan** (Source: Nettleton Tribe, 2021)

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**Figure 7. Mezz 2/L1 Floor Plan** (Source: Nettleton Tribe, 2021)

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**Figure 8. Elevations Plans** (Source: Nettleton Tribe, 2021)

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### **3.2.3 Signage**

The proposal, as modified, maintains the five (5) approved business identification signs, with some minor alteration to Sign 5. Sign 5 is located adjacent to the customer pick up area and is sought to be enlarged slightly as part of this modification application.

Further details on the proposed signage changes are included in **Section 4.1.9** of this Modification Report.

### **3.2.4 Parking and access**

The modifications related to parking access include:

- reduction in warehouse area from some 19,228 m<sup>2</sup> to some 18,305 m<sup>2</sup> and an increase in ancillary office area from some 1,220 m<sup>2</sup> to some 1,600 m<sup>2</sup>;
- minor increase in the size of the customer pick-up facility from some 135 m<sup>2</sup> to 235 m<sup>2</sup>, including provision of an additional pick-up store and two (2) additional pick-up bays;
- modifications to the inbound and outbound loading dock arrangements (reduction of one (1) inbound and one (1) outbound loading bay);
- reduction in staff parking spaces from 150 spaces to 144 spaces;
- provision of eight (8) additional customer waiting bays adjacent to the customer pick-up up facility; and
- introduction of boom gate access controls on the inbound and outbound loading dock driveways, and staff parking area.

### **3.2.5 Landscaping**

The provision of landscaping on site has been maintained, generally in accordance with the approved plans, with the key change being the additional landscaped space adjacent to the southern plant area. The inclusion of this landscaped area is a positive outcome, which will act to suitably screen plant.

## **3.3 DEVELOPMENT CONSENT MODIFICATIONS**

The proposed modifications do not require any conditions of consent to be modified.



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# PART D LEGISLATIVE & POLICY FRAMEWORK

This Part of the Modification Report addresses and responds to the legislative and policy requirements relevant to the proposed development at the site in accordance with the EP&A Act. The statutory planning framework relevant to the proposed development at the site includes:

### State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1997*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 19 – Bushland in Urban Areas*
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy No 64 – Advertising and Signage*

### Strategic Planning Context

- *A Metropolis of Three Cities – Greater Sydney Region Plan*
- *Central City District Plan*

### Local Planning Context

- *Auburn Local Environmental Plan 2010*
- *Draft Cumberland Local Environmental Plan*
- *Auburn Development Control Plan 2010*

This proposal has been carefully assessed against the requirement and objectives of all of the above planning statutory and policy documents. A detailed analysis is set out in the following sections:

## 4.1 STATE PLANNING CONTEXT

### 4.1.1 Environmental Planning & Assessment Act 1979

The EP&A Act is the principal planning and development legislation in NSW. The modifications sought to development consent **SSD-10470** warrants consideration of the provisions of Section 4.55(1A) of the EP&A Act. The provisions of Section 4.55(1A) of the EP&A Act are provided in **TABLE 5** below and require consideration in this instance.

**TABLE 5. SECTION 4.55 ASSESSMENT**

Clause	Response
<b>(1A) Modifications involving minimal environmental impact</b> 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—	
<i>(a) it is satisfied that the proposed modification is of minimal environmental impact, and</i>	The proposal, as modified, is considered to be of minimal environmental impact, as demonstrated in <b>PART E</b> of this Modification Report.



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**TABLE 5. SECTION 4.55 ASSESSMENT**

<b>Clause</b>	<b>Response</b>
	<p>The proposal would result in minimal additional environmental impacts, over and above those that have already been assessed and determined acceptable under <b>SSD-10470</b>.</p>
<p><i>(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and</i></p>	<p>Given the nature and extent of the changes proposed, the modifications sought would have limited undue environmental impacts. This is discussed further below. <b>PART E</b> of this Modification Report considers the proposed modification's impacts on the immediate and surrounding environments.</p> <p>The proposed modification will result in the same ultimate development outcome to that previously approved.</p> <p><b>Section 4.1.1.1</b> of this Modification Report demonstrates that the development as modified would result in substantially the same development as the development for which consent was granted under <b>SSD-10470</b>.</p>
<p><i>(c) it has notified the application in accordance with—</i></p> <ul style="list-style-type: none"> <li><i>(i) the regulations, if the regulations so require, or</i></li> <li><i>(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</i></li> </ul>	<p>Being a Section 4.55(1A) modification, it is considered that no exhibition is required.</p> <p>Item (ii) is not applicable, as Council is not the consent authority. Notwithstanding, it is noted that pursuant to Section 3.3.3 of the ADCP2010, a Section 4.55(1A) modification does not require advertising or notification.</p>
<p><i>(d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</i></p>	<p>It is acknowledged that consideration would be given to any submissions that are received concerning the proposed modifications.</p>
<p><i>(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such 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.</i></p>	<p>The proposed modifications are consistent with the matters referred to in section 4.15(1) of the EP&amp;A Act (refer to <b>Table 4</b>) and has considered the reasons given by the consent authority for original grant of consent. This is further described in <b>Section 4.1.1.2</b> below.</p>

**4.1.1.1 Section 4.55(1A)(b) – Substantially the Same**

The scope of a maximum modification of a consent without constituting assessment as a standalone application can be analysed through the ambit of *Michael Standley & Associates Pty Ltd v North Sydney*



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*Council [2005] NSWLEC 358*, whereupon Commissioner Mason P. found in relation to modification of development consents that the word “modify” was given the ordinary meaning of “to alter without radical transformation”. Therefore, the extent to which a consent may be modified is that to which the consent, as modified, is as approved without radical transformation or alteration.

The development, as modified, is substantially the same development and will not result in a radical transformation of **SSD-10470** for the following reasons:

- The modification maintains the use of the subject site for warehousing and distribution, as approved;
- The modification results in only very minor alteration to the approved building bulk and scale;
- There are no detrimental quantitative changes to the approved building bulk and scale that will impact the environmental impact of the proposed development (as modified);
- The function, form, operations and importantly, public perception of the subject site, would remain unchanged.

In light of the above, the proposal as amended, is not considered to result in a “radical transformation” of the consent, as currently approved, satisfying the radical transformation test pursuant to *Michael Standley & Associates Pty Ltd v North Sydney Council [2005] NSWLEC 358*.

This is further analysed in *Moto Projects (No 2) Pty Ltd v North Sydney Council [1999] NSWLEC 280* which applies a quantitative and qualitative test to determine what qualifies a development as being “substantially the same”, providing a comparison of the development as approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is “essentially or materially” the same as the approved development. The comparison involves an appreciation, qualitatively, as well as quantitatively, of the developments being compared in their proper contexts (including the circumstances in which the development consent was granted).

The proposal does not result in any significant quantitative changes to the approved development, and from a qualitative perspective, the development retains its identity as warehousing and distribution development.

Therefore, the proposal as amended, will be substantially the same development as approved, and satisfies the requirements for the application to be assessed and approved pursuant to Section 4.55(1A) of the EP&A Act.

### 4.1.1.2 Section 4.55(3) – Section 4.15 and reasons given by the consent authority for the grant of consent

Section 4.15(1) of the EP&A Act specifies that matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **TABLE 6** below.

<b>TABLE 6. SECTION 4.15(1)(A) CONSIDERATIONS</b>	
<b>Section</b>	<b>Response</b>
Section 4.15(1)(a)(i) any environmental planning instrument, and	Refer to the following subsections of this Modification Report.
Section 4.15(1)(a)(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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The draft Cumberland Local Environmental Plan is considered in <b>Section 4.2.2</b> of this Modification Report.



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<b>TABLE 6. SECTION 4.15(1)(A) CONSIDERATIONS</b>	
<b>Section</b>	<b>Response</b>
Section 4.15(1)(a)(iii) any development control plan, and	Refer to <b>Section 4.2.3</b> of this Modification Report.
Section 4.15(1)(a)(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	There is no voluntary planning agreement that apply to the proposal.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	There are no matters prescribed by the regulation that are relevant to the proposal.
Section 4.15(1)(b)-(c)	Refer to <b>PART E</b> of this Modification Report.

## **4.1.2 Environmental Planning & Assessment Regulation 2000**

Pursuant to Clause 115 of the EP&A Regulation all appropriate documentation has been submitted as a part of this MA.

### **4.1.2.1 Schedule 3 – Designated Development**

Section 4(1) of the EP&A Regulation states, that any development described in Part 1 of Schedule 3, would be declared to be Designated Development for the purposes of the EP&A Act.

The proposal, as modified, does not constitute Designated Development, as defined by Schedule 3 of the EP&A Regulation.

## **4.1.3 Protection of the Environment Operations Act 1997**

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

*"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

The proposed development, as modified, does not trigger any thresholds within Schedule 1 of the POEO Act.

## **4.1.4 Water Management Act 2000**

The objects of the *Water Management Act 2000* (WM Act) are to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations.

The proposed development is within 40m of a watercourse, which requires consideration of the WM Act. However, pursuant to Clause 4.41(1)(g) of the EP&A Act, a *water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91* of the WM Act, is not required for SSD that is authorised by a development consent.

In addition, Haslams Creek is a concrete-lined channel, and therefore works within 40m of the channel are not considered a Controlled Activity.



## **Section 4.55(1A) Modification – SSD-10470 (MOD 1)**

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### **4.1.5 State Environmental Planning Policy (State and Regional Development) 2011**

The *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) continues to apply to the proposed development, with the proposal, as modified, maintaining SSD status.

### **4.1.6 State Environmental Planning Policy (Infrastructure) 2007**

#### **4.1.6.1 Clause 104 – Traffic generating development**

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) repeals the former *State Environmental Planning Policy No. 11 – Traffic Generating Development* and, pursuant to Clause 104, provides for certain proposed developments known as Traffic Generating Development, to be referred to Transport for NSW (TfNSW) for concurrence.

Clause 104 applies to development specified in Schedule 3 that involves –

- (a) *new premises of the relevant size or capacity, or*
- (b) *an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.*

The proposal, as modified, would result in an increase in GFA of 258 m<sup>2</sup>. Whilst only a minor increase, this may be considered an enlargement of existing premises, by definition. As such, the proposal may be referred to TfNSW for concurrence.

The transport and traffic related impacts of the proposed modifications are assessed within **Section 5.2** of this Modification Report.

#### **4.1.6.2 Clause 45 – Development likely to affect an electricity transmission or distribution network**

Clause 45(1)(b) applies to an application for development comprising development carried out:

- (i) *within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
- (ii) *immediately adjacent to an electricity substation, or*
- (iii) *within 5m of an exposed overhead electricity power line,*

The subject site contains rights of way and easement of electricity purposes (E61118). As such, the consent authority, before determining an application for modification of a consent, must:

- (a) *give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and*
- (b) *take into consideration any response to the notice that is received within 21 days after the notice is given.*

### **4.1.7 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development**

The proposal, as modified, seeks to include a 5,000L above ground diesel tank, south of the approved development. As such, further consideration of the State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) thresholds is required.

Riskcon Engineering have reviewed and updated their SEPP 33 Report to include the provision of the proposed diesel tank; refer to **Appendix 6** of this Modification Report.



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The facility, including the proposed modification, is not classified as potentially hazardous, therefore it is not necessary to prepare a Preliminary Hazard Analysis, as SEPP 33 does not apply.

### 4.1.8 State Environmental Planning Policy No. 55 – Remediation of Land

The proposed modifications do not necessitate any changes to the approved remediation strategy for the subject site. As such, the conditions of consent related to remediation are to remain unchanged.

### 4.1.9 State Environmental Planning Policy No. 64 – Advertising Structures and Signage

The proposed modifications seek to amend one signage zone (Sign 5) approved under SSD-10470. Details of the proposed signage is included in **Section 3.2.3** of this Modification Report.

The SEPP 64 assessment is summarised below in **TABLE 7** below:

<b>TABLE 7: SEPP 64 – SCHEDULE 1 ASSESSMENT CRITERIA</b>	
<b>Criteria</b>	<b>Comment</b>
<b>1 Character of the area</b>	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	<b>YES</b> The proposed signage is compatible with the character of the site and its immediate surrounds and will support the operation of the proposed facility.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	<b>YES</b> As above, the proposed signage will accord with the character of the area. A number of businesses within the vicinity of the subject have erected similar signage, as demonstrated in the following images. 42 – 46 Percy Street, Auburn: 
	17-21 Percy Street, Auburn: 



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**TABLE 7: SEPP 64 – SCHEDULE 1 ASSESSMENT CRITERIA**

<b>Criteria</b>	<b>Comment</b>
	100 Parramatta Road, Auburn: 
<b>2 Special areas</b>	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<b>NO</b> The proposed signage does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas. The proposed signage would be of high-quality design and finish, minimising any potential visual impacts to the public domain.
<b>3 Views and vistas</b>	
<i>Does the proposal obscure or compromise important views?</i>	<b>NO</b> The proposed signage includes wall advertisements and low free standing signs (for wayfinding), which would not obscure or compromise any important views.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	<b>NO</b> The proposed signage includes wall advertisements and low free standing signs (for wayfinding), which would not protrude into the skyline.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	<b>YES</b> The signage would not obstruct any other signage in the vicinity of the subject site.
<b>4 Streetscape, setting or landscape</b>	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	<b>YES</b> The signage has been designed to be compatible with the commercial, industrial and warehousing character of the immediate neighbouring properties and overall context of the locality. In this respect, the proposed signage is of a scale commensurate to those surrounding development and associated signage and thus is deemed appropriate for the streetscape, setting and landscape.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	<b>YES</b> The signage is to be used to provide identity to the business and assist with wayfinding for site users and create visual interest to the



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**TABLE 7: SEPP 64 - SCHEDULE 1 ASSESSMENT CRITERIA**

<b>Criteria</b>	<b>Comment</b>
	streetscape and landscape setting whilst not dominating the streetscape or views from the public domain.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	<b>YES</b> The signage seeks to integrate with the proposed built form on the subject site, remaining consistent with the established signage within the surrounding area whilst also improving the legibility on site. The proposed signage is complementary to the design of the development and does not result in any 'visual clutter'.
<i>Does the proposal screen unsightliness?</i>	<b>N/A</b> The proposal involves a new warehouse and distribution facility, and therefore does not aim to screen unsightliness.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	<b>NO</b> The proposed signage would not protrude above buildings, structures or tree canopies.
<i>Does the proposal require ongoing vegetation management?</i>	<b>NO</b> The proposed signage would not require ongoing vegetation management.
<b>5 Site and building</b>	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	<b>YES</b> The signage is of suitable scale and design for its intended purpose to effectively identify the business operating on-site. The proposed signage will integrate with the proposed built form and façade design to adhere to visual coherence. Additionally, the signage will also remain consistent with the existing streetscape that represent the land uses along Percy Street. The scale of the proposed signage is considered to be commensurate with the size of the site and the building to which it will be affixed.
<i>Does the proposal respect important features of the site or building, or both?</i>	<b>YES</b> The signage has been designed to integrate with the proposed built form and would not be the predominant visual feature of the subject site. The proposed signage is respectful of the proposed built form.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	<b>YES</b> The proposed signage has been designed to integrate with the proposed built form and to improve legibility for staff and customers alike. The design is considered satisfactory for the intended business identification purposes.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	<b>YES</b> No safety devices or platforms are proposed. However, the proposed signage would be illuminated. The Woolworths logo is proposed on the signs, and used as part of the business identification signage and does not dominate the facade or frontage of the building.
<b>7 Illumination</b>	



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**TABLE 7: SEPP 64 - SCHEDULE 1 ASSESSMENT CRITERIA**

<b>Criteria</b>	<b>Comment</b>
<i>Would illumination result in unacceptable glare?</i>	<b>NO</b> The illumination from the proposed signage would not result in unacceptable glare.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	<b>NO</b> The illumination from the proposed signage would not affect safety for pedestrians, vehicles or aircraft.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	<b>NO</b> The subject site does not adjoin sensitive land uses such as residential.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	<b>YES</b> The proposed illumination could be adjusted if required. The proposed signage would be internally lit, with the brightness to remain relatively low through appropriate monitoring. The proposed illumination would remain consistent with the existing streetscape and adjoining signs. However, it is not considered necessary to adjust the illumination as the size and location of the illuminated signs would not cause unreasonable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation.
<i>Is the illumination subject to a curfew?</i>	<b>NO</b> The proposed illumination would not create any disturbance for the surrounding properties due to its location within an industrial area. As such the implementation of a curfew is not necessary.

**8 Safety**

<i>Would the proposal reduce the safety for any public road?</i>	<b>NO</b> The proposed signage is not considered to have any adverse impact upon the safety for any public road including those on Percy Street.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	<b>NO</b> The proposed signage would not reduce the safety of pedestrians or bicyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	<b>NO</b> The proposed signage would not obscure sightlines from public areas and therefore would not reduce the safety of pedestrians. The signage is to be used to provide identity to a building and identifying the tenant. This adds visual interest to the streetscape and landscape setting.

In addition to the above, Part 3 of SEPP 64 outlines a number of additional matters to be considered for certain signs. This Part does not apply to Business Identification Signage and is therefore not applicable to the proposed development.

Based on the above, where the proposed signage, as modified, is undertaken in accordance with the specified parameters, the development would be consistent with the provisions of SEPP 64.



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## 4.2 LOCAL PLANNING CONTEXT

### 4.2.1 Auburn Local Environmental Plan 2010

The site is subject to the provisions of ALEP2010. Relevant permissibility and development standards are summarised in the subsequent sections of this report.

#### 4.2.1.1 Zoning and permissibility

The subject site is zoned IN1 General Industrial pursuant to ALEP2010, refer to **Figure 4**.

The objectives of the IN1 zone are:

- *To provide a wide range of industrial and warehouse land uses*
- *encourage employment opportunities*
- *minimise any adverse effect of industry on other land uses*
- *support and protect industrial land for industrial uses*
- *encourage economic growth of the locality*
- *to minimise adverse effects on the natural environment.*

As outlined above, the proposed development, as modified, would continue to satisfy all the objectives as it would provide an employment generating land use in the form of a warehouse, operating as a distribution centre. Therefore, the existing industrial use of the land would be retained, and the subject site would continue to provide employment at a larger scale to encourage and support the economic growth of the locality.

Within the IN1 zone the following are permissible without consent:

*Nil.*

Within the IN1 zone the following are permissible with consent:

*Building identification signs; Business identification signs; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Light industries; Markets; Neighbourhood shops; Oyster aquaculture; Places of public worship; Restaurants or cafes; Roads; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4.*

Within the IN1 zone the following are prohibited:

*Agriculture; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Funeral homes; Health services facilities; Heavy industries; Highway service centres; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Office premises; Passenger transport facilities; Pond-based aquaculture; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Rural industries; Signage; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities.*

Accordingly, the proposed use as a warehouse and distribution centre is permitted with consent.



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**4.2.1.2 Development standards**

This section provides is a summary of all ALEP2010 provisions, as they apply to the proposed development.

<b>TABLE 8: DEVELOPMENT STANDARDS OF ALEP2010</b>		
<b>Clause</b>	<b>Comment</b>	<b>Compliance</b>
<b>Principle development standards</b>		
4.1 Minimum subdivision lot size	The site is subject to a minimum lot size of 1,500 m <sup>2</sup> pursuant to the LEP map. As the subject site provides an area of approximately 32,453 m <sup>2</sup> , the proposal can be accommodated on the site.	Yes
4.3 Height of buildings	The site is not subject to a maximum building height pursuant to ALEP2010.	Yes
4.4 Floor space ratio	The maximum FSR permitted for the site under the current planning control is 1:1. With the combined site having an area of 32,453 m <sup>2</sup> , the allowable maximum GFA of 32,453 m <sup>2</sup> for the site. The proposed development, as modified, would result in a GFA of 20,140 m <sup>2</sup> and FSR of just 0.62:1.	Yes
4.6 Exemptions to development standards	This proposal does not require a Clause 6.4 contravention.	N/A
<b>Miscellaneous provisions</b>		
5.3 Development near zone boundaries	Not applicable to the proposed development.	N/A
5.10 Heritage conservation	The subject site does not contain a heritage item and is not located in a heritage conservation area. However due consideration is given to the adjoining archaeological heritage item of Haslams Creek.  A Historical Heritage Assessment was prepared by Austral Archaeology as part of the original SSD application, in support of the approved development. The proposal, as modified, is consistent with the Historical Heritage Assessment, and would not generate additional impacts to Haslams Creek.	Yes
<b>Additional local provisions</b>		
6.1 Acid sulfate soils	The subject site is identified as comprising acid sulfate soils (Class 2 and Class 5) in the relevant ALEP2010 map and accordingly is subject to the provisions of Clause 6.1.  An Acid Sulfate Soils Management Plan was prepared, by Geo-Logix as part of the original SSD application, in accordance with the <i>Acid Sulfate Soils Manual</i> .	Yes
6.2 Earthworks	Bulk earthworks design has been prepared by Henry & Hymas Engineers and approved under <b>SSD-10470</b> .  The proposed development, as modified, does not seek to alter the approved bulk earthworks design.	Yes
6.3 Flood planning	The subject site is identified as a “Flood Planning Area” within the ALEP2010 Flood Planning Map and therefore is subject to Clause 6.3.  The flood planning levels which are applicable to the land have been incorporated into the design to ensure that the	Yes



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**TABLE 8: DEVELOPMENT STANDARDS OF ALEP2010**

Clause	Comment	Compliance
	<p>design incorporates appropriate measures to manage risk to life from flood events and to also ensure the development will not significantly increase the potential flood affectation of other development or properties.</p> <p>The approved design is maintained as part of this proposed modification, responding to flood requirements, as prepared by Henry &amp; Hymas Engineers under <b>SSD-10470</b>. The proposal maintains the suspended slab in order to not impact on flood storage volumes or impede the movement of flood water.</p>	
6.4 Foreshore building line	<p>The proposed development has been designed to provide appropriate separation between the land located below the foreshore and the foreshore building line, to ensure that significant adverse impacts on flood behaviour and the environment do not result.</p> <p>The foreshore building line is located approximately 8.8 m from the eastern corner and 3.3 m from the southern corner of the subject site. The proposed development, as modified, maintains the approved setback of 9.2 m from the eastern corner and 6.0 m from the southern corner of the subject site, which is outside of the foreshore area.</p>	Yes
6.5 Essential services	Essential services are available at the subject site, as determined in the original <b>SSD-10470</b> application.	Yes

**4.2.2 Draft Cumberland Local Environmental Plan**

It is understood that the draft Cumberland Local Environmental Plan (CLEP) has been exhibited. Consideration of the draft CLEP is required, as this will supersede the ALEP2010. Relevant permissibility and development standards are summarised in the subsequent sections of this report.

**4.2.2.1 Draft zoning and permissibility**

Under the draft CLEP the subject site is still zoned IN1 General Industrial. Based on the current draft land use matrix, the proposed Warehouse and distribution centre would remain permitted with consent under the draft CLEP.

**4.2.2.2 Draft development standards**

The proposed development, as modified, would remain consistent with the draft CLEP.

**4.2.3 Auburn Development Control Plan 2010**

The ADCP2010 supplements ALEP2010 and provides more detailed provisions to guide development.

As is noted in Part 2, Clause 11 of the SRD SEPP, which governs an SSD Application:

*Development control plans (whether made before or after the commencement of this Policy) do not apply to:*

*(a) State Significant Development*



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The proposed development, as modified, remains generally in accordance with the assessment of the relevant provisions of the ADCP2010 provided as part of the original SSD Application.



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# PART E LIKELY IMPACTS OF DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(l) of the EP&A Act.

## 5.1 DESIGN AND APPEARANCE

The proposal, as modified, maintains the ultimate built form design and appearance, with only minor amendments proposed for the external realm of the development. The following perspective images provide a comparison of the approved built form, and the resulting built form following the proposed modifications.



**Figure 9. Perspective View 1 – approved** (Source: Nettleton Tribe, 2021)



**Figure 10. Perspective View 1 – proposed** (Source: Nettleton Tribe, 2021)



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**Figure 11. Perspective View 2 – approved** (Source: Nettleton Tribe, 2021)



**Figure 12. Perspective View 2 – proposed** (Source: Nettleton Tribe, 2021)

As shown in the above perspective images, the proposal, as modified, is materially the same as approved development, when viewed from the Percy Street domain.

### 5.1.1 Building height

The proposal, as modified, would be in keeping in terms of scale of the approved development. The building ridge height continues to sit at RL24.650.

The proposed modifications do seek to include plant areas on the warehouse roof, which would be screened, and may extend to a maximum RL of RL28.5. Such plant areas have been typically located central to the approved building, limiting their presence from external onlookers.



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Figure 13. Extract of approved Southwest Elevation (Source: Nettleton Tribe, 2021)

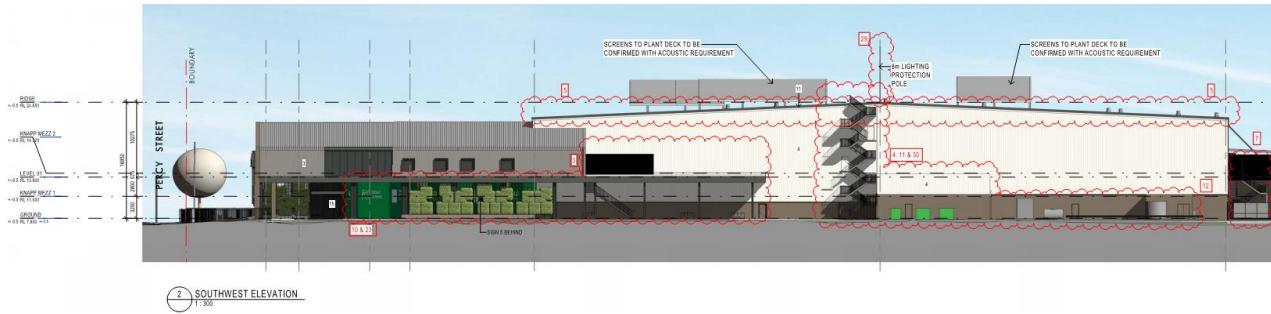


Figure 14. Extract of proposed Southwest Elevation (Source: Nettleton Tribe, 2021)

As demonstrated in the above perspective images (Figure 10 and Figure 12), such plant areas would not be visible from the Percy Street level.

### 5.1.2 Floor space and use

Whilst the building footprint remains unchanged, the proposal seeks to slightly decrease the total GFA for the development. The change in GFA includes a reduction in the warehouse GFA, but an increase in the office and pick up GFAs. The proposed decrease in GFA is 475 m<sup>2</sup>, representing a decrease of just 2.3%.

The adjustment to GFA is attributed to the following:

- Warehouse ground floor change:
  - control tower and team breakout area, next to inbound, have been defined as office area.
  - also, due to increase of pick up store and ground office floor area.
- Mezzanine 1 change is as result of increase in freezer automation mezzanine floor, at south of warehouse, and redefinition of control tower Mezzanine 1 to office Level 1 area.
- Mezzanine 2 change is due to removal of manual freezer mezzanine level.
- Office area change is as per redefining warehouse area to office use and minor footprint change.
- Pickup store (direct to boot (DTB)) store with increased footprint.

As mentioned in **Section 3.2.2** of this Modification Report, the proposal seeks to capture the detailed fit out of the approved warehouse and distribution centre. The key consideration of this proposal is the automation of the operations occurring on site.

The impacts of the operation have been considered and assessed as part of the original SSD Application and revisited within the following subsections. As such it is considered that the proposed fit out is not an intensification of the approved use, but rather a procedural matter to allow for certification to occur.



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## 5.2 TRAFFIC AND TRANSPORT

An updated traffic assessment has been prepared by CBRK, in support of the proposed modifications – refer to **Appendix 5** of this Modification Report. The findings of the updated traffic assessment are summarised in the following subsections.

### 5.2.1 Parking

The ADCP2010 includes the following parking requirements:

- Warehouse: one space per 300 m<sup>2</sup> GFA; and
- Ancillary office: one space per 40 m<sup>2</sup> GFA.

Application of these parking rates results in a requirement of some 127 parking spaces. The proposed parking provision is 152 spaces, including 144 spaces within the mezzanine staff parking area and eight spaces adjacent to the customer pick-up facility (in addition to the eight customer pick-up bays). This parking provision satisfies the ADCP2010 requirement and is appropriate to cater for the site operations.

The proposal, as modified, result in

- a reduction of 6 staff parking spaces,
- an increase of 2 pick-up bays,
- an additional 8 waiting bays,
- a reduction of 15 van parking bays, and
- a reduction of 1 inbound and 1 outbound loading bay.

The appropriateness of the number of pick-up/waiting bays, van parking bays and loading bays is discussed in the following section on internal layout and servicing.

### 5.2.2 Access

Access arrangements onto Percy Street will be unchanged compared to the approved development.

In association with the proposed modifications, boom gate access controls will be located on the inbound and outbound loading dock driveways. The access controls will be located within the site with appropriate queuing of service vehicles on approach to the controls, as discussed below.

As set out in the original traffic report and in correspondence relating to matters raised by the authorities during the assessment process, the proposed inbound docks will generate some 10 to 15 articulated vehicles two-way per day. This is equivalent to on average only one articulated vehicle entering and exiting the site per hour over the day. These articulated vehicles will access the site via the northernmost access driveway. The boom gate controls will be located some 35 m into the site, providing appropriate queuing area to accommodate an articulated vehicle on approach to the controls within the site.

During peak periods the proposed outbound docks will generate some 40 delivery vans per hour two-way during the morning and afternoon periods. These delivery vehicles will access the site via the central access driveway. Based on a peak traffic generation of 40 delivery vans entering or exiting the site per hour, the 95th percentile queue for a single boom gate control would be some one to two vehicles. The boom gate controls will be located some 15 m into the site, providing appropriate queuing area to accommodate two delivery vans on approach to the controls within the site.

The access driveways, with the introduction of the boom gate access controls are therefore considered appropriate and will cater for the swept paths of service vehicles entering and exiting the site in a forward direction.



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### 5.2.3 Internal layout and servicing

The proposed modifications include changes to the inbound and outbound loading dock arrangements. The inbound docks will be located adjacent to the eastern boundary of the site. The number of inbound loading bays will be reduced from seven bays to six bays (reduction of one bay). They will be 3.5 m wide and all bays will be suitable for access by 20 metre articulated vehicles.

The outbound docks will be located adjacent to the western boundary of the site. The number of outbound loading bays will be reduced from 28 bays to 27 bays (reduction of one bay). They will be 3.5 m wide and will cater for delivery vans up to 6.4 m small rigid trucks.

The ADCP2010 includes the following loading arrangements for industrial/warehouse developments:

- one loading bay per 800 m<sup>2</sup> GFA up to 8,000 m<sup>2</sup> GFA; plus
- one loading bay per 1,000 m<sup>2</sup> GFA thereafter.

Application of these rates results in a requirement of 21 loading bays. The proposal, as modified, will provide a total of 33 loading bays, including six suitable for 20 m articulated vehicles and 27 suitable for delivery vehicles up to 6.4 m in length, which satisfies Council's requirement.

Woolworths have advised that the proposed 88 van parking spaces are appropriate to cater for their operation.

The proposed loading dock arrangements will be designed to comply with the requirements of the *Australian Standard for Parking Facilities Part 2: Commercial vehicle facilities* (AS2890.2-2018).

Emergency vehicle access will be provided around the perimeter of the site, via the northern and southern driveways onto Percy Street. A fire brigade hardstand area is located adjacent to the south-eastern corner of the building. The internal circulation road and the emergency hardstand area will be designed to cater for emergency vehicles, including fire trucks to enter and exit the site in a forward direction.

Within the mezzanine car park area, the reconfigured staff car parking arrangements, in terms of car parking dimensions, aisle widths, ramp grades, disabled parking and height clearances, will be provided in accordance with the *Australian Standards for Parking Facilities Part 1: Off-street car parking and Part 6: Off-street parking for people with disabilities* (AS2890.1-2004 and AS2890.6-2009).

The proposed modifications include modifications to the customer drive through pick-up facility, to be located on the southern side of the building. It will provide eight pick-up bays, a turnaround area and eight additional waiting bays. Vehicles will enter and exit the drive through pick-up facility, to and from Percy Street (via the southern driveway), in a forward direction.

The drive through pick-up facility will have a service capacity of some 80 vehicles per hour. The peak number of pick-ups is anticipated to be some 30 customers per hour. The 95th percentile queue for the pick-up operation would be some three to four vehicles, which will readily be accommodated within the drive through (eight pick-up bays).

### 5.2.4 Traffic impacts

Traffic generated by the proposed development will have its greatest effects during the weekday morning and afternoon peak periods.

The previous report assessed a traffic generation for the of some 160 vehicles per hour two-way (comprising some 120 cars and 40 delivery vans) during the morning and afternoon peak periods. With a similar floor



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area compared to the approved development, the proposed modifications would have a similar traffic generation than that assessed in the original SSD Application.

The increase in the size of the customer pick-up facility, including an increase in the number of pick-up bays from six bays to eight bays, would result in an additional traffic generation of some 10 customer pick-ups per hour during peak periods. This would result in an overall traffic generation for the proposed modified development of some 180 vehicles per hour two-way (comprising some 140 cars and 40 delivery vans), an increase of some 20 vehicles per hour two-way, during the morning and afternoon peak periods.

The additional traffic generated by the proposed development has been assigned to the surrounding road network. Existing peak hour traffic flows plus additional development traffic (approved development and proposed modified development) are summarised in **TABLE 9**.

Road/Location	Weekday Morning			Weekday Afternoon		
	Existing	Approved	Modified	Existing	Approved	Modified
St Hilliers Road						
- North of Hall St	2,940	+ 75	+ 8	3,265	+ 75	+ 8
- South of Hall St	3,065	+ 30	+ 4	3,390	+ 30	+ 4
- South of Rawson Rd	50	-	-	85	-	-
Silverwater Road						
- North of M4 Motorway	3,595	+ 35	+ 4	3,240	+ 35	+ 4
- North of Parramatta Rd	3,870	+ 45	+ 4	4,205	+ 45	+ 4
Parramatta Road						
- East of St Hilliers Rd	2,955	-	-	3,395	-	-
- West of St Hilliers Rd	2,605	+ 30	+ 4	3,145	+ 30	+ 4
Rawson Road						
- West of St Hilliers Rd	1,720	+ 35	+ 4	1,845	+ 35	+ 4
Booree Road						
- East of St Hilliers Rd	3,865	+ 35	+ 4	4,260	+ 35	+ 4
- East of Percy St	3,905	+ 30	+ 6	4,380	+ 30	+ 6
Percy Street						
- North of Hall St	175	+ 55	+ 2	385	+ 55	+ 2
- South of Hall St	180	+ 100	+ 14	315	+ 100	+ 14
- North of Booree St	110	+ 35	+ 6	315	+ 35	+ 6
Hall Street						
- East of St Hilliers Rd	210	+ 105	+12	370	+ 105	+ 12

**TABLE 9** demonstrates that traffic flow increases as a result of the proposed modified development would be some 2 to 14 vehicles per hour two-way during peak periods, compared to the approved development.

The intersections analysed in our previous report have been reanalysed using the SIDRA 9 Network Model, with the approved development and the proposed modified development additional traffic flows added to existing traffic flows, during the morning and afternoon peak periods.

The results of the SIDRA analysis are summarised in **TABLE 10**.



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TABLE 10. SUMMARY OF SIDRA ANALYSIS							
Intersection	Output	Existing		Approved		Modified	
		AM	PM	AM	PM	AM	PM
Silverwater Rd / M4 Motorway	Average delay (sec/veh)	27	22	28	25	28	25
	Level of service (LOS)	B	B	B	B	B	B
Paramatta Rd / Silverwater Rd / St Hilliers Rd	Average delay (sec/veh)	38	46	40	48	40	48
	Level of service (LOS)	C	D	C	D	C	D
St Hilliers Rd / Hall St	Average delay (sec/veh)	< 15	< 15	< 15	< 15	< 15	< 15
	Level of service (LOS)	A / B	A / B	A / B	A / B	A / B	A / B
St Hilliers Rd / Rawson St / Boorea St	Average delay (sec/veh)	37	46	39	48	39	48
	Level of service (LOS)	C	D	C	D	C	D
Boorea St / Percy St	Average delay (sec/veh)	< 15	16	< 15	< 15	< 15	< 15
	Level of service (LOS)	A / B	B	A / B	A / B	A / B	A / B
Percy St / Hall St	Average delay (sec/veh)	< 15	< 15	< 15	< 15	< 15	< 15
	Level of service (LOS)	A / B	A / B	A / B	A / B	A / B	A / B

The abovementioned SIDRA analysis summary reveals the following:

- the signalised intersections of Parramatta Road/Silverwater Road/St Hilliers Road and St Hilliers Road/Rawson Street/Boorea Street will continue to operate with average delays of less than 40 seconds per vehicle in the morning and less than 50 seconds per vehicle in the afternoon peak periods. This represents LOS C and D respectively for the morning and afternoon peak periods, which are satisfactory levels of service;
- the signalised intersection of Silverwater Road and the on and off ramps to/from the M4 Motorway will continue to operate at LOS B during peak periods. Average delays will be 28 seconds per vehicle during the morning and 25 seconds per vehicle during the afternoon peak periods. This represents a good level of intersection operation;
- the signalised intersection of St Hilliers Road and Hall Street will continue to operate with average delays of less than 15 seconds per vehicle in the morning and afternoon peak periods. This represents LOS A/B, a good level of intersection operation; and
- the priority controlled intersections of Boorea Street/Percy Street and Percy Street/Hall Street will continue to operate with average delays, for the movement with the highest average delay, of less than 15 seconds per vehicle in the morning and afternoon peak periods. This represents level of service A/B, a good LOS.

With the additional development traffic, intersections in the vicinity of the site will continue to operate at the same level of service as today. Therefore, the road network will be able to cater for the proposed modified development traffic.

## 5.3 NOISE AND VIBRATION

The original SSD Application satisfactorily assessed the potential noise and vibration impacts anticipated with the development and its operations.

Acoustic Logic have confirmed that the extent of the plant area detailed in this MA does not impact the ability for the subject site to comply with the noise limits set by the existing development consent. The



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approved Acoustic Report (20200597.1/2005A/R7/WY), dated 21 May 2021, included noise from plant room/mechanical plant locations consistent with the proposed modification plans (refer to 'Source 6' in **Figure 15** below). The conclusions made in that report are still relevant and include:

- Typical selections (ventilation fans with an SWL of 80dB(A), chillers/refrigeration plant with an SWL of 85dB(A)) would likely be acceptable without additional acoustic treatment.
- A detailed review of proposed mechanical plant be completed once the detailed design of equipment has been completed.



**Figure 15. Noise Sources from Acoustic Report (20200597.1/2005A/R7/WY)** (Source: Acoustic Logic, 2021)

Whilst detailed design and final selections of mechanical plant have not been decided, preliminary review of the proposed mechanical plant and equipment by Acoustic Logic indicates that the noise levels from plant areas can meet the noise emission requirements of Condition B6.

The rooftop mechanical plant is generally limited to:

- Air handling units
- General ventilation fans
- Smoke exhaust fans (emergency operations only)

All the above mechanical plant may be treated with standard acoustic treatments (internally lined ductwork, attenuators etc.) to reduce emitted noise levels to acceptable levels, if required.

Further detail of specific acoustic treatments and recommended controls will be provided and implemented into the mechanical design and plant selections during the detailed design phase. This is consistent with recommendations of Section 7.1 of the approved Acoustic Report (20200597.1/2005A/R7/WY), dated 21 May 2021, which requires that detailed acoustic review be undertaken at Construction Certificate stage, to determine acoustic treatments to control noise emissions to satisfactory levels.

A statement has been prepared by Acoustic Logic and provided within **Appendix 4** of this Modification Report.



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### **5.4 HAZARD AND RISK**

As addressed in **Section 4.1.7**, the proposal seeks to include a 5,000L diesel tank. Riskcon Engineering have assessed this provision and have confirmed that the facility is still not classified as potentially hazardous; the full assessment is included the SEPP 33 Report contained with **Appendix 6** of this Modification Report.

In addition, the Applicant is well progressed with Fire and Rescue NSW (FRNSW) in their fire engineering design process. A copy of the Fire Engineering Brief Questionnaire (FEBQ) is included in **Appendix 7** of this Modification Report for reference, if required. The Application is currently preparing the Fire Engineering Report for submission to FRNSW.

### **5.5 STORMWATER OR OTHER CIVIL ENGINEERING MATTERS**

The proposal would not impact on stormwater management or other civil engineering matters.

### **5.6 OTHER MATTERS FOR CONSIDERATION**

All other matters for consideration have been previously assessed as part of **SSD-1047** and remain unaffected by the proposed modifications.

### **5.7 SUITABILITY OF SITE FOR DEVELOPMENT**

The subject site will remain suitable for the purpose of warehousing and distribution that will respond to the characteristics of the site and surrounding locality.

### **5.8 SUBMISSIONS**

No submissions have been received at the time of writing this statement. Any submissions received post lodgement shall be reviewed and considered.

### **5.9 THE PUBLIC INTEREST**

The development as modified would have no adverse impact on the public interest. The proposed modifications would improve the functionality of operations, with no adverse visual or amenity impacts for neighbouring properties or the public domain.



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## PART F CONCLUSION

This Modification Report has presented the proposed modifications to the Warehouse and Distribution Centre approved under **SSD-10470**, at 11 and 13 Percy Street, Auburn, and to assess its potential impacts having regard to Section 4.15(1) of the EP&A Act.

The proposal has been prepared after taking into consideration the following key issues:

- The development history of the subject site;
- Previously approved **SSD-10470**;
- The context of the site and locality;
- The relevant heads of consideration under Section 4.55(2) of the EP&A Act; and
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

As detailed throughout this Modification Report and the supporting documentation, the proposed modification is consistent with the objectives and controls of the relevant instruments and policies in place. No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed modifications intended. Rather, the proposed MA would provide for positive impacts, including the operational efficiencies and the generation of employment opportunities in the warehousing and distribution sector, namely for the purposes of facilitating an ongoing operation for warehousing and distribution.

The proposed MA is permissible within the IN1 General Industrial zone and is compatible with the zone objectives. As demonstrated throughout this Modification Report, the amendments proposed would not promote any adverse environmental impacts. Additionally, the matters for consideration under Section 4.15(1) of the EP&A Act (as prescribed for **SSD-10470**) have been satisfactorily addressed, providing that the proposed built-form and intended use are compatible with the surrounding environment.

In light of the above, the modifications proposed for **SSD-10470** are considered worthy of support by the NSW DPIE.

