



WILLOWTREE PLANNING

MODIFICATION REPORT

Access Logistics Park

884-928 Mamre Road, Kemps Creek
Lots 52 & 53, DP259135

—
Prepared by Willowtree Planning Pty Ltd
on behalf of Barings LLC

17 April 2026

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In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders - past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

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TABLE OF CONTENTS

TABLE OF CONTENTS	ii
APPENDICES LIST	iv
GLOSSARY OF KEY TERMS	v
EXECUTIVE SUMMARY	7
PART 1 INTRODUCTION	9
1.1 OVERVIEW	9
1.2 DEVELOPMENT APPLICATION HISTORY	9
1.3 SUMMARY OF PROPOSED MODIFICATIONS	11
1.4 SUPPORTING PROJECT DOCUMENTATION	12
1.5 CAPITAL INVESTMENT VALUE	12
1.6 THE PROPONENT	12
PART 2 SITE ANALYSIS	13
2.1 SITE LOCATION, CHARACTERISTICS AND CONTEXT	13
PART 3 DESCRIPTION OF THE MODIFICATIONS	16
3.1 OBJECTIVES OF THE PROPOSAL	16
3.2 PROPOSED DEVELOPMENT DESCRIPTION	16
3.3 UPDATED DEVELOPMENT DESCRIPTION	19
3.3.1 Physical Layout and Design	20
3.4 AMENDED DEVELOPMENT CONSENT	23
3.4.1 Condition B3—Mamre Road / Access Road 1 Intersection	23
3.4.2 Condition B4—Mamre Road / Access Road 1 Intersection	23
3.4.3 Condition B5—Mamre Road / Access Road 1 Intersection	23
3.4.4 Condition B11—Mamre Road / Access Road 1 Intersection.....	23
3.4.5 Condition B12—Access to 930-966 Mamre Road, Kemps Creek	23
3.4.6 Condition B13—Access to 930-966 Mamre Road, Kemps Creek	23
3.4.7 Condition B15 - Internal Access Roads	23
3.4.8 Condition B20 - Connection of Access Road 3 to Aspect Industrial Estate	24
3.4.9 Condition B30 - Operational Traffic Monitoring Program.....	24
3.4.10 Condition B90—Biodiversity.....	24
3.4.11 Condition B91—Biodiversity.....	24
3.4.12 Condition B92—Biodiversity.....	24
PART 4 STATUTORY CONTEXT	25
4.1 CONTROLS AND POLICIES OVERVIEW	25
4.1.1 Statutory Requirements	25
4.1.2 Pre-conditions.....	26
4.1.3 State Environmental Planning Policy (Industry and Employment) 2021	31
4.1.4 Mamre Road Precinct Development Control Plan 2021.....	34
PART 5 ENGAGEMENT	37
PART 6 ASSESSMENT OF IMPACTS	38
6.1 UPDATED ASSESSMENT OF IMPACTS	39
6.1.1 Traffic and Transport.....	39



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

6.1.2	Urban Design and Visual	39
6.2	UPDATED MANAGEMENT AND MITIGATION MEASURES	40
PART 7	JUSTIFICATION OF THE PROJECT.....	41
7.1	JUSTIFICATION.....	41
7.2	CONCLUSION.....	41
	APPENDIX A UPDATED PROJECT DESCRIPTION.....	43
	APPENDIX B STATUTORY COMPLIANCE TABLE	46
	APPENDIX C SUPPORTING DOCUMENTS	57



FIGURES

Figure 1. Approved Estate Site Plan (Source: Nettletontribe Architects, 2023)	11
Figure 2. Cadastral Map (Source: SIX Maps, 2025)	14
Figure 3. Aerial Map (Source: Nearmap, 2025)	15
Figure 4. Stage 2 Estate Master Plan / Benching Plan (Source: Nettletontribe Architects, 2026)	21
Figure 5. Landscape Masterplan (Source: Geoscapes, 2026)	22
Figure 6. Transport and Arterial Road Infrastructure Plan Map (Source: NSW Legislation, 2025)	33

TABLES

TABLE 1: APPROVED DEVELOPMENT ATTRIBUTES	9
TABLE 2: DOCUMENT SCHEDULE	12
TABLE 3: PROPONENT CONTACT DETAILS	12
TABLE 4: SITE DETAILS	13
TABLE 5: APPROVED AND PROPOSED DEVELOPMENT PARTICULARS	16
TABLE 6: JUSTIFICATION FOR MODIFICATION SCOPE	19
TABLE 7: STATUTORY REQUIREMENTS OVERVIEW	25
TABLE 8: PRE-CONDITIONS OVERVIEW	26
TABLE 9: INDUSTRY AND EMPLOYMENT SEPP DEVELOPMENT STANDARDS - CHAPTER 2 WESTERN SYDNEY EMPLOYMENT AREA	31
TABLE 10: MRPCP2021 DEVELOPMENT CONTROLS	34
TABLE 11: UPDATE ON SEARs ITEMS	38

APPENDICES LIST

Appendix A	Updated Project Description
Appendix B	Statutory Compliance Table
Appendix C	Supporting Documents
Appendix C1	Letter of Authorisation to Act
Appendix C2	Site Masterplans
Appendix C3	Landscape Estate Masterplan
Appendix C4	Landscape Plans
Appendix C5	Landscape Design Report
Appendix C6	Civil Plans and Letter
Appendix C7	Subdivision Plan
Appendix C8	Traffic Statement
Appendix C9	Landscape Letter



GLOSSARY OF KEY TERMS

TERM	MEANING
AHD	Australian Height Datum
BAM	Biodiversity Assessment Methodology
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCBHS	Building Code and Bushfire Hazard Solutions
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
BOS	Biodiversity Offset Scheme
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CIV	Capital investment value
Council	Penrith City Council
CTMP	Construction Traffic Management Plan
DA	Development Application
DCP	Development Control Plan
DP	Deposited Plan
DPE	Department of Planning and Environment
EDC	Estimated Development Cost
EES	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	Environment Protection Authority
EPBC Act	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environmental Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
FSR	Floor Space Ratio
GFA	Gross Floor Area
GHG	Greenhouse Gas
GSC	Greater Sydney Commission
LGA	Local Government Area
MNES	Matter of National Environmental Significance
MUSIC	Model for Urban Stormwater Improvement Conceptualisation
NCC	National Construction Code
NOR	Notice of Requirements
NSW RMS	NSW Roads and Maritime Services
OEH	NSW Office of Environment and Heritage
PDCP2014	<i>Penrith Development Control Plan 2014</i>
PLEP2010	<i>Penrith Local Environmental Plan 2010</i>



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

TERM	MEANING
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RL	Reduced level
SEARs	Secretary's Environmental Assessment Requirements (SSD-17647189), dated 14 May 2021
SEPP	State Environmental Planning Policy
SIDRA	Signalised & unsignalised Intersection Design and Research Aid
Sqm or m²	Square metres
Site/Site/Study Area	884-928 Mamre Road, Kemps Creek (Lots 52 & 53 in DP259135)
TfNSW	Transport for NSW
VIA	Visual Impact Assessment
VPA	Voluntary Planning Agreement
Willowtree Planning	Willowtree Planning Pty Ltd
WM Act	<i>Water Management Act 2000</i>
WMP	Waste Management Plan
WSUD	Water Sensitive Urban Design



EXECUTIVE SUMMARY

This Modification Report has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning), on behalf of Barings LLC (the Proponent). The Modification Report is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI), in support of the proposed modification of the approved Access Logistics Park, involving demolition, construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m², landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure, and other associated works at 884-928 Mamre Road, Kemps Creek, more formally described as Lots 52 & 53 in DP259135 (the Site).

The Access Logistics Park was approved as State Significant Development (SSD), granted under delegation by the Minister of Planning and Public Spaces on 18 December 2023. The subject SSD (**SSD-17647189**) approved the following aspects of the development:

Demolition, and construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m², landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure.

The subject Modification Application (MA) is made pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and seeks to make minor modifications to the approved development and site layout. The proposed modifications include:

- Deletion of the left-in/left-out (LILO) intersection road in the southern corner of the Site;
- Augmentation of the road to stop at the Limit of Works of the future Transport for NSW (TfNSW) LILO and creation of a temporary cul-de-sac head as a result of the proposed LILO deletion;
- Creation of a temporary light vehicle turning head easement within the TfNSW landtake on the Site, to authority requirements;
- Installation of concrete jersey kerbs at the western end of Collector Road to limit light vehicles beyond that point;
- Amendments to the approved landscaping interfacing with the road layout of the Site; and
- Amendment or deletion of the relevant Conditions of Consent under **SSD-17647189** to reflect the proposed modifications.

The proposed modifications are as a direct result of the LILO contemplated under **SSD-17647189** having now been proposed to be completed by TfNSW in connection with the Mamre Road Upgrade Stage 2 (MRUS2). Importantly, the proposed deletion of the LILO intersection road does not preclude access to and from the development as alternate access arrangements are available through the internal road in the eastern portion of the Site. The other aspects of the modified proposal aim to facilitate this proposed LILO deletion or provide other minor modifications to the approved development under **SSD-17647189**.

The modifications sought have been assessed against the original Secretary's Environmental Assessment Requirements (SEARs), confirming that the modified proposal would not result in any adverse environmental effects and that the modified proposal remains substantially the same development as approved.

Based on the findings of the original SSD application and this subsequent Modification Report, it is concluded that the proposed development will support the continued and targeted growth of the Mamre Road Precinct. The proposed development, as modified, continues to be deemed suitable in both local and regional contexts, and is considered an orderly and appropriate form of development from social, cultural, economic and environmental perspectives.

Given these reasons, and the alignment with both the objects of the EP&A Act and the aims of the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP), it



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

is recommended that the proposed development, as modified, be supported subject to relevant and reasonable conditions.



PART 1 INTRODUCTION

1.1 OVERVIEW

The Access Logistics Park was approved as State Significant Development (SSD), granted under delegation by the Minister of Planning and Public Spaces on 18 December 2023. The subject SSD (**SSD-17647189**) approved the following aspects of the development:

Demolition, and construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m², landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure.

This represents the **third** modification of **SSD-17647189**, which seeks to modify the development consent to include an updated development and site layout.

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

The structure of this Modification Report has been prepared in accordance with the NSW DPE's *State Significant Development Guidelines - Preparing a Modification Report* as follows:

- **PART 1 INTRODUCTION**
- **PART 2 SITE ANALYSIS**
- **PART 3 DESCRIPTION OF THE MODIFICATIONS**
- **PART 4 STATUTORY CONTEXT**
- **PART 5 ENGAGEMENT**
- **PART 6 ASSESSMENT OF IMPACTS**
- **PART 7 PROJECT JUSTIFICATION**

1.2 DEVELOPMENT APPLICATION HISTORY

Consent was granted to **SSD-17647189** on 18 December 2023 for the Access Logistics Park at 884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135).

Review of the approval granted under **SSD-17647189** indicates there is nothing which prevents the modifications sought under this application.

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

TABLE 1: APPROVED DEVELOPMENT ATTRIBUTES	
Aspect	Description
Development Summary	Demolition, construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m ² , landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure.
Site Area	20 hectares
Site Preparation	<ul style="list-style-type: none"> ▪ Dam dewatering; ▪ Demolition of existing dwelling houses and outbuildings; and



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

TABLE 1: APPROVED DEVELOPMENT ATTRIBUTES	
Aspect	Description
	<ul style="list-style-type: none"> ▪ Bulk earthworks, pad construction and retaining wall construction on the northern, southern and western boundaries.
Construction	<ul style="list-style-type: none"> ▪ Construction of a warehouse building and ancillary offices on lot 2, including: <ul style="list-style-type: none"> ○ A footprint of approximately 39,161m² ○ Maximum building height of 14.6m ○ Fit-out ▪ Construction of an approximately 5.5m high acoustic barrier around the south-eastern lot 2 loading dock.
Road and Intersection Works	<ul style="list-style-type: none"> ▪ Staged construction of LILLO intersection within the Mamre Road reserve into the Site, including: <ul style="list-style-type: none"> ○ Stage 1: 120m deceleration lane (heading north of the site along Mamre Road) to be constructed prior to operation of the warehouse; and ○ Stage 2: 320m acceleration lane (heading south of the site along Mamre Road) to be constructed prior to the operation of the warehouse or as directed by TfNSW.
Internal Road Works	<ul style="list-style-type: none"> ▪ Construction of internal estate roads including: <ul style="list-style-type: none"> ○ 25.6m wide access road from Mamre Road, following the southern boundary, with a north-south oriented section in the eastern portion of the site, and turning heads to enable future connection to neighbouring development to the north (Aspect Industrial Estate) and east (The Edge Estate); and ○ 24m wide internal estate access road providing connection to the industrial lots within the Site.
Subdivision	<p>Torrens Title subdivision of the Site into 11 lots:</p> <ul style="list-style-type: none"> ▪ Stage 1: lots 1, 2, 3 and 4 <ul style="list-style-type: none"> ○ Lot 1 would be a community title lot, comprising an on-site detention (OSD) storage area and bio-retention basin ○ Lot 2 is the location of the proposed warehouse and distribution centre ○ Lot 3 would be dedicated for Mamre Road widening ○ Lot 4 is the residual lot ▪ Stage 2: subdivision of residual lot 4 into lots 5 to 12 <ul style="list-style-type: none"> ○ Lots 5 to 12 are residual lots for future warehousing development (subject to future and separate applications)
Operational Traffic (lot 2)	1,231 vehicles per day comprising 899 light vehicles and 332 heavy vehicles
Parking	215 car spaces and end-of-trip facilities for 60 bicycle parking spaces
Landscaping	Estate landscape plan including landscaping around the lot 2 warehouse, along Mamre Road frontage and around internal roads
Hours Of Operation	24 hours, 7 days
Signage	Estate identification, building, directional and tenant specific signage
Capital Investment Value (CIV)	\$51,656,434



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

TABLE 1: APPROVED DEVELOPMENT ATTRIBUTES	
Aspect	Description
Employment	300 full-time equivalent construction jobs and 460 operational jobs

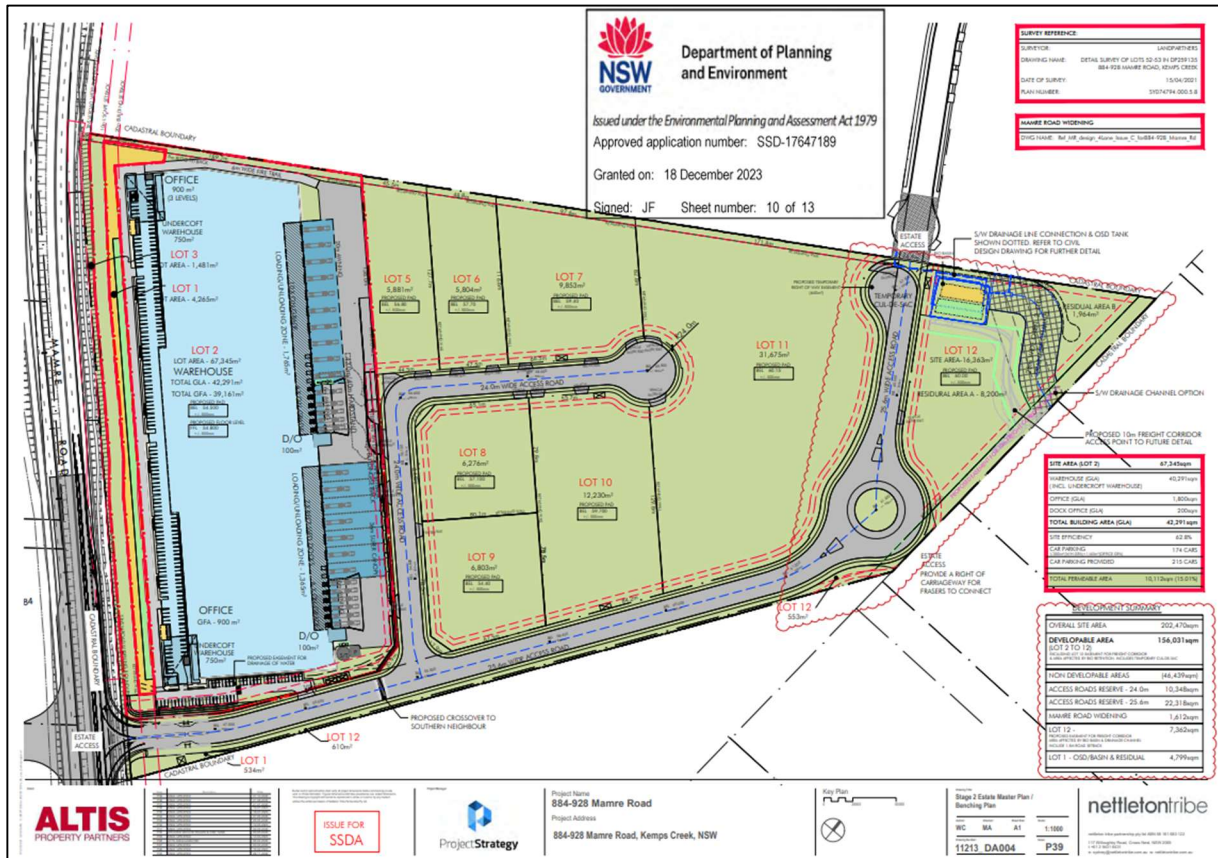


Figure 1. Approved Estate Site Plan (Source: Nettletontribe Architects, 2023)

The first MA for **SSD-17647189** related to the re-alignment of the trunk drainage infrastructure channel, and was granted consent by NSW DPHI on 3 March 2025 under **SSD-17647189-Mod-1**. The second MA, **SSD-17647189-Mod-2**, related to modifications to the site layout and lot 2 building façade, and was granted consent by NSW DPHI on 16 April 2025.

This MA remains consistent with **SSD-17647189** as well as the subsequent modifications under **SSD-17647189-Mod-1** and **SSD-17647189-Mod-2**.

1.3 SUMMARY OF PROPOSED MODIFICATIONS

The proposed modifications include the following:

- Deletion of the left-in/left-out (LILLO) intersection road in the southern corner of the Site;
- Augmentation of the road to stop at the Limit of Works of the future TfNSW LILLO and creation of a temporary cul-de-sac head as a result of the proposed LILLO deletion;
- Creation of a temporary light vehicle turning head easement within the TfNSW landtake on the Site, to authority requirements;
- Installation of concrete jersey kerbs at the western end of Collector Road to limit light vehicles beyond that point;
- Amendments to the approved landscaping interfacing with the road layout of the Site; and
- Amendment or deletion of the relevant Conditions of Consent under **SSD-17647189** to reflect the proposed modifications.

This MA is limited to the abovementioned scope and no other changes to the approved development are proposed.

The proposed modifications are as a direct result of the LILO contemplated under **SSD-17647189** having now been proposed to be completed by TfNSW in connection with the MRUS2. Importantly, the proposed deletion of the LILO intersection road does not preclude access to and from the development as alternate access arrangements are available through the internal road in the eastern portion of the Site. The other aspects of the modified proposal aim to facilitate this proposed LILO deletion or provide other minor modifications to the approved development under **SSD-17647189**.

1.4 SUPPORTING PROJECT DOCUMENTATION

Documents provided in support of the proposal are outlined in **TABLE 2**.

TABLE 2: DOCUMENT SCHEDULE		
Appendix No.	Document Title	Consultant
Appendix C1	Letter of Authorisation to Act	Barings Australia Property
Appendix C2	Site Masterplans	Nettleontribe Architects
Appendix C3	Landscape Estate Masterplan	Geoscapes
Appendix C4	Landscape Plans	Geoscapes
Appendix C5	Landscape Design Report	Geoscapes
Appendix C6	Civil Plans and Letter	Costin Roe Consulting
Appendix C7	Subdivision Plan	LandPartners
Appendix C8	Traffic Statement	Ason Group
Appendix C9	Landscape Letter	Geoscapes
Whole Document	SSD Modification Report	Willowtree Planning

1.5 CAPITAL INVESTMENT VALUE

The CIV of the proposed development, as modified, in accordance with the CIV definition under the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation), remains to be \$51,656,434 as was originally determined under **SSD-17647189**.

1.6 THE PROPONENT

See **TABLE 3** below for contact details.

TABLE 3: PROPONENT CONTACT DETAILS	
Company Details	Barings Australia Asset Management Pty Limited (ABN: 18 143 696 735)
Contact Name	Philip Grech
Position	Senior Development Manager
Contact Number	0424 613 115
Email Address	philip.grech@barings.com



PART 2 SITE ANALYSIS

2.1 SITE LOCATION, CHARACTERISTICS AND CONTEXT

The identified portion of land, that is the subject of this Modification Report, is located at 884-928 Mamre Road, Kemps Creek, being formally described as Lots 52 & 53 in DP259135 (the Site).

The Site constitutes the following land parcels:

TABLE 4: SITE DETAILS	
Address	Lot/DP
884-902 Mamre Road, Kemps Creek	Lot 53, DP259135
904-928 Mamre Road, Kemps Creek	Lot 52, DP259135

The Site is located within the Penrith City Local Government Area (LGA).

The Site is irregular in shape with a total land area of 20ha with a 450m south-western frontage to Mamre Road. It currently contains vacant land, with site preparation and early construction works underway as part of the approved **SSD-17647189** and subsequent modifications (**SSD-17647189-Mod-1** and **SSD-17647189-Mod-2**). Once the development is completed, the Site would be accessed by an internal road at the north-east.

The surrounding area of the Site comprises land zoned IN1 General Industrial, which currently contains rural dwelling houses, buildings and structures, agricultural land, or vacant land. Further to the west of the Site is Kemps Creek. The transitioning nature of the Mamre Road Precinct is demonstrated by the land adjoining the Site to the north, which is approved under SSD-10448 as Aspect Industrial Estate and is owned by Mirvac Projects Pty Ltd (Mircac). In addition, industrial development on the land adjoining the Site to the east is approved under SSD-17552047 as The Edge Estate and is owned by Frasers Property Industrial (Frasers).

The Site is located approximately 7km north-east of the future Western Sydney International Airport, and 38.5km west of the Sydney Central Business District (CBD).

The Site, surrounding area and existing developments are shown in **Figure 2** and **Figure 3** below.



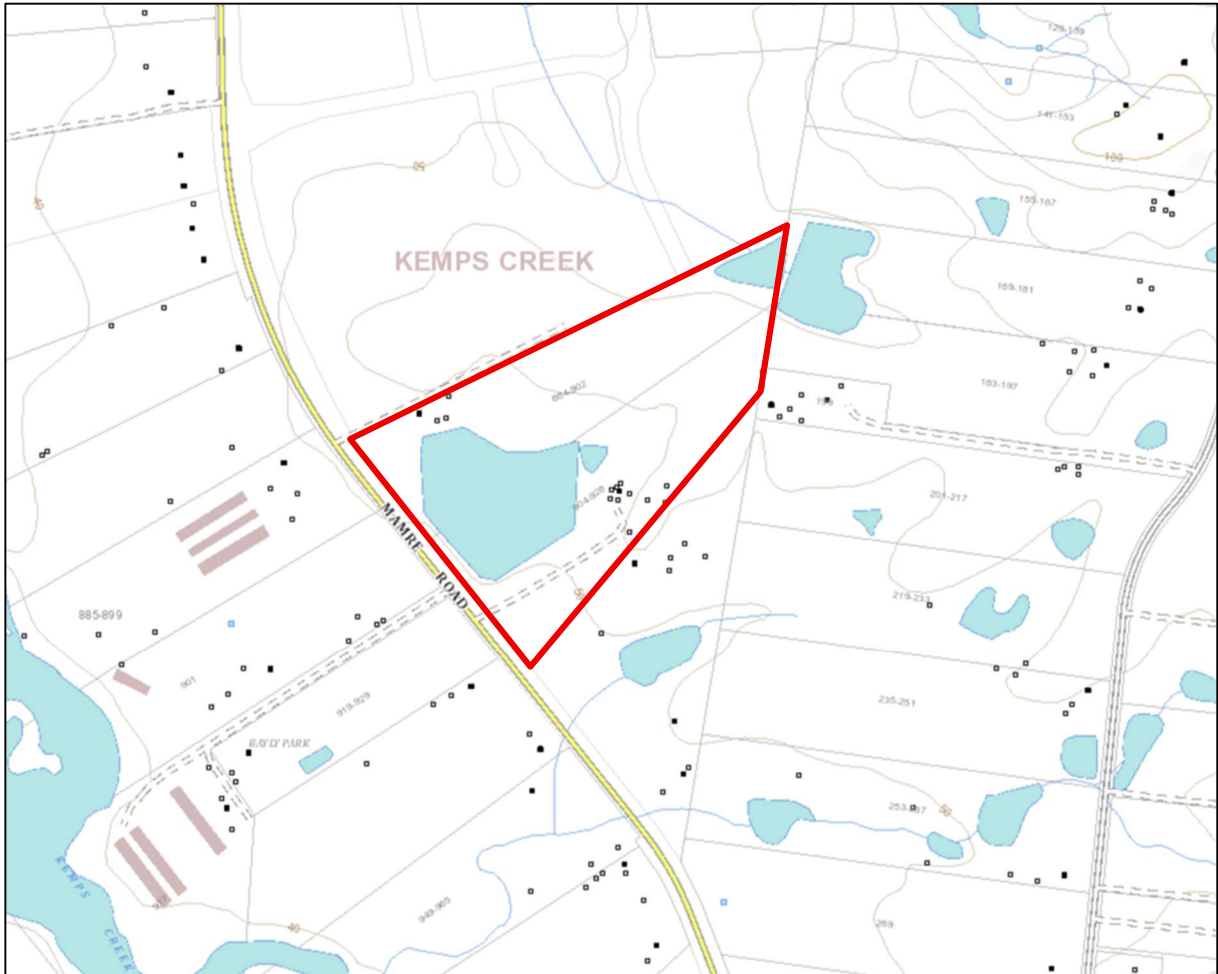


Figure 2. Cadastral Map (Source: SIX Maps, 2025)





Figure 3. Aerial Map (Source: Nearthmap, 2025)



PART 3 DESCRIPTION OF THE MODIFICATIONS

3.1 OBJECTIVES OF THE PROPOSAL

The aim of the modified proposal is to provide for minor alterations to the approved development and site layout of the Access Logistics Park, including the removal of the LILO intersection road as well as other associated works, to ensure the development as approved would continue to:

- Support the growth and transformation of the industrial sector;
- Generate employment – during construction and once the development is operational;
- Improve access to jobs for residents of the immediate community and wider locality;
- Supplement, support and compliment the Western Sydney Employment Area (WSEA) and its strategic intent;
- Demonstrate architectural excellence, through siting and design compatibility, with minimal visual impact; and
- Provide suitable mitigation measures where required, to minimise any unforeseen impacts arising in the future.

3.2 PROPOSED DEVELOPMENT DESCRIPTION

Modification to development consent **SSD-17647189** is sought for minor alterations to the approved development and site layout of the Access Logistics Park, including the removal of the LILO road as well as other associated works, pertaining to the following updated scope of works:

- Deletion of the LILO intersection road in the southern corner of the Site;
- Augmentation of the road to stop at the Limit of Works of the future TfNSW LILO and creation of a temporary cul-de-sac head as a result of the proposed LILO deletion;
- Creation of a temporary light vehicle turning head easement within the TfNSW landtake on the Site, to authority requirements;
- Installation of concrete jersey kerbs at the western end of Collector Road to limit light vehicles beyond that point;
- Amendments to the approved landscaping interfacing with the road layout of the Site (refer to the Landscape Letter provided at **Appendix C9** for further details of the proposed changes and their justification); and
- Amendment or deletion of the relevant Conditions of Consent under **SSD-17647189** to reflect the proposed modifications.

This MA is limited to the abovementioned scope of works, and there are no other proposed changes to the approved development (as detailed in **TABLE 1**). A summary of the proposed modifications against the approved aspects of the development under **SSD-17647189** are provided in **TABLE 5** below.

TABLE 5: APPROVED AND PROPOSED DEVELOPMENT PARTICULARS		
Project Element	Approved Development	Proposed Modification
Development Summary	Demolition, construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m ² , landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure.	No substantial changes to any overall attributes of the approved development under SSD-17647189 . Therefore, the development, as modified, will remain substantially the same as approved.



TABLE 5: APPROVED AND PROPOSED DEVELOPMENT PARTICULARS		
Project Element	Approved Development	Proposed Modification
Site Area	20 hectares	No change proposed.
Site Preparation	<ul style="list-style-type: none"> ▪ Dam dewatering; ▪ Demolition of existing dwelling houses and outbuildings; and ▪ Bulk earthworks, pad construction and retaining wall construction on the northern, southern and western boundaries. 	No change proposed.
Construction	<ul style="list-style-type: none"> ▪ Construction of a warehouse building and ancillary offices on lot 2, including: <ul style="list-style-type: none"> ○ A footprint of approximately 39,161m² ○ Maximum building height of 14.6m ○ Fit-out ▪ Construction of an approximately 5.5m high acoustic barrier around the south-eastern lot 2 loading dock. 	No change proposed.
Road and Intersection Works	<ul style="list-style-type: none"> ▪ Staged construction of LILO intersection within the Mamre Road reserve into the Site, including: <ul style="list-style-type: none"> ○ Stage 1: 120m deceleration lane (heading north of the site along Mamre Road) to be constructed prior to operation of the warehouse; and ○ Stage 2: 320m acceleration lane (heading south of the site along Mamre Road) to be constructed prior to the operation of the warehouse or as directed by TfNSW. 	The LILO intersection road in the southern corner of the Site will be deleted as part of the proposed modifications. This is due to the availability of alternate access arrangements through the internal road in the eastern portion of the Site, which removes the requirement of the LILO intersection.
Internal Road Works	<ul style="list-style-type: none"> ▪ Construction of internal estate roads including: <ul style="list-style-type: none"> ○ 25.6m wide access road from Mamre Road, following the southern boundary, with a north-south oriented section in the eastern portion of the site, and turning heads to enable future connection to neighbouring development to the north (Aspect Industrial Estate) and east (The Edge Estate); and 	As a result of the proposed LILO deletion under this MA, the section of road in the southern corner of the Site will be augmented to create a temporary cul-de-sac head.



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

TABLE 5: APPROVED AND PROPOSED DEVELOPMENT PARTICULARS		
Project Element	Approved Development	Proposed Modification
	<ul style="list-style-type: none"> ○ 24m wide internal estate access road providing connection to the industrial lots within the Site. 	
Subdivision	<p>Torrens Title subdivision of the Site into 11 lots:</p> <ul style="list-style-type: none"> ▪ Stage 1: lots 1, 2, 3 and 4 <ul style="list-style-type: none"> ○ Lot 1 would be a community title lot, comprising an OSD storage area and bio-retention basin ○ Lot 2 is the location of the proposed warehouse and distribution centre ○ Lot 3 would be dedicated for Mamre Road widening ○ Lot 4 is the residual lot ▪ Stage 2: subdivision of residual lot 4 into lots 5 to 12 <ul style="list-style-type: none"> ○ Lots 5 to 12 are residual lots for future warehousing development (subject to future and separate applications) 	No change proposed.
Operational Traffic (lot 2)	1,231 vehicles per day comprising 899 light vehicles and 332 heavy vehicles	No change proposed.
Parking	215 car spaces and end-of-trip facilities for 60 bicycle parking spaces	No change proposed.
Landscaping	Estate landscape plan including landscaping around the lot 2 warehouse, along Mamre Road frontage and around internal roads	<p>Amendments to the approved landscaping are proposed, interfacing with the road layout of the Site.</p> <p>Refer to the Landscape Estate Masterplan at Appendix C3, the Landscape Plans at Appendix C4 and the Landscape Design Report at Appendix C5.</p> <p>Also refer to the Landscape Letter provided at Appendix C9 for further details of the proposed changes and their justification.</p>
Hours Of Operation	24 hours, 7 days	No change proposed.



TABLE 5: APPROVED AND PROPOSED DEVELOPMENT PARTICULARS

Project Element	Approved Development	Proposed Modification
Signage	Estate identification, building, directional and tenant specific signage	No change proposed.
Capital Investment Value (CIV)	\$51,656,434	No change proposed.
Employment	300 full-time equivalent construction jobs and 460 operational jobs	No change proposed.

3.3 UPDATED DEVELOPMENT DESCRIPTION

The proposed modifications aim to further optimise the functionality and aesthetics of the development while adhering to the overarching goals of the approved project, particularly with regard to site access. The rationale for each aspect of the modified proposal is outlined in **TABLE 6** below.

TABLE 6: JUSTIFICATION FOR MODIFICATION SCOPE

Aspect	Justification
Deletion of the LILO intersection road in the southern corner of the Site	An alternate arrangement for access to the Site until the LILO is constructed by TfNSW which is made via the connection of the internal road network to the public road network (Berewerri Dr and Darrabarra Av). This alternate access provides access to Mamre Road via multi-directional signalised intersection and removes the requirement of the LILO intersection road.
Augmentation of the road to stop at the Limit of Works of the future TfNSW LILO and creation of a temporary cul-de-sac head as a result of the proposed LILO deletion	The internal road in the section of the deleted LILO will be augmented to stop at the Limit of Works of the future TfNSW LILO and create a temporary cul-de-sac head, allowing a turning area for light vehicles.
Creation of a temporary light vehicle turning head easement within the TfNSW landtake on the Site, to authority requirements	The creation of a temporary easement within the TfNSW landtake on the Site will support the proposed augmentation and temporary creation of a cul-de-sac head at the internal road section of the deleted LILO, allowing a turning area for light vehicles.
Installation of concrete jersey kerbs at the western end of Collector Road to limit light vehicles beyond that point	A minor proposed modification to limit light vehicle access beyond the western end of Collector Road within the Site, as part of vehicular access control within the Site in accordance with direction from Penrith City Council.
Amendments to the approved landscaping interfacing with the road layout of the Site	<p>The modified proposal involves amendments to the landscaping configuration interfacing with the internal roads of the Site, to ensure continued compliance and consistency with the relevant landscaping provisions of MRPDCP2021.</p> <p>The key landscaping changes proposed are summarised as follows (refer to the Landscape Letter at Appendix C9):</p> <ul style="list-style-type: none"> Trees previously proposed along Lot 3 have been removed due to the presence of a high-voltage (HV) power line running along the extent of this area. In lieu of trees, low-level grasses and groundcover planting are still proposed to



TABLE 6: JUSTIFICATION FOR MODIFICATION SCOPE

Aspect	Justification
	<p>maintain landscape treatment while complying with safety and clearance requirements;</p> <ul style="list-style-type: none"> ▪ The entire tree schedule across the Site has been updated to align with Penrith City Council's Draft Street Tree Master Plan, ensuring consistency with Council's current strategic planting objectives; ▪ The location and spacing of trees have been amended to comply with Penrith City Council's recommended planting distances and to respond to the Sightline Assessment prepared by MU Group, ensuring appropriate visibility and safety outcomes are achieved; and ▪ Trees have been removed beyond the defined construction boundary due to a lack of control over these areas. These areas fall under the authority of TfNSW. Turf has been proposed within these zones to avoid the risk of sacrificial planting works occurring in areas outside the project's control.
<p>Amendment or deletion of the relevant Conditions of Consent under SSD-17647189 to reflect the proposed modifications</p>	<p>To facilitate the proposed deletion of the LILO, the following Conditions of Consent under SSD-17647189 will need to be amended or deleted as they relate to the LILO:</p> <ul style="list-style-type: none"> ▪ Deletion of Conditions B3-B5 and Conditions B11-B13; ▪ Amendment of Conditions B15, B20 and B30; and ▪ Deletion of Conditions B90-B92.

3.3.1 Physical Layout and Design

3.3.1.1 Site Preparation Works

The Civil Plans and Letter are provided at **Appendix C6**, which state that the overall estate development, and all associated engineering design considerations such as impervious area coverage, filling and levels, remain consistent between the layouts of the original approval and this MA. As such, there will be no change to the originally assessed and approved management systems and discharge arrangements, including OSD, water quality and stream health measures.

The approved Treatment Basin 3 and maintenance access track in the south-western corner of the Site will be retained under the modified proposal (shown on the Civil Plans within **Appendix C6**). Consultation with TfNSW has been undertaken in relation to this, which has confirmed that they propose to augment and maintain the basin moving forward. The basin will be enlarged to deal with greater volumes, which is understood to come from the MRUS2 project.

3.3.1.2 Road Network

The proposed modifications involve the deletion of the LILO intersection road together with signage and traffic restrictions as denoted by Penrith City Council (refer to **Figure 4** and the Site Masterplans at **Appendix C2**).



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

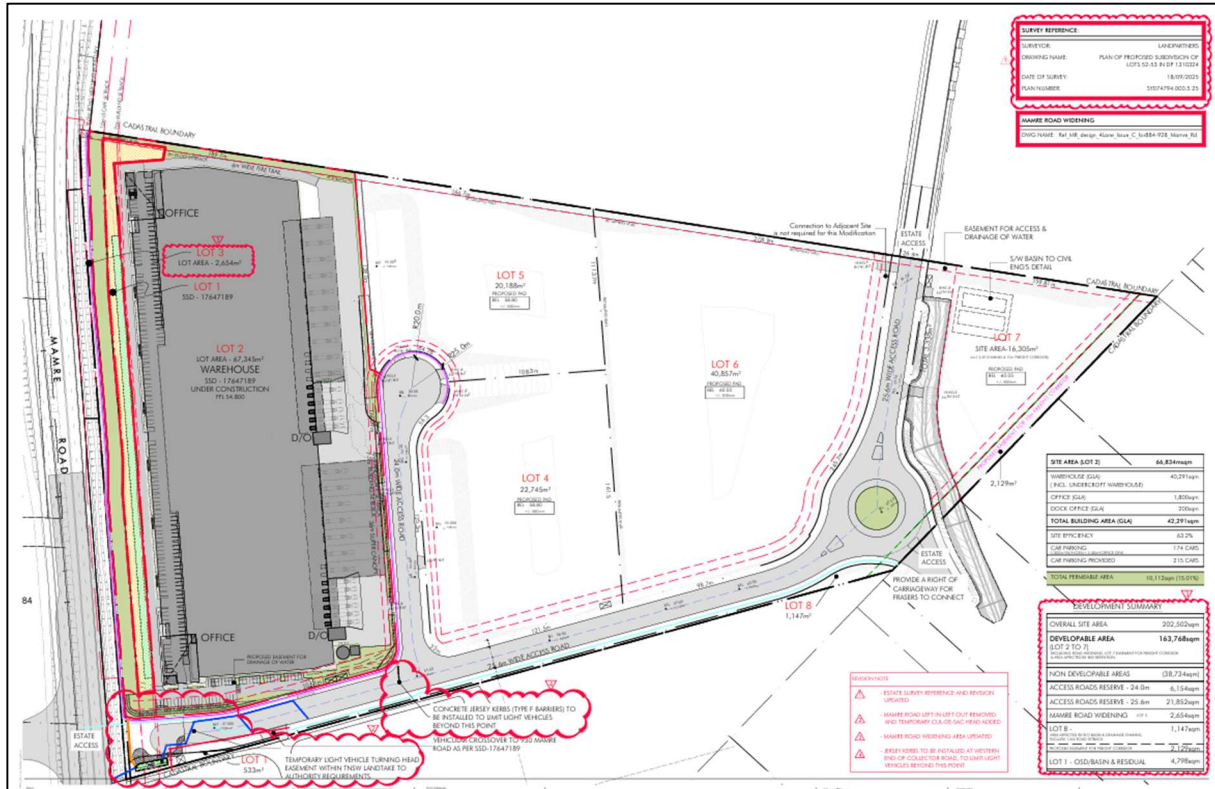


Figure 4. Stage 2 Estate Master Plan / Benching Plan (Source: Nettletontribe Architects, 2026)



3.3.1.3 Landscaping

The modified proposal involves amendments to the approved landscaping interfacing with the road layout. **Figure 5** illustrates an excerpt from the Landscape Plans. Refer to the Landscape Estate Masterplan at **Appendix C3**, the Landscape Plans provided at **Appendix C4**, the Landscape Design Report at **Appendix C5** and the Landscape Letter at **Appendix C9** for further details.

The key proposed landscaping changes and their justification are summarised as follows (refer to the Landscape Letter at **Appendix C9**):

- Trees previously proposed along Lot 3 have been removed due to the presence of a high-voltage (HV) power line running along the extent of this area. In lieu of trees, low-level grasses and groundcover planting are still proposed to maintain landscape treatment while complying with safety and clearance requirements;
- The entire tree schedule across the Site has been updated to align with Penrith City Council’s Draft Street Tree Master Plan, ensuring consistency with Council’s current strategic planting objectives;
- The location and spacing of trees have been amended to comply with Penrith City Council’s recommended planting distances and to respond to the Sightline Assessment prepared by MU Group, ensuring appropriate visibility and safety outcomes are achieved; and
- Trees have been removed beyond the defined construction boundary due to a lack of control over these areas. These areas fall under the authority of TfNSW. Turf has been proposed within these zones to avoid the risk of sacrificial planting works occurring in areas outside the project’s control.

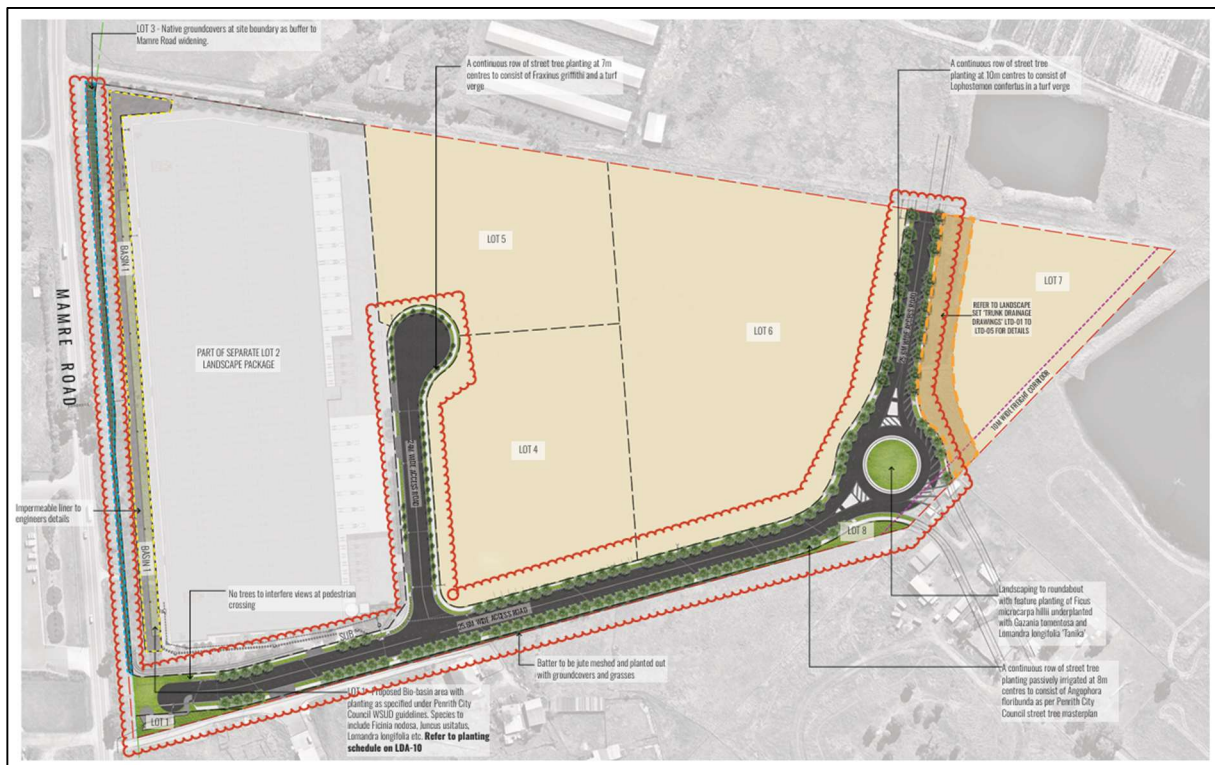


Figure 5. Landscape Masterplan (Source: Geoscapes, 2026)



3.4 AMENDED DEVELOPMENT CONSENT

The desired modified development outcome as outlined above requires the following modifications to development consent **SSD-17647189**, particularly in relation to reference to the LILO intersection which is proposed to be deleted under this MA.

The proposed amendments are demonstrated in **blue**, with deletions as a **strikethrough** and additions as **underlined**.

3.4.1 ~~Condition B3 – Mamre Road / Access Road 1 Intersection~~

~~Prior to submission of the detailed design of the Stage 1 and 2 intersection works as shown on Figure 5 and Figure 6 in Appendix 1, the Applicant must:~~

- ~~(a) pay a plan checking fee to TfNSW;~~
- ~~(b) pay a performance bond to TfNSW covering all costs of the Stage 1 and 2 intersection works;~~
- ~~and~~
- ~~(c) enter into a Works Authorisation Deed (WAD) with TfNSW for this works.~~

3.4.2 ~~Condition B4 – Mamre Road / Access Road 1 Intersection~~

~~The Applicant must complete construction of the Stage 1 intersection works (Figure 5 in Appendix 1), prior to the commencement of operation of the development.~~

3.4.3 ~~Condition B5 – Mamre Road / Access Road 1 Intersection~~

~~The Applicant must complete construction of the Stage 2 intersection works (Figure 6 in Appendix 1), prior to the commencement of operation of the development, or as otherwise agreed by TfNSW.~~

3.4.4 ~~Condition B11 – Mamre Road / Access Road 1 Intersection~~

~~All TfNSW costs associated with review of plans, designs and legal must be borne by the Applicant.~~

3.4.5 ~~Condition B12 – Access to 930-966 Mamre Road, Kemps Creek~~

~~Prior to the construction of the Stage 1 intersection works (see Figure 5 in Appendix 1), the Applicant must:~~

- ~~(a) give written notice to the landowner of 930-966 Mamre Road of the timing for closing the existing driveway, no later than 28 days prior to closure of the driveway to Mamre Road;~~
- ~~(b) close the existing driveway from 930-966 Mamre Road located within the Stage 1 intersection works area; and~~
- ~~(c) ensure that the new access driveway to 930-966 Mamre Road (shown in Costin Roe Consulting Drawing, Option B, Reference: CO14021.00-SK 231020, Rev A and dated 20/10/2022) is constructed and operational prior to the closure of the existing driveway.~~

3.4.6 ~~Condition B13 – Access to 930-966 Mamre Road, Kemps Creek~~

~~The Applicant must provide written evidence to the satisfaction of the Planning Secretary and TfNSW demonstrating Condition B12 has been satisfied.~~

3.4.7 ~~Condition B15 – Internal Access Roads~~

~~Prior to the operation of the warehouse on Lot 2, the Applicant must ensure the access roads, roundabout and access point to 930-966 Mamre Road, Kemps Creek are constructed and operational in accordance with the plans required by Conditions ~~B12 and~~ B14.~~



3.4.8 Condition B20 – Connection of Access Road 3 to Aspect Industrial Estate

The Applicant must ensure the connection of Access Road 3 to Berriverri Drive in the AIE is constructed and operational in accordance with the plans required by Condition B18, ~~within 3 months of Berriverri Drive in the AIE being completed~~ prior to the final occupancy certificate for the development, to the satisfaction of the Planning Secretary.

3.4.9 Condition B30 – Operational Traffic Monitoring Program

At the commencement of operation of the development and for a minimum period of 12 months of operation, the Applicant must establish an Operational Traffic Monitoring Program to verify light and heavy vehicle traffic numbers against the predictions in the RTS. The program must be included in the OEMP and must monitor the effectiveness of the traffic management measures to the satisfaction of the Planning Secretary and include but not be limited to the following:

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

3.4.10 Condition B90 – Biodiversity

Prior to commencement of construction of the Stage 1 and 2 intersection works, the Applicant must purchase and retire the following biodiversity credits:

- (a) ~~one ecosystem credit for the River Flat Eucalypt Forest on coastal floodplains of NSW, North Coast, Sydney Basin and South East corner Bioregions (PCT 835);~~*
- (b) ~~one ecosystem credit for the Cumberland Plain Woodland in the Sydney basin bioregion (PCT 849);~~*
- (c) ~~and two species credits for the Southern Myotis.~~*

The biodiversity credits must be retired in accordance with the requirements of EHG's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.

3.4.11 Condition B91 – Biodiversity

The requirement to retire biodiversity credits (see Condition B90) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of credits, as calculated by the EHG's Biodiversity Offsets Payment Calculator.

3.4.12 Condition B92 – Biodiversity

The Applicant must provide the Planning Secretary with evidence that:

- (a) ~~the retirement of ecosystem credits has been completed (see Condition B90); or~~*
 - (b) ~~a payment has been made to the Biodiversity Conservation Fund (see Condition B91);~~*
- prior to undertaking any clearing or construction works.*



PART 4 STATUTORY CONTEXT

4.1 CONTROLS AND POLICIES OVERVIEW

This part of the Modification Report aims to highlight and address the relevant statutory requirements that are related to the proposed modifications, as noted below.

Commonwealth Planning Context

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*

Local Planning Context

- *Penrith Local Environmental Plan 2010*
- *Mamre Road Precinct Development Control Plan 2021*
- *Mamre Road Precinct Section 7.11 Contributions Plan*

This modified proposal has been carefully assessed against the requirements and objectives of all the above planning statutory and policy documents, as detailed within this Modification Report.

4.1.1 Statutory Requirements

The following categories are used to identify the statutory requirements of the project as modified.

TABLE 7: STATUTORY REQUIREMENTS OVERVIEW	
Statutory Requirement	Comment
Power to grant approval	<p>In accordance with Schedule 1, Section 12 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP), development that has an estimated development cost (EDC) (CIV applies to development proposals lodged prior to 4 March 2024) of more than \$30 million for the purpose of a warehouse or distribution centre (where notified on or before 31 May 2023), constitutes SSD.</p> <p>As noted in Section 1.5 of this Modification Report, the CIV of the approved development is in excess of \$30 million and SEARs were granted on 14 May 2021.</p> <p>Therefore, the power to grant approval lies with the Minister for Planning (NSW DPHI) as the consent authority for SSD, pursuant to Section 4.5 of the EP&A Act.</p>



TABLE 7: STATUTORY REQUIREMENTS OVERVIEW	
Statutory Requirement	Comment
Permissibility	The Site is zoned IN1 General Industrial and SP2 Infrastructure (Classified Road), under the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> (Industry and Employment SEPP). The proposed development, as modified, continues to align with the definition of a warehouse or distribution centre and general industry, which is permitted with consent in the IN1 General Industrial zone.
Other approvals	No change.
Pre-condition to exercising power to grant approval	Pre-conditions to exercising the power to grant approval are outlined in TABLE 8 below.
Mandatory matters for consideration	Mandatory matters of consideration by the consent authority are outlined in Appendix B of this Modification Report.

4.1.2 Pre-conditions

TABLE 8 outlines the pre-conditions to exercising the power to grant approval which are relevant to the project, as modified, and the section where these matters are addressed within the Modification Report.

TABLE 8: PRE-CONDITIONS OVERVIEW			
Statutory Reference	Pre-condition	Relevance	Addressed in Modification Report
EP&A Act – Section 4.55(1A) ‘Modifications involving no or minimal environmental impact’	<i>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> <i>(a) it is satisfied that the proposed modification is of no or minimal environmental impact, and</i> <i>(b) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and</i>	The scope of the MA can be characterised as a modification as it: <ul style="list-style-type: none"> ▪ Would not significantly increase the environmental impacts of the approved development; ▪ Is substantially the same development as originally approved; and ▪ Is of a scale that warrants the use of the provisions under Section 4.55(1A) of the EP&A Act. 	The proposal results in minor modifications to the approved development and, from a qualitative perspective, the development retains its purpose as a warehouse and logistics hub. Refer to Appendix B of this Modification Report.



TABLE 8: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in Modification Report
	<p>(c) it has notified the application in accordance with—</p> <p>(i) the regulations, if the regulations so require, or</p> <p>(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</p> <p>(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.</p> <p>Subsections (1) and (2) do not apply to such a modification.</p>		
<p>EP&A Act – Section 4.55(3)</p>	<p><i>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>Section 4.15(1) of the EP&A Act specifies matters which a consent authority must consider when determining a development application.</p>	<p>Refer to Appendix B of this Modification Report.</p>
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p>The consent authority must not grant consent unless (as stipulated by Clause 4.6 of the Resilience and Hazards SEPP):</p>	<p>A Detailed Site Investigation Report was provided as part of the original SSD-17647189. The findings of this report</p>	<p>No further assessment of this SEPP is warranted as the modified</p>



TABLE 8: PRE-CONDITIONS OVERVIEW			
Statutory Reference	Pre-condition	Relevance	Addressed in Modification Report
(Resilience and Hazards SEPP)	<p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p>	remain relevant to the proposal as modified.	proposal maintains its suitability for the Site.
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p>(Transport and Infrastructure SEPP)</p>	<p>Pursuant to Clause 2.122 Traffic-generating Development of the Transport and Infrastructure SEPP:</p> <p>(4) Before determining a development application for development to which this section applies, the consent authority must—</p> <p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration—</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including—</p>	The Site has a total land area of approximately 20ha. The modified proposal is for a warehouse and distribution centre and is therefore considered to be traffic-generating development, pursuant to Schedule 3 of the Transport and Infrastructure SEPP. This MA will require a referral to Transport for New South Wales (TfNSW).	No further assessment is warranted as the modified proposal would not increase traffic generation for the Site.



TABLE 8: PRE-CONDITIONS OVERVIEW			
Statutory Reference	Pre-condition	Relevance	Addressed in Modification Report
	<p><i>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</i></p> <p><i>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</i></p> <p><i>(iii) any potential traffic safety, road congestion or parking implications of the development.</i></p>		
	<p>Pursuant to Clause 2.119 Development with Frontage to Classified Road of the Transport and Infrastructure SEPP:</p> <p><i>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</i></p> <p><i>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i></p> <p><i>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i></p> <p><i>(i) the design of the vehicular access to the land, or</i></p> <p><i>(ii) the emission of smoke or dust from the development, or</i></p> <p><i>(iii) the nature, volume or frequency of vehicles using</i></p>	<p>The Site has a frontage to Mamre Road which is a classified road.</p>	<p>The proposed modifications include the deletion of the LILO intersection road in the southern corner of the Site. As a result, there would no longer be a direct access provided to the Site via Mamre Road. Alternate access arrangements will be made available through the internal road in the eastern portion of the Site, which removes the requirement of the LILO intersection. This matter has been addressed</p>



TABLE 8: PRE-CONDITIONS OVERVIEW			
Statutory Reference	Pre-condition	Relevance	Addressed in Modification Report
	<p><i>the classified road to gain access to the land, and</i></p> <p><i>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i></p>		throughout this Modification Report.
<p><i>State Environmental Planning Policy (Industry and Employment) 2021</i></p>	<p>Pursuant to Clause 3.6 Granting of Consent to Signage of the Industry and Employment SEPP:</p> <p><i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—</i></p> <p><i>(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i></p> <p><i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i></p>	<p>The modified proposal does not seek to make any modifications to signage approved under SSD-17647189.</p>	<p>No further assessment is required as the modified proposal retains all signage as approved.</p>
	<p>Chapter 2 Western Sydney Employment Area</p>	<p>Refer to Section 4.1.3 below, in relation to the IN1 General Industrial zone in which the Site is located.</p>	



4.1.3 State Environmental Planning Policy (Industry and Employment) 2021

The Industry and Employment SEPP is the principal environmental planning instrument (EPI) that applies to the Site (formerly *State Environmental Planning Policy (Western Sydney Employment Area) 2009* before consolidation).

The Site is zoned IN1 General Industrial and SP2 Infrastructure (Classified Road), pursuant to the Industry and Employment SEPP. The proposed development, as modified, continues to align with the definition of a warehouse or distribution centre and general industry, which is permitted with consent in the IN1 General Industrial zone. In addition, the proposed development, as modified, continues to accommodate the Mamre Road upgrade works to be undertaken by TfNSW within the SP2 Infrastructure (Classified Road) zoned land.

TABLE 9 outlines the modified proposal’s continued consistency and compliance with the relevant development standards and controls under the Industry and Employment SEPP.

TABLE 9: INDUSTRY AND EMPLOYMENT SEPP DEVELOPMENT STANDARDS - CHAPTER 2 WESTERN SYDNEY EMPLOYMENT AREA	
Clause	Comment
Clause 2.12 – Subdivision - Consent Requirements	No further assessment of this clause is warranted as the modified proposal does not involve any changes to the approved subdivision layout.
Principal Development Standards	
Clause 2.17 – Requirement for Development Control Plans	The <i>Mamre Road Precinct Development Control Plan 2021</i> (MRPDCP2021) applies to the Site and modified proposal. Refer to Section 4.1.4 of this Modification Report.
Clause 2.19 – Ecologically Sustainable Development	No further assessment of this clause is warranted. The proposal, as modified, would not change the previously approved ecologically sustainable development (ESD) initiatives.
Clause 2.20 – Height of Buildings	The proposal, as modified, does not warrant any further assessment as it would maintain the approved building height.
Clause 2.21 – Rainwater Harvesting	The proposal, as modified, does not warrant any further assessment as it maintains all approved rainwater harvesting initiatives.
Clause 2.23 – Development involving Subdivision	No further assessment of this clause is warranted as the modified proposal does not involve any changes to the approved subdivision layout.
Clause 2.24 – Public Utility Infrastructure	No further assessment is warranted. The proposal, as modified, would maintain the approved public utility infrastructure, including potable water, wastewater, recycled water, electricity, gas and telecommunications systems.
Clause 2.25 – Development on or in Vicinity of Proposed Transport Infrastructure Routes	The Site is identified as being subject to the Transport and Arterial Road Infrastructure Plan (refer to Figure 6). Accordingly, the modified proposal will need to be referred to the Secretary of the Department of Planning.
Miscellaneous Provisions	
Clause 2.27 – Relevant Acquisition Authority	No further assessment is warranted as the modified proposal maintains the TfNSW acquisition of the SP2 Infrastructure (Classified Road) zoned portion of the Site.



TABLE 9: INDUSTRY AND EMPLOYMENT SEPP DEVELOPMENT STANDARDS - CHAPTER 2 WESTERN SYDNEY EMPLOYMENT AREA

Clause	Comment
Clause 2.30 - Design Principles	The proposed modifications align with the approved design principles of the development.
Clause 2.31 - Preservation of Trees or Vegetation	No further assessment is warranted. The proposed modifications do not involve further tree removal, maintaining the approved tree removal and retention.
Clause 2.35 - Development within the Mamre Road Precinct	The Site is located within the Mamre Road Precinct. There would be no proposed change to the original CIV of \$51,656,434 under SSD-17647189 , and therefore the modified proposal requires the concurrence of TfNSW.
Clause 2.36 - Development in Areas subject to Aircraft Noise	No further assessment is warranted. The proposed development, as modified, maintains its suitability in proximity to the future Western Sydney International Airport.
Clause 2.37 - Airspace Operations	The proposal, as modified, does not warrant any further assessment as it would continue to not penetrate the prescribed airspace.
Clause 2.38 - Development of Land Adjacent to Airport	No further assessment is warranted. The proposal, as modified, would continue to ensure that the development would not attract wildlife to the area.
Clause 2.40 - Earthworks	The Civil Plans and Letter are provided at Appendix C6 , which state that the overall estate development, and all associated engineering design considerations such as impervious area coverage, filling and levels, remain consistent between the layouts of the original approval and this MA. Therefore, no further assessment of the modified proposal is warranted in this regard.
Clause 2.41 - Development on Flood Prone Land	The proposal, as modified, does not warrant any further assessment of the flood-related matters.
Clause 2.42 - Heritage Conservation	The proposal, as modified, does not warrant any further assessment of the heritage-related matters.
Clause 2.43 - Consent for Clearing Native Vegetation	No further assessment is warranted. The proposed modifications do not involve further tree removal, maintaining the approved tree removal and retention.
Clause 2.44 - Stormwater, Water Quality and Water Sensitive Design	The proposal, as modified, does not warrant any further assessment of this clause as there would be no significant changes to the stormwater, water quality and water sensitive design aspects of the approved development. Refer to the Civil Plans and Letter provided at Appendix C6 .



**TABLE 9: INDUSTRY AND EMPLOYMENT SEPP DEVELOPMENT STANDARDS - CHAPTER 2
WESTERN SYDNEY EMPLOYMENT AREA**

Clause	Comment
	<p>The approved Treatment Basin 3 and maintenance access track in the south-western corner of the Site will be retained under the modified proposal (shown on the Civil Plans within Appendix C6). Consultation with TfNSW has been undertaken in relation to this, which has confirmed that they propose to augment and maintain the basin moving forward. The basin will be enlarged to deal with greater volumes, which is understood to come from the future Mamre Road Stage 2 Upgrade project.</p>



Figure 6. Transport and Arterial Road Infrastructure Plan Map (Source: NSW Legislation, 2025)



4.1.4 Mamre Road Precinct Development Control Plan 2021

The MRPD2021 provides a non-statutory instrument to guide development in the Mamre Road Precinct, where the Site is located within.

A review of the modified proposal against the MRPD2021 has been undertaken and the relevant planning controls have been addressed in **TABLE 10** below, confirming that the modified proposal remains generally in accordance with all applicable provisions of the MRPD2021.

TABLE 10: MRPD2021 DEVELOPMENT CONTROLS	
Control	Comment
<u>3. Precinct and Subdivision Design</u>	
3.4 Transport Network	
3.4.1 Road Network, Hierarchy and Design	
1) <i>Development applications shall be accompanied by a Traffic and Transport Report. The Traffic and Transport Report shall include a Green Travel Plan and Travel Access Guide, and assess the impact of projected pedestrian and vehicular traffic associated with the proposal, and outline the extent and nature of traffic facilities necessary to preserve or improve the safety and efficiency of the road system.</i>	This MA is supported by a Traffic Statement, provided at Appendix C8 .
3) <i>The Precinct shall be developed generally in accordance with the desired road network structure and hierarchy (Figure 12). The road network will comprise the arterial roads of Mamre Road and the future Southern Link Road (Movement Corridors), Aldington Road/Abbotts Road (distributor road) and an indicative internal industrial local and collector road network.</i>	The modified proposal involves the deletion of the LLO intersection road as well as the augmentation of the road and creation of a temporary cul-de-sac head, to allow vehicles to turn. There are no other proposed changes to the Mamre Road Precinct’s desired road network structure under this MA, including to the internal road network within the Site.
6) <i>Internal local roads are to be designed to:</i> <ul style="list-style-type: none"> ▪ <i>Create a permeable network based on a modified grid system;</i> ▪ <i>Provide access to and facilitate the development of adjoining properties;</i> ▪ <i>Provide a pedestrian and cycle network that minimises travel distances and conflicts with industrial traffic;</i> ▪ <i>Maximise connectivity to and from open space and employment service hubs;</i> ▪ <i>Take account of topography, view corridors, site drainage, and vegetation;</i> 	The internal local roads within the Site, as modified, will continue to comply with the relevant controls of the MRPD2021.



TABLE 10: MRPDPC2021 DEVELOPMENT CONTROLS

Control	Comment
<ul style="list-style-type: none"> ▪ Provide frontage to and maximise surveillance of open space and riparian corridors; ▪ Provide views to landscape features and visual connections to activity nodes; and ▪ Maximise the effectiveness of water sensitive urban design measures. 	
<p>9) Access points shall be located to optimise safety, traffic flow and landscape opportunity, as well as end user operations. All parking shall be provided either on site or in centralised off-road locations.</p>	<p>The modified proposal involves the deletion of the LILO intersection, with other access arrangements to the Site still available in the eastern portion of the Site which removes the requirement of the LILO.</p>
<p>10) Direct vehicle access to Mamre Road, Southern Link Road and distributor roads (Aldington Road/ Abbots Road) is not permitted.</p>	<p>The proposed modifications include the deletion of the LILO intersection road, with the Site no longer providing direct vehicle access to Mamre Road as a result.</p>
<p>12) The internal road pattern is to facilitate 'through-roads' with cul-de-sacs to be avoided unless dictated by topography or other constraints.</p>	<p>The proposed LILO deletion will result in the appropriate augmentation and creation of a temporary cul-de-sac head, which will continue providing internal access within the Site whilst facilitating the modified proposal. The proposed deletion of the LILO intersection will remove direct vehicular access from the Site to Mamre Road.</p>
<p>16) Development applications shall detail the volume, frequency and type of vehicle movements.</p>	<p>A Traffic Statement is provided at Appendix C8, which notes that there is no change to the approved gross floor area (GFA) of the Site, and therefore the modified proposal would not change the originally approved trip generation for the Site.</p>
<p>4. General Requirements for Industrial Development</p>	
<p>4.2 Built Form Design Controls</p>	
<p>4.2.3 Landscaping</p>	
<p>1) Development proposals must demonstrate a 10% tree canopy on development lot (excluding public roads and any non-industrial land). This includes preserving existing trees, where possible, and adding to the existing canopy to provide green infrastructure and amenity. This control can be measured at estate or lot scale, depending on the subject land of the development application. Where the tree canopy strategy is established at an estate level, the approval should establish the framework for individual lots, where future development applications will be required. If the control is satisfied at an estate scale, the 10% tree canopy control does</p>	<p>The proposal, as modified, achieves a 10% tree canopy cover on lot 2 within the Site. Refer to Appendices C3-C5.</p>



TABLE 10: MRPDCP2021 DEVELOPMENT CONTROLS

Control	Comment						
<p><i>not need to apply again to individual lots, if they are consistent with the concept plan or estate approval.</i></p>							
<p><i>2) A Landscape Plan prepared by a Landscape Architect is to be submitted with all development applications.</i></p>	<p>A Landscape Estate Masterplan is provided at Appendix C3, and Landscape Plans are provided at Appendix C4.</p>						
<p><i>3) Landscaped area is to be provided in accordance with Table 11.</i></p> <table border="1" data-bbox="204 600 746 734"> <thead> <tr> <th data-bbox="204 600 501 629">Location</th> <th data-bbox="501 600 746 629">Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="204 629 501 680">Lots fronting designated roads (Mamre Road and proposed Southern Link Road)</td> <td data-bbox="501 629 746 680">10m landscape setback to the road frontage</td> </tr> <tr> <td data-bbox="204 680 501 734">Side boundary</td> <td data-bbox="501 680 746 734">No minimum requirement</td> </tr> </tbody> </table>	Location	Requirement	Lots fronting designated roads (Mamre Road and proposed Southern Link Road)	10m landscape setback to the road frontage	Side boundary	No minimum requirement	<p>The modified proposal provides a 10m undulating landscape setback to the Mamre Road frontage of the Site. In addition, a 6m landscape setback to lot 2 is provided from Collector Road along the south-west of lot 2 and through the estate.</p> <p>Furthermore, lot 3 at the front of the Site provides an additional 1,481m² of area to allow for further landscape understorey planting along the Mamre Road frontage.</p> <p>Refer to Appendices C3-C5 for further details.</p>
Location	Requirement						
Lots fronting designated roads (Mamre Road and proposed Southern Link Road)	10m landscape setback to the road frontage						
Side boundary	No minimum requirement						
<p><i>4) A minimum 15% of the site area is to be pervious surfaces, achieved through landscaping and/or the use of permeable paving materials. Perviousness is to be calculated in accordance with the following index:</i></p> <ul style="list-style-type: none"> ▪ <i>Deep soil (one metre or more in depth, connected subsoil) – 100%</i> ▪ <i>Shallow soil (less than one metre in depth, not connected to subsoil) – 75%</i> ▪ <i>Permeable pavement – 50%</i> ▪ <i>Hardstand – 0%</i> 	<p>Refer to Appendices C3-C5, which demonstrate that 15% of the lot 2 area will be pervious surfaces through a combination of landscaped areas and permeable hard surface treatments.</p> <p>The perviousness of hard materials on the Site has been calculated in accordance with this control of the MRPDCP2021.</p>						



PART 5 ENGAGEMENT

The proposed modifications would be referred to the relevant agencies, including Penrith City Council and TfNSW, given the minor scope of the modified proposal. The Proponent will address and respond to any matters raised during the application process, if required.



PART 6 ASSESSMENT OF IMPACTS

The following subsections provide an updated assessment of potential impacts, with consideration of the amended proposal, as described in **PART 3** of this Modification Report.

TABLE 11 below is included to recognise the SEARs for **SSD-17647189**, dated 14 May 2021, and those matters that have been reassessed.

TABLE 11: UPDATE ON SEARs ITEMS	
SEARs Items	Updated Assessment
1. Suitability of the Site	Not applicable – the proposal, as modified, maintains its suitability for the Site.
2. Statutory and Strategic Context	Refer to PART 2 and PART 4 of this Modification Report.
3. Community and Stakeholder Engagement	Refer to PART 5 of this Modification Report.
4. Infrastructure Requirements	Not applicable – the proposal, as modified, does not warrant any further assessment of infrastructure requirements.
5. Traffic and Transport	Refer to Section 6.1.1 of this Modification Report.
6. Urban Design and Visual	Refer to Section 6.1.2 of this Modification Report.
7. Soil and Water	Not applicable – the modified proposal does not warrant any further assessment of soil and water related matters.
8. Noise and Vibration	Not applicable – the modified proposal does not warrant any further assessment of noise and vibration impacts.
9. Biodiversity	Not applicable – the proposal, as modified, does not warrant any changes to the original Biodiversity Development Assessment Report (BDAR).
10. Aboriginal and Non-Aboriginal Cultural Heritage	Not applicable – the proposal, as modified, does not warrant any changes to the original Aboriginal Cultural Heritage Assessment Report or Heritage impact Statement.
11. Air Quality	Not applicable – the proposal, as modified, does not warrant any further assessment of air quality impacts.
12. Social Impact	Not applicable – the proposal, as modified, will not alter the original Social Impact Assessment.
13. Bushfire	Not applicable – the proposal, as modified, does not warrant any changes to the original Bushfire Hazard Assessment.
14. Contamination	Not applicable – the modified proposal does not alter the findings of the original Detailed Site Investigation.
15. Hazard and Risk	Not applicable – the modified proposal does not warrant any changes to the original SEPP 33 Assessment.
16. Waste Management	Not applicable – the proposal, as modified, does

TABLE 11: UPDATE ON SEARs ITEMS

SEARs Items	Updated Assessment
	not involve any changes to the approved Waste Management Plan.
17. Ecologically Sustainable Development	Not applicable – the proposal, as modified, will not alter the originally approved Ecologically Sustainable Design Report.
18. Greenhouse Gas and Energy Efficiency	Not applicable – the proposal, as modified, does not warrant any changes to the original Greenhouse Gas Assessment.
19. Airport Safeguarding	Not applicable – the proposal, as modified, will not alter the originally approved Airport Safeguarding Assessment.
20. Planning Agreement/Development Contributions	Not applicable – the proposal, as modified, remains consistent with the current planning agreements and development contributions.

6.1 UPDATED ASSESSMENT OF IMPACTS

6.1.1 Traffic and Transport

A Traffic Statement is provided at **Appendix C8**, which refers the original Transport Management and Accessibility Plan (TMAP) which supported the approved development under **SSD-17647189**, and reviews the traffic and transport implications of the proposed modifications to the approved Access Logistics Park development at the Site.

As there will be no change to the approved GFA of the Site, there would also be no changes to the original trip generation or parking requirements for the Site as part of the modified proposal. Accordingly, the currently approved parking provision and access strategy of the Site remains acceptable for the proposed modifications.

With the LILO intersection being proposed to be removed under this MA, the Mamre Road / Mirvac Access signalised intersection will be the ultimate access strategy for the Site, with the LILO arrangement being a secondary access. The original TMAP under **SSD-17647189** conducted an assessment of the Mamre Road / Mirvac Access signalised intersection, including traffic modelling, which forecasted an acceptable operation of both its interim and ultimate layouts. As a result, there would be no material impacts as a result of the modified proposal, and it is therefore supportable from a traffic and transport perspective.

6.1.2 Urban Design and Visual

The proposed development, as modified, retains its purpose as a warehouse and logistics hub, and remains consistent with the overall design principles and objectives of the Mamre Road Precinct in which the Site is located.

The proposed modifications involve the deletion of the LILO intersection road, augmentation and creation of a temporary cul-de-sac head as a result of the proposed LILO deletion, amendments to the approved landscaping interfacing with the road layout of the Site, and other associated works. Therefore, the proposed modifications are considered to be relatively minor in scale, and do not significantly change the approved urban design and visual components of the development overall.



MODIFICATION REPORT

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

The proposed deletion of the LILO intersection road is due to the availability of alternate access arrangements through the internal road in the eastern portion of the Site, which removes the requirement of the LILO intersection. The other aspects of the modified proposal aim to facilitate this proposed LILO deletion.

The proposed LILO deletion under this MA would result in the works no longer being located outside of the Site's boundaries. Accordingly, all proposed works under this MA would be entirely contained within the Site. Notwithstanding, the access roads forming the remaining road network to and within the Site will continue to be well-integrated into the Site's design.

In addition, further landscaping is proposed along the road verges to soften future built form throughout the Site, ensuring that the development continues to be visually appropriate from the public domain.

6.2 UPDATED MANAGEMENT AND MITIGATION MEASURES

Barings LLC plans to undertake the construction and operation of the proposed warehouse and logistics hub in accordance with the planned management and mitigation measures, as approved under **SSD-17647189**. The proposed modifications under this MA do not warrant the implementation of any further management and mitigation measures.



PART 7 JUSTIFICATION OF THE PROJECT

7.1 JUSTIFICATION

The proposed development, as modified, continues to align with the original justifications on environmental, social and economic grounds. The proposal remains consistent with local, regional and State planning objectives, represents an appropriate use of permissible development, minimises environmental impacts, maintains compatibility with surrounding developments and the locality, and upholds the principles of ecologically sustainable development.

The proposed modifications aim to optimise the functionality and aesthetics of the development whilst adhering to the overarching goals of the approved project. In particular, the proposed deletion of the LILO intersection road is due to the availability of alternate access arrangements through the internal road in the eastern portion of the Site, which removes the requirement of the LILO intersection. The other aspects of the modified proposal aim to facilitate this proposed LILO deletion.

7.2 CONCLUSION

Based on the findings of the original SSD application under **SSD-17647189** and further matters considered as part of this Modification Report, it is concluded that the proposed development, as modified, continues to be consistent with the objects of Section 1.3 of the EP&A Act, particularly the notion of promoting the orderly and economic use and development of the land.

The proposed development, as modified, is considered a quality outcome which continues to respond to the transitioning nature of the Mamre Road Precinct and the increase in industrial land offerings at a Local, Regional and State level. Additionally, in the promotion of employment-generating opportunities throughout the construction and operational phases, the proposed development further delivers on the rationale of full economic utilisation as well as proper and orderly development of the land for its intended purpose, namely industrial and employment uses. The proposed development continues to be suitable based on environmental, social and economic merits.

Based on the specialist studies and extensive investigations carried out for the modified development, the following conclusions are made:

- **Civil Engineering** - The overall estate development, and all associated engineering design considerations such as impervious area coverage, filling and levels, remain consistent between the layouts of the original approval and this MA. As such, there will be no change to the originally assessed and approved management systems and discharge arrangements, including OSD, water quality and stream health measures.

The approved Treatment Basin 3 and maintenance access track in the south-western corner of the Site will be retained under the modified proposal (shown on the Civil Plans within **Appendix C6**). Consultation with TfNSW has been undertaken in relation to this, which has confirmed that they propose to augment and maintain the basin moving forward. The basin will be enlarged to deal with greater volumes, which is understood to come from the future Mamre Road Stage 2 Upgrade project.

- **Traffic and Transport** - As there will be no change to the approved GFA of the Site, there would also be no changes to the original trip generation or parking requirements for the Site as part of the modified proposal. Accordingly, the currently approved parking provision and access strategy of the Site remains acceptable for the proposed modifications.

With the LILO intersection being proposed to be removed under this MA, the Mamre Road / Mirvac Access signalised intersection will be the ultimate access strategy for the Site, with the LILO arrangement being a secondary access. The original TMAP under **SSD-17647189**



conducted an assessment of the Mamre Road / Mirvac Access signalised intersection, including traffic modelling, which forecasted an acceptable operation of both its interim and ultimate layouts. As a result, there would be no material impacts as a result of the modified proposal, and it is therefore supportable from a traffic and transport perspective.

- **Urban Design and Visual** - The proposed development, as modified, retains its purpose as a warehouse and logistics hub, and remains consistent with the overall design principles and objectives of the Mamre Road Precinct in which the Site is located. The proposed modifications, including to the road network, optimise the development's functionality without creating significant visual changes. The proposed modifications enhance the Site's overall cohesion and ensure that the development remains well-integrated with its surroundings, preserving the aesthetic integrity of the Mamre Road Precinct.

Based on the findings of the original SSD application under **SSD-17647189**, and this subsequent MA, it is concluded that the proposed development, as modified, would continue to support the continued and targeted growth of the Mamre Road Precinct. The modified proposal is therefore considered suitable from local, regional and State contexts, and continues to represent an orderly and appropriate form of development, based on environmental, social and economic matters.

Given the above reasons and the satisfaction of both the objects of the EP&A Act and the aims of Industry and Employment SEPP, it is recommended that the proposed development, as modified and described in **PART 3** of this Modification Report, be supported subject to relevant and reasonable conditions.



APPENDIX A
UPDATED
PROJECT
DESCRIPTION



PROJECT DESCRIPTION

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

PROJECT DESCRIPTION - SSD-17647189

Project:	State Significant Development Application (SSD-17647189) For Access Logistics Park
Applicant:	Barings LLC
Site:	884-928 Mamre Road, Kemps Creek Lots 52 & 53, DP259135

The approved development consists of demolition, construction of an industrial estate comprising bulk earthworks, fit out and operation of a warehouse and distribution centre and ancillary office space with a total gross floor area of 39,161m², landscaping, staged 1 and 2 residual lot subdivision, construction of estate roads and intersection, site servicing and stormwater infrastructure, and other associated works at the Site.

The proposal, as modified, is summarised below:

- Deletion of the LILO intersection road in the southern corner of the Site;
- Augmentation of the road to stop at the Limit of Works of the future TfNSW LILO and creation of a temporary cul-de-sac head as a result of the proposed LILO deletion;
- Creation of a temporary light vehicle turning head easement within the TfNSW landtake on the Site, to authority requirements;
- Installation of concrete jersey kerbs at the western end of Collector Road to limit light vehicles beyond that point;
- Amendments to the approved landscaping interfacing with the road layout of the Site; and
- Amendment or deletion of the relevant Conditions of Consent under **SSD-17647189** to reflect the proposed modifications.

Consent is sought to develop the Site as a warehouse and logistics hub, in accordance with the following modified plans. The proposed amendments are demonstrated in [blue](#), with deletions as a [strikethrough](#) and additions as [underlined](#).

REGISTER OF PROJECT PLANS			
Drawing No.	Title	Issue	Date
Architectural Plans prepared by Nettleton Tribe Architects			
DA011	Lot 2 Site Plan	P37	31/10/2023
DA015	Lot 2 Office Floor Plans - Sheet 1	P20	31/10/2023
DA016	Lot 2 Office Floor Plans - Sheet 2	P18	31/10/2023
DA022	Lot 2 Building Elevations	P28	18/12/2024
DA025	Lot 2 Office Elevations	P20	18/12/2024
DA032	Lot 2 Building Sections	P19	31/10/2023
DA035	Lot 2 Office sections	P17	31/10/2023
DA041	Lot 2 Area Plans	P24	31/10/2023
DA003	Estate Masterplan - Stage 1	P30	30/09/2024
DA004	Estate Masterplan - Stage 2	P43	18/12/2024
<u>DA004</u>	<u>Estate Masterplan - Stage 2</u>	<u>P45</u>	<u>27/01/2026</u>
DA005	Subdivision Masterplan - Stage 1	P21	30/09/2024
DA006	Subdivision Masterplan - Stage 2	P30	18/12/2024



PROJECT DESCRIPTION

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

REGISTER OF PROJECT PLANS			
Drawing No.	Title	Issue	Date
DA006	Subdivision Masterplan - Stage 2	P32	12/11/2025
DA044	Signage Details, Typical Colours and Materials Schedule	P16	18/12/2024
Civil Drawings prepared by Costin Roe Consulting Pty Ltd			
C014021.05-MOD2-C300	Bulk Earthworks Plan and Cut and Fill Plan	D	29/11/2024
C014021.05-MOD2-C400	Stormwater Drainage Masterplan	B	04/02/2025
C014021.05-MOD2-C423	Water Sensitive Urban Design Management Plan	B	04/02/2025
C014021.05-MOD2-C500	Roadworks Plan	B	04/02/2025
C014021.00-MOD3-C501	Roadworks Plan	A	21/11/2025
C014021.00-SKC230831	Proposed Roundabout / Freight Network Interface Revised Roundabout PBS Level 2b Road Train	A	06/10/2023
C014021.00-SK-231020	Option B, Existing Driveway Interface with Proposed Road	A	20/10/2022
C014021.00-MOD3-C150	Services Coordination Plan	A	21/11/2025
Landscape Plans prepared by Geosapes Landscape Architects			
MP-01	Estate and Lot 2 Masterplan	R	11/12/2024
MP-01	Estate and Lot 2 Masterplan	S	17/11/2025
LDA-01	Overall Landscape Plan	W	11/12/2024
LDA-01	Landscape Masterplan	X	17/11/2025
LDA-01A	Landscape Canopy and Permeability Plan (*excludes roundabout design)	Z	01/09/2023
Left In / Left Out Deceleration and Acceleration Lane plan prepared by MU Group			
2021_19_SD_0001_SK00014	LLO Strategic Design Stage 1 Deceleration Lane	B	28/03/2023
2021_19_SD_0001_SK00017	Left Turn Treatments Comparison Stage 2 Acceleration Lane	A	28/03/2023



APPENDIX B
STATUTORY
COMPLIANCE
TABLE



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
Considerations under the EP&A Act and EP&A Regulation				
<i>Environmental Planning and Assessment Act 1979</i>	Section 1.3 - Objects of the Act	<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposed modifications would ensure a development outcome that aligns with the requirements of Sydney Water and promotes an efficient use of employment land within the Mamre Road Precinct.	N/A
		<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal, as modified, continues to facilitate ecologically sustainable development and does not warrant any changes to the original Ecologically Sustainable Design Report.	N/A
		<i>(c) to promote the orderly and economic use and development of land,</i>	The modified proposal further promotes the orderly and economic use and development of the land through increased employment land functionality.	N/A
		<i>(d) to promote the delivery and maintenance of affordable housing,</i>	Not applicable.	N/A
		<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	No change. The biodiversity of the Site has been suitably assessed during the original assessment of SSD-17647189 . The proposal, as modified, would not alter the ability of the development to adequately ensure the protection of the environment.	N/A
		<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	No change. The built and cultural heritage of the Site has been suitably assessed during the assessment of SSD-17647189 .	N/A
		<i>(g) to promote good design and amenity of the built environment,</i>	No change. The modified proposal does not seek to alter the approved built form, apart from the	N/A



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
			proposed LILO deletion, augmentation and creation of a temporary cul-de-sac head, and installation of concrete jersey kerbs. The public perception of the Site and the approved development would not be altered by the proposed modifications.	
		<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	No change. The modified proposal does not seek to alter the overall approved built form which would continue to be implemented through best-industry practice standards and measures.	N/A
		<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The modified proposal is in relation to SSD-17647189 and will be decided by delegation of the Minister for Planning (NSW DPPI), pursuant to Section 4.5 of the EP&A Act.	N/A
		<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	Engagement has been undertaken with the NSW DPPI, Sydney Water and the adjoining landowners.	Refer to PART 5 of this Modification Report.
	Section 4.15(1)(a) – Matters for consideration—general	<i>(i) any relevant environmental planning instrument, and</i>	The EPIs considered to be relevant to the proposal include: <ul style="list-style-type: none"> ▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> ▪ <i>State Environmental Planning Policy (Industry and Employment) 2021</i> ▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> ▪ <i>State Environmental Planning Policy (Planning Systems) 2021</i> 	Refer below.



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
			<ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 	
		(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	There are no draft instruments applicable to the Site or modified proposal.	Refer below.
		(iii) any development control plan, and	Despite the relevance of Clause 2.10 of the Planning Systems SEPP, the Mamre Road Precinct Development Control Plan 2021 has been considered and assessed.	Refer to Section 4.1.4 of this Modification Report.
		(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	The modified proposal does not seek to alter any existing planning agreements for the Site.	N/A
		(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	An assessment of the development, as modified, has been undertaken in accordance with all relevant matters as prescribed by the EP&A Regulation.	Refer below.
	Section 4.15(1)(b) – Matters for consideration – general	the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	-	Refer to PART 6 of this Modification Report.
	Section 4.15(1)(c) – Matters for	the suitability of the site for the development,	-	N/A



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
	consideration— general			
	Section 4.15(1)(d) – Matters for consideration— general	<i>any submissions made in accordance with this Act or the regulations</i>	Part of the forthcoming response to agency referrals.	N/A
	Section 4.15(1)(e) – Matters for consideration— general	<i>the public interest</i>	The modified proposal remains in the public interest, as determined in the original SSD application.	N/A
<i>Environmental Planning and Assessment Regulation 2021</i>	Section 99 – Making a Modification Application	<i>(2) If the modification application is for State significant development— (a) the application must also include particulars of the nature of the modification, and (a) the applicant must have regard to the State Significant Development Guidelines in preparing the application.</i>	This Modification Report has been prepared with regard to the <i>State Significant Development Guidelines</i> .	Refer to WHOLE Modification Report.
	Section 100 – Content of modification application	<i>A modification application must contain the following information— (a) the name and address of the applicant, (b) a description of the development that will be carried out under the development consent,</i>	-	Refer below.
			-	Refer to Section 1.6 of this Modification Report.
			-	Refer to Section 3.2 of this Modification Report.



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
		<i>(c) the address and folio identifier of the land on which the development will be carried out,</i>	-	Refer to Section 2.1 of this Modification Report.
		<i>(d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,</i>	-	Refer to Section 3.2 and Appendix A of this Modification Report.
		<i>(e) whether the modification is intended to— (i) merely correct a minor error, misdescription or miscalculation, or (ii) have another effect specified in the modification application,</i>	This MA is intended to modify the approved development, following further coordination to optimise the Site's functionality and alignment with the Proponent's vision for the Site.	Refer to Section 3.2 of this Modification Report.
		<i>(f) a description of the expected impacts of the modification,</i>	-	Refer to PART 6 of this Modification Report.
		<i>(g) an undertaking that the modified development will remain substantially the same as the development originally approved,</i>	The proposal results in minor modifications and, from a qualitative perspective, the development retains its purpose as a warehouse and logistics hub. The overall developable area of the Site remains consistent with what was approved under SSD-17647189 .	Refer to TABLE 5 of this Modification Report.
		<i>(h) for a modification application that is accompanied by a biodiversity</i>	-	Not applicable.



STATUTORY COMPLIANCE TABLE

Access Logistics Park
884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
		<i>development assessment report—the biodiversity credits information,</i>		
		<i>(i) if the applicant is not the owner of the land—a statement that the owner consents to the making of the modification application,</i>	Landowners consent has been obtained.	Refer to Appendix C1 .
		<i>(j) whether the modification application is being made to— (i) the Court under the Act, section 4.55, or (ii) the consent authority under the Act, section 4.56.</i>	This MA is being made to the consent authority, under Section 4.55 of the EP&A Act.	N/A
Considerations under EPIs				
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Chapter 4, Clause 4.6 – Contamination and Remediation to be Considered in Determining Development Application	<i>(1) A consent authority must not consent to the carrying out of any development on land unless— (a) it has considered whether the land is contaminated, and (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and (2) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it</i>	The findings of the Detailed Site Investigation Report previously submitted under SSD-1764189 remain relevant to the proposal as modified. No further assessment is warranted in this regard as the modified proposal maintains its suitability for the Site.	N/A



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
		<i>is satisfied that the land will be remediated before the land is used for that purpose.</i>		
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Chapter 2, Part 2.3, Division 17, Subdivision 2, Clause 2.122 - Traffic-generating Development	<p><i>(1) Before determining a development application for development to which this section applies, the consent authority must—</i></p> <p><i>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</i></p> <p><i>(b) take into consideration—</i></p> <p><i>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</i></p> <p><i>(ii) the accessibility of the site concerned, including—</i></p> <p><i>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</i></p> <p><i>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</i></p> <p><i>(iii) any potential traffic safety, road congestion or parking implications of the development.</i></p>	The Site contains a total land area of approximately 20ha. The proposal is for a warehouse and distribution centre and is considered traffic-generating development, pursuant to Schedule 3 of the Transport and Infrastructure SEPP. The proposed modifications require referral to TfNSW.	N/A



STATUTORY COMPLIANCE TABLE

Access Logistics Park

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SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
	Chapter 2, Part 2.3, Division 17, Subdivision 2, Clause 2.119 - Development with Frontage to Classified Road	<p>(2) <i>The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</i></p> <p>(a) <i>where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i></p> <p>(b) <i>the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i></p> <p>(i) <i>the design of the vehicular access to the land, or</i></p> <p>(ii) <i>the emission of smoke or dust from the development, or</i></p> <p>(iii) <i>the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i></p> <p>(c) <i>the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i></p>	The Site has a frontage to Mamre Road which is a classified road. The proposed modifications include the deletion of the LILO intersection road in the southern corner of the Site. As a result, there would no longer be a direct access provided to the Site via Mamre Road. Alternate access arrangements will be made available through the internal road in the eastern portion of the Site, which removes the requirement of the LILO intersection.	Refer to WHOLE Modification Report.
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2, Part 2.2, Clause 2.6 - Declaration of State Significant	(1) <i>Development is declared to be State significant development for the purposes of the Act if—</i>	In accordance with Schedule 1, Section 12 of the Planning Systems SEPP, development that has an estimated development cost (EDC) (CIV applies to development proposals lodged prior to	Refer to Section 1.5 of this Modification Report.



STATUTORY COMPLIANCE TABLE

Access Logistics Park

884-928 Mamre Road, Kemps Creek (Lots 52 & 53, DP259135)

SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
	Development: section 4.36	<p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	<p>4 March 2024) of more than \$30 million for the purpose of a warehouse or distribution centre (where notified on or before 31 May 2023), constitutes SSD.</p> <p>As noted in TABLE 1 of this Modification Report, the CIV of the approved development is in excess of \$30 million and SEARs were granted on 14 May 2021.</p> <p>The CIV of the proposed development, as modified, remains to be \$51,656,434.</p>	
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 4, Clause 4.2 - Savings and Transitional Provisions	<p>(1) This policy does not apply to the following—</p> <p>(f) an application for modification of a development consent under the Act, section 4.55 or 4.56 submitted on the NSW planning portal on or after 1 October 2023, if the development application for the development consent was submitted on the NSW planning portal before 1 October 2023.</p>	The Sustainable Buildings SEPP does not apply to this MA as it is in relation to SSD-17647189 which was submitted to the NSW Planning Portal before 1 October 2023.	N/A
State Environmental Planning Policy (Industry and Employment) 2021	-	-	-	Refer to Section 4.1.3 of this Modification Report.



STATUTORY COMPLIANCE TABLE

Access Logistics Park
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SSD-17647189-Mod-3

MANDATORY CONSIDERATIONS OF THE CONSENT AUTHORITY				
Statutory Document	Section Reference	Mandatory Consideration	Relevance	Section in the Modification Report
Considerations under Other Legislation				
<i>Biodiversity Conservation Act 2016</i>	Section 7.9 - Biodiversity Assessment for State Significant Development or Infrastructure	<p>(1) <i>This section applies to—</i></p> <p>(a) <i>an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and</i></p> <p>(b) <i>an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure.</i></p> <p>(2) <i>Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.</i></p> <p>(3) <i>The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.</i></p>	The findings of the BDAR previously submitted under SSD-17647189 remain relevant to the proposal as modified. Therefore, the modified proposal does not warrant any changes to the original BDAR.	N/A



APPENDIX C
SUPPORTING
DOCUMENTS

