

NSW Department of Planning & Environment
23-33 Bridge Street
Sydney NSW 2000

Attention: Natasha Harras

Section 96(1A) Modification Application (SSD 6078) MOD 7 – Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181)

Dear Natasha,

This Modification Application is submitted to the NSW Department of Planning & Environment (NSW DP&E) on behalf of Goodman Property Services (Aust) Pty Ltd and relates specifically to Lot 3 within the Oakdale Central Estate, Horsley Park.

Approval to State Significant Development (SSD 6078) was granted by the Minister for Planning on 18 March 2015 for the staged construction of three (3) warehouse and distribution facilities pertaining to Lots 1C, 2B and 3 and the upgrade of Old Wallgrove Road. Due to shifting market demands and specific user requirements, design changes are now required to the approved facilities on Lot 3 in order to accommodate future operational needs.

This application represents the **seventh** modification to SSD 6078.

Key changes are as follows:

- Minor change in GFA, design and parking of Lot 3A.
- Increase in office GFA for Warehouse 2 & 3, Lot 3C from 500sqm to 550sqm;
- Relocation of Dock Office for Warehouse 1, Lot 3C; and

The amendments sought have been assessed against the key Environmental Assessment Requirements throughout this report.

Attached to this submission are the following specialist reports and plans:

- **Appendix 1 – Architectural Plans**
- **Appendix 2 – Civil Design Plans**
- **Appendix 3 – Traffic Impact Assessment**
- **Appendix 4 – BCA Report**
- **Appendix 5 – Landscape Plans**
- **Appendix 6 – Fire Safety Statement**
- **Appendix 7 – SEPP 33 Review**
- **Appendix 8 – Plan Schedule**
- **Appendix 9 – Waste Management Plan**

Should you require further information, please contact the undersigned.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read "Andrew Cowan".

Andrew Cowan
Director
Willowtree Planning Pty Ltd

1. OAKDALE CENTRAL ESTATE - BACKGROUND

Consent was granted to State Significant Development 6078 on 18 March 2015 for the staged construction of three (3) warehouse and distribution facilities and the upgrade of Old Wallgrove Road.

Concept Approval was granted to MP08_0065 on 2 January 2009 for the establishment of Oakdale Central Estate including subdivision, earthworks, internal road layout, recreation and biodiversity land, seven industrial buildings, pad levels, external upgrades and infrastructure. A concurrent Stage 1 Project Application was also granted for the establishment of a DHL Logistics Hub and associated infrastructure which comprises 3 buildings being those on lots 1A and 2A (MP08_0066). Subsequent to the Concept and Project Approval, a number of modifications were carried out pursuant to Section 75W of the *Environmental Planning & Assessment Act 1979*.

The modifications to the Concept, Project and State Significant approvals are summarised below:

Modification No.	Date of Approval	Description
Mod 1 to Concept Plan and Project Approval MP08_0065 & mp08_0066	4 November 2010	Amendment of Concept Plan subdivision to change configuration and reduce the number of internal estate roads. The Project Approval was also amended so that stage 1 on lots 1A and 2A with two warehouse buildings on lot 2A being proposed in lieu of one larger building.
Mod 2 to Project Approval MP08_0066	17 February 2011	Due to the timing of notification of the Voluntary Planning Agreement (VPA) between the Minister for Planning, Goodman and the land Trustee for contributions towards regional transport infrastructure and services for lot 1A and 2A, entry into the VPA was amended prior to issue of occupation or subdivision certificate. The VPA was entered into on 25 March 2011 and has been amended to include the subject estate allotments, lots 1C, 2B and 3 so that it applies to the whole estate.
Mod 3 to Project Approval MP08_0066	8 July 2011	Minor amendments to warehouses 2 and 3 on lot 2A including changes to the appearance of the warehouses, site layout and quantum of floor space.
Mod 4 to Project Approval MP08_0066	20 September 2012	Modification of the Project Approval to re-orient and reposition the warehouse to be constructed on lot 1A, this involved rotating the building to 180 degrees and siting it in a similar position to that originally approved.
Mod 2 to concept plan and Mod 5 to Project Approval MP08_0065 and MP08_0066	5 March 2013	Modification of subdivision layout, shape and location of the estate stormwater basin, bulk earthworks, pad levels, staging and the importation of fill.
Mod 6 to Project Approval MP08_0066	10 May 2013	Relocation of the swing and sliding gates at the truck entry, increase of office floor space within the approved building footprint and provision of storage and workshop areas within the approved building footprint.
Mod 7 to Project Approval MP08_0066	Withdrawn	
Mod 8 to Project Approval MP08_0066	15 May 2014	Amendment to condition 18 of the Project Approval to allow Excavated Natural Material to be imported to the site.
Mod 3 to Concept Plan MP08_0065	18 March 2015	Amendment to subdivision plan to consolidate lots 3A/3B; Inclusion of a vehicle turning head within Oakdale South and inclusion of the detention basins within the biodiversity lots to enable physical use for on-site detention purposes.
Mod 4 to Concept Plan MP08_0065	9 June 2016	Amendments to building envelopes on Lot 3 and extension of the estate road.

Mod 5 to Concept Plan MP08_0065	1 September 2016	Consolidation of Warehouse 3A-1 and 3A-2 from two to one building (retaining two tenancies); division of Warehouse 3C-1 and 3C-2 into three tenancies; reduction of 1,462m ² GFA relocation and reconfiguration of car parking areas and reduction of 1 car parking space; reconfiguration and division of hardstand areas; and relocation of sprinkler tanks and pump rooms.
SSD 6078	18 march 2015	The staged construction of three (3) warehouse and distribution facilities and the upgrade of Old Wallgrove Road. A Voluntary Planning Agreement entered into between the Minister for Planning, Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 8 Pty Ltd and BGAI 2 Limited for the upgrade of Old Wallgrove Road
Mod 1 to SSD 6078	15 June 2015	Warehouse area reduced from 26,700sqm to 25,545sqm; Increased office area (including gatehouse) from 790sqm to 1,580sqm; Total building area reduced from 27,505sqm to 27,145sqm; Hardstand between 1B and 1C consolidated for shared use; Warehouse racking revised.
Mod 2 to SSD 6078	30 June 2015	Building Area reduced from 33,025sqm to 31,080sqm; Building changes to a temperature controlled facility. Dangerous Goods (DGs) store added.
Mod 3 to SSD 6078	30 August 2015	Proposed modifications to Unit 2B as follows: <ul style="list-style-type: none"> a) Reduce ambient portion of the warehouse and replace with temperature control space; b) Relocation of dangerous goods store (DG Store) from the centre to the south eastern corner of the warehouse; c) Increase in size of the DG Store from 1,495sqm to 2,660sqm; d) Reduction of awning size from 4,070sqm to 3,550sqm; e) Removal of the truck wash from the south eastern corner of the site; and f) Minor modification to warehouse facade.
Mod 4 to SSD	1 December 2015	Deletion of Condition 34 in respect of screening the water pump and tank room located towards the north-western side of Lot 1C & 2B and water tanks in the south-eastern corner of Lot 3.
Mod 5 to SSD 6078	8 June 2016	Four (4) warehouse facilities and extension of the estate road from Milner Avenue to provide access to the future warehouse facilities. The warehouse areas were approved as follows: Lot 3A <ul style="list-style-type: none"> - Warehouse 1 (3,448sqm) - Office 1 (725sqm) - Warehouse 2 (2,515sqm) - Office (595sqm) - Car Parking (64) Lot 3C <ul style="list-style-type: none"> - Warehouse 1 (16,014sqm) - Office (566sqm) - Dock Office (95sqm) <ul style="list-style-type: none"> - Warehouse 2 (16,095sqm) - Office (561sqm) - Dock Office (95sqm) - Car Parking (194) Lot 3D <ul style="list-style-type: none"> - Warehouse (7,975sqm)

		<ul style="list-style-type: none"> - Office (300sqm) - Car Parking (53)
Mod 6 to SSD 6078	1 September 2016	<p>Modification to warehouses on Lot 3 as follows:</p> <p>Lot 3A</p> <ul style="list-style-type: none"> - Warehouse 1 (3,825sqm) - Office 1 (550sqm) - Warehouse 2 (2,680sqm) - Office 2 (272sqm) - Car Parking (66) <p>Lot 3C</p> <ul style="list-style-type: none"> - Warehouse 1 (11,000sqm) - Office Level 1 (500sqm) - Dock Office 2 Levels (30sqm) <ul style="list-style-type: none"> - Warehouse 2 (9,690sqm) - Office 2 (500sqm) <ul style="list-style-type: none"> - Warehouse 3 (9,690sqm) - Office 3 (500sqm) <ul style="list-style-type: none"> - Car Parking (183) - Provisional Parking Spaces (8) <p>Lot 3D</p> <ul style="list-style-type: none"> - Warehouse (7,935sqm) - Office (300sqm) - Dock Office (50sqm) - Car Parking (53)

Review of the Concept Plan indicates there is nothing which prevents the proposed modifications identified in this application.

State Significant Development 7491 was placed on exhibition on 12 May 2016 and is due to be determined imminently.

In addition to the above, it is noted that the bulk earthworks of Lots 1C, 2B and 3 were subject to separate approval from Fairfield City Council (DA652.1/2013) which included extension of the estate road.

The Voluntary Planning Agreement entered into between the Minister for Planning, Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 8 Pty Ltd and BGAI 2 Limited was executed on 12 March 2015 and deals with contributions for Oakdale Central and South as well as the upgrade of Old Wallgrove Road as a 'Works in Kind' ("WIK") project.

2. PROPOSED MODIFICATIONS

This Modification Application seeks:

- Warehouse 3A-1
 - Warehouse GFA increased from 3,825sqm to 4,000sqm
 - Office GFA reduced from 550sqm to 500sqm, and changed from 2 levels to 1
 - Recessed docks removed (2)
 - One additional on-grade dock
 - Car parking reduced from 46 spaces to 37 spaces
 - Minor change to office fit-out
 - Warehouse and distribution use

- Warehouse 3A-2
 - Warehouse GFA reduced from 2,680sqm to 2,650sqm
 - No change to office area.
 - Office now over one level
 - Recessed docks reduced from 2 to 1
 - Car parking reduced from 20 to 16 spaces
 - Warehouse and distribution use

Mulford Plastics have committed to Warehouse 1, Lot 3A (WH3A-1) at Oakdale Industrial Estate. Mulford Plastics specialise in the pioneering of plastic materials. Their materials are sourced from a diverse range of technology leading manufacturers that are used across a range of industries: from building and construction, corporate signage, shop fitting, engineering, mass transportation, digital printing through to electrical industry.

This application seeks approval for Mulford Plastics' Use Consent which is consistent with the existing approval for warehouse and distribution use at the Property. The primary use of the facility remains as warehouses & distribution use with a small ancillary function of stock conversion using a series of saws. This will prepare some of the stock, where required, for its storage or distribution.

The operations at WH3A-1 will involve the delivery of products to the site between 6am and 8am. Containers will then be unloaded during the day at which point the materials may be cut (if required) using the saws, and either stored or packed in the afternoon for customer pick-up.

Hours of operation remain as approved being 24/7 operation.

The anticipated number of employees at WH3A-1 is expected to be circa 35.

The goods stored within the warehouse include plastic sheeting, polycarbonate and acrylics. A minor amount of adhesive products will be stored separately as per the SEPP33 assessment completed by CORE engineering.

The modifications sought to the approved facilities on Lot 3 are listed below:

Table 2: Schedule of Proposed Changes		
Project Element	Approved	Proposed under Section 96
Warehouse	Construction of warehouse facilities comprising: Lot 3A <ul style="list-style-type: none"> - Warehouse 1 (3,825sqm) - Office 1 (550sqm) - Warehouse 2 (2,680sqm) - Office (272sqm) - Car Parking (66) 	Modification to warehouses on Lot 3 as follows: Warehouse 3A-2 <ul style="list-style-type: none"> - Warehouse GFA reduced from 2,680sqm to 2,650sqm - No change to office (now on one level) - Recessed docks reduced from 2 to 1 - Car parking reduced from 20 to 16 spaces Warehouse 3A-1 <ul style="list-style-type: none"> - Warehouse GFA increased from 3,825sqm to 4,000sqm - Office GFA reduced from 550sqm to 500sqm, and

		<ul style="list-style-type: none"> changed from 2 levels to 1 - Recessed docks removed (2) - Additional on-grade dock added - Car parking reduced from 46 spaces to 37 spaces - Minor change to car park lay-out <p>Warehouse 3C</p> <ul style="list-style-type: none"> - GFA increased from 31,910sqm to 32,010sqm. - 10 provisional car parking spaces - Relocation of dock office in warehouse 1
Total GFA	48,984sqm	47,717sqm
Site Area	155,900sqm	155,899sqm
Subdivision	Subdivision to create one (1) allotment	Subdivision to create one (1) allotment
Car Parking	Lot 3A – 66 spaces Lot 3C – 191 spaces Lot 3D – 60 Spaces	Lot 3A – 53 spaces Lot 3C – 193 spaces Lot 3D – 60 Spaces

The approved and proposed scheme for Lot 3 is provided in the below figures.

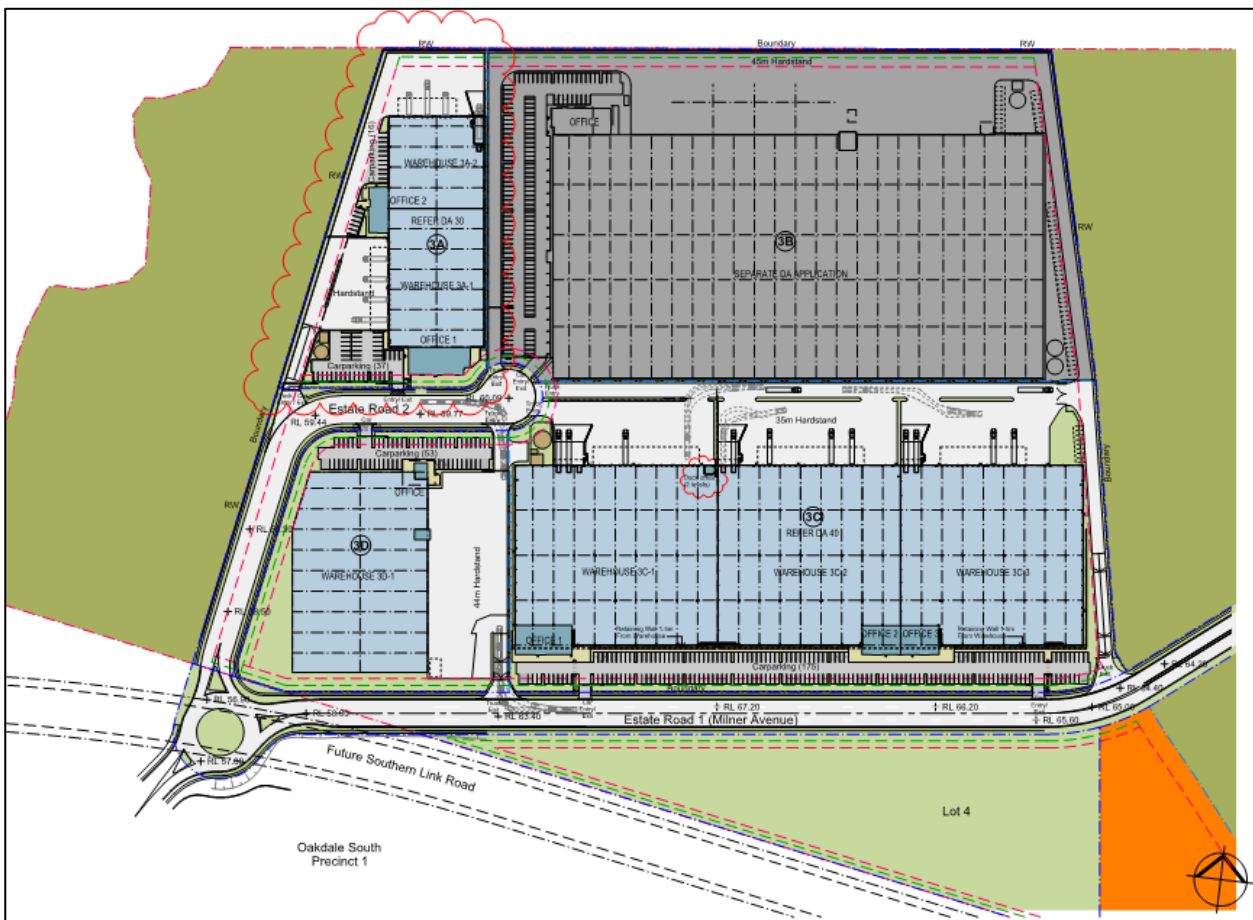


Figure 1: Proposed Layout - Lot 3

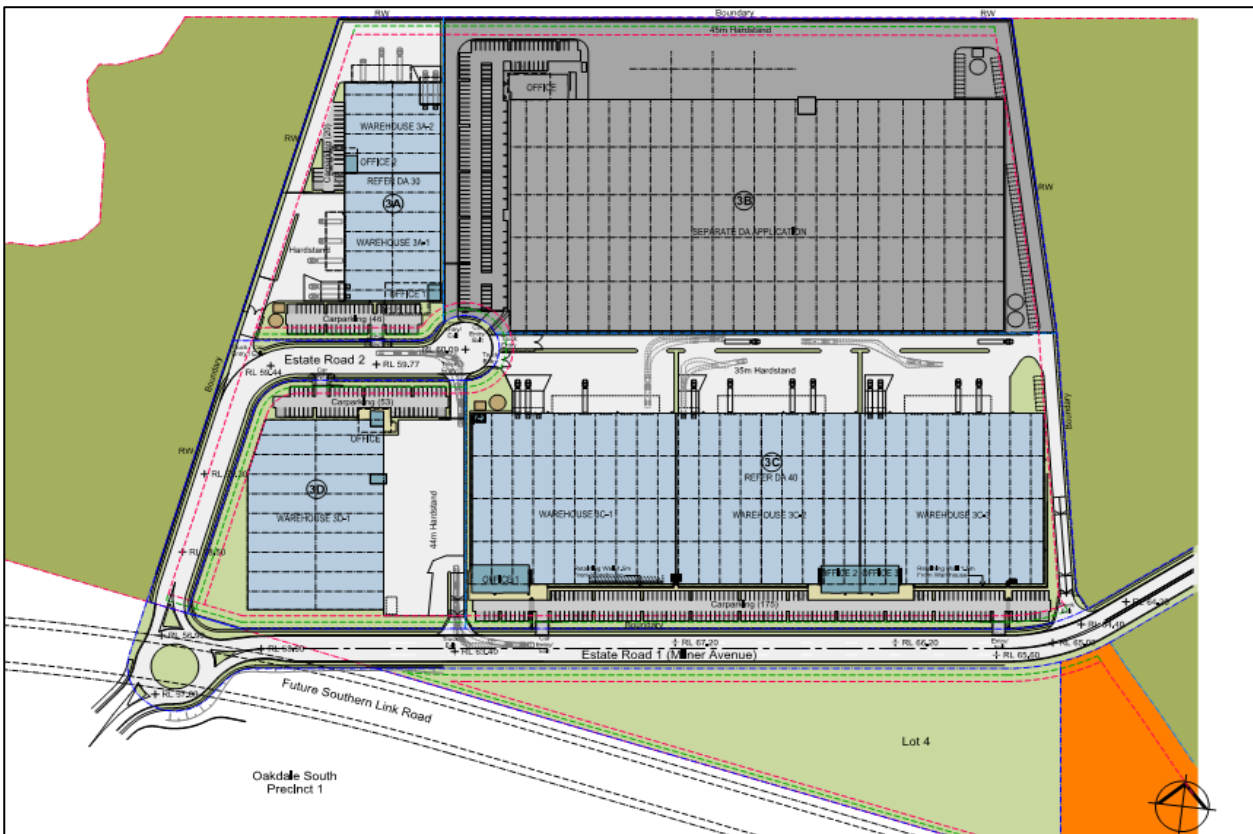


Figure 2: Approved Layout - Lot 3

Based on the modifications carried out to date, the documentation to form part of SSD 6078 is listed in **Appendix 8**.

3. ENVIRONMENTAL ASSESSMENT

Director Generals Requirements were issued on 4 October 2013 for SSD 6078 for the construction of 3 warehouse and distribution facilities. The key Environmental Assessment requirements as they relate to the modified proposal for Lot 3 are addressed below.

3.1 Biodiversity

The amended design shall not result in any encroachment on the biodiversity lots within the estate. Sufficient landscaping will be provided, that is generally consistent with the approved scheme, thus ensuring sufficient onsite planting and pervious areas.

3.2 Noise

Construction Noise

The construction noise generated will not differ from that considered under SSD 6078. The recommendations as provided in the SLR Report dated October 2013 will be adhered to along with the Management and Mitigation Measures that have been committed to by Goodman.

Operational Noise Emissions

Based on the minor scope of amendments, the proposal shall not exceed the noise thresholds established for the precinct and therefore acceptable in this respect.

3.3 Stormwater

Stormwater quantity and quality outcomes will not be altered as a result of the proposed modifications. The stormwater strategy approved under SSD 6078 will serve the development as modified.

3.4 Air Quality and Odour

Construction & Operational Phase Impacts

All air quality impacts will be mitigated as outlined in the SLR Report submitted with SSD 6078 and the Management and Mitigation Measures committed to by Goodman. The amendments sought under the subject application do not warrant further consideration in this respect.

3.5 Heritage

The amended design will not result in any adverse impact in respect of heritage. All impacts in this respect have been sufficiently addressed as part of SSD 6078 and the preceding Concept Plan for the estate.

3.6 Visual

The proposed development which is the subject of this Modification Application has been considered acceptable in terms of the visual impact on the locality for the following reasons:

- The proposed buildings will be the same height as the approved building being 13.7m.
- Development to the east is part of Goodman's Oakdale Central estate, which incorporates uses for warehousing purposes. The visual impact from this aspect is considered to be acceptable as it will be generally consistent with the surrounding built form and approved land uses.
- To the west is a significant undevelopable riparian corridor, on land owned by Goodman. It is anticipated that there will be minimal visual impact from this area as it is undevelopable.
- Overall, the change to warehouses does not represent a significant departure from that approved under MOD 6 and as such the visual impact is considered minor.

It is considered that the extent of changes proposed will not adversely affect the interface with the surrounding lands, or the aesthetic value of within the streetscape as viewed from Milner Avenue.

The materials and colour scheme will be generally consistent with the approved scheme under SSD 6078 despite the creation of separate facilities.

Landscaped buffers will be maintained to Milner Avenue to provide opportunity for mature vegetation that will contribute to the visual amenity.

3.7 Waste Management

The findings and recommendations of the Waste Management Plan prepared by SLR that was submitted with SSD 6078 remain unchanged for the subject proposal (refer **Appendix 9**).

3.8 Fire Safety and Building Code of Australia

A revised Fire Safety Strategy prepared by Core (**Appendix 6**) and Building Code of Australia Report by Blackett Maguire + Goldsmith (**Appendix 4**) have been included as part of this modification application.

The findings and recommendations of this report conclude that the modified proposal is generally consistent with SSD 6078.

3.9 Dangerous Goods

The warehouse will be used for the storage of retail products with a minor portion of products being stored containing Dangerous Goods. No thresholds under SEPP 33 will be triggered as a result of the proposed development (refer **Appendix 7**).

3.10 Traffic & Parking

Car parking for the proposal has been assessed having regard to the Concept Plan requirements which are summarized in below.

Lot	Area Type	Warehouse (m ²)	Parking Rate	Parking Required	Parking Provided
	Warehouse	6,650	1 space / 200m ² GFA	33.3	
3A	Ancillary Office	772	1 space / 40m ² GFA	19.3	53
	<i>Total</i>	7,422		53	

As the development requires 53 spaces (which are proposed under the subject application), the proposal is considered satisfactory of traffic planning grounds.

Impacts considered under SSD 6078 (as modified) remain relevant for the proposed development. No further investigation is required in this respect.

Access and internal design arrangements are also considered satisfactory, as previously assessed under the modification to SSD 6078.

4. LEGISLATIVE FRAMEWORK

4.1 Environmental Planning & Assessment Act 1979

Section 96 of the *Environmental Planning & Assessment Act 1979* makes provision to modify a Development Consent that has been granted pursuant to Part 4 of Act. The proposal as submitted to NSW DP&E is considered to satisfy the provisions of Section 96(1A) of the Act in that the changes proposed will result in minimal environmental impact.

The relevant provisions are addressed below:

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:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

Comment: The proposal is considered to result in minimal environmental impact as the underlying land use for the purpose of warehousing and distribution is to remain unchanged. Stormwater, traffic, noise, air quality and construction impacts will all be managed, consistent with the findings and recommendations of SSD 6078 (MOD 6 – previously determined).

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

Comment: The proposal as modified is considered to be substantially the same as the original approved development in that:

- The underlying use of the land, being for warehousing and distribution purposes will remain as originally approved.
- The overall GFA proposed for Lot 3 will not be significantly increased, thus the intensity and scale of the development is not considered greater than that originally approved.
- The height of the building will remain at 13.7m, consistent with the approval granted under SSD 6078.
- Car parking provided for each facility will be compliant with the Concept Plan requirements.
- Traffic generation will not be increased beyond that previously modeled.

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(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

Comment: For the purpose of this application and the provisions set out in the *Environmental Planning & Assessment Regulation 2000*, notification of the application is not required.

4.2 State Environmental Planning Policy (Western Sydney Employment Area) 2009

The proposed development (as modified) will provide employment generating activities within WSEA consistent with the underlying objectives of the Plan. The Principal Development Standards and miscellaneous provisions prescribed under the SEPP are addressed below in respect of the proposed modifications.

Height of Buildings

The building height of the approved facility is to remain unchanged from SSD 6078 (being 13.7m).

Design Principles

The design changes seek to provide a more efficient layout that improves the functionality of the site for the intended purpose. It is considered that the proposal (as modified) represents a high quality design that will set a desirable precedent for future development in the locality. The overall scale and character of the proposal is representative of a modern day warehouse and logistics hub that will operate in an environmentally sustainable manner.

Preservation of trees and vegetation

No trees are proposed to be removed under the subject modification application.

4.3 State Environmental Planning Policy (Infrastructure) 2007

As the proposal does not seek to increase vehicle movements and the overall warehouse GFA will not be increased, referral to RMS is not required. The conditional requirements provided under SSD 6078 are able to be complied with.

4.4 State Environmental Planning Policy No.33 Hazardous & Offensive Development

Based on the analysis conducted in this SEPP33 study for the proposed Mulford Plastics Warehouse at the OIE, NSW, it is identified that the quantities of DGs proposed for storage and handling at the warehouse do not exceed the maximum permissible threshold quantities listed in Applying SEPP 33.

4.5 State Environmental Planning Policy No.55 – Remediation of Contaminated Land

Contamination of the site has previously been dealt with under the Concept Plan and subsequent application for earthworks. No further consideration is required as part of this Modification Application.

4.6 Fairfield Local Environmental Plan 2013

As the site is located within the WSEA, the provisions of *Fairfield Local Environmental Plan 2013* do not apply.

4.7 Fairfield City Wide Development Control Plan 2013

It is noted that Section 11 of *State Environmental Planning Policy (State and Regional Development) 2011* states:

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

(a) State significant development

Furthermore, the Concept Plan approval sets the specific controls for the estate in terms of building setbacks, site coverage and parking provision. The proposal (as modified) generally complies with the controls specified.

4.8 Oakdale Central Concept Plan

The following controls apply to the estate as approved under the Concept Plan.

Table 3: Oakdale Central Controls			
Control	Provision	Compliance	Comment
Lot Dimensions	- Min lot area 5,000m ² - Min built area 2,500m ²	Yes	All lots exceed minimum areas
Site Coverage	- Max 65%	Yes	All facilities comply with maximum site coverage
Building Setbacks	- 20m link road - 15m collector road - 7.5m estate road - 5m rear setbacks (2.5m landscaping)	Yes	All facilities comply with setback requirements
Car Parking Provision	- Warehouse 1 per 200sqm - Office 1 per 40sqm	Yes	Parking provided in accordance with the Concept Plan rates (53 required – 53 provided).

5. CONCLUSION

The subject Modification Application seeks consent to construct and operate separate facilities located on Lot 3 and shall not result in any unacceptable environmental impacts on the surrounding environment. As detailed throughout this report, the changes sought will result in the development being substantially the same as that for which consent was originally granted. Notable aspects of the proposal which confirm the development will be substantially the same include and shall result in minimal environmental impact:

- **Primary Land Use** – The warehousing and distribution use of the site is not proposed to change.
- **Gross Floor Area** – The overall Gross Floor Area is sought to increase.
- **Car Parking** – All facilities shall provide sufficient car parking as per the Concept Plan controls.
- **Setbacks** – Sufficient setbacks shall be maintained ensure landscaped buffers can be achieved and separation is such that the visual amenity of the public domain is not compromised.
- **Traffic Generation** – Traffic generation shall not increase beyond that originally modeled for SSD 6078.

Overall, the modified scheme will provide for a more suitable layout that responds to the requirements of the future tenant resulting in increased efficiencies for the site. The proposal does not result in intensification of the site or any variation to the approved use. The employment generating potential of the site will be retained, consistent with the objectives of the SEPP WSEA 2009. Overall the modifications are considered minor.

Accordingly, it is requested that DP&E support the application.

Appendix 1 Architectural Plans

Appendix 2
Civil Design Plans

Appendix 3
Traffic Impact Assessment

Appendix 4
BCA Report

Appendix 5
Landscape Plans

Appendix 6
Fire Safety Statement

Appendix 7
SEPP 33 Review

Appendix 8
Plan Schedule

Appendix 9
Waste Management Plan