

ASSESSMENT REPORT

Section 96(1A) Modification Oakdale South Industrial Estate (SSD 6917 MOD 4)

1. INTRODUCTION

This report assesses a modification application by Goodman Property Services Pty Ltd (the Applicant) to modify the approved Concept Proposal and Stage 1 Development Application (DA) for the Oakdale South Industrial Estate (OSE) (SSD 6917). The application has been lodged pursuant to section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. BACKGROUND

The Oakdale South Industrial Estate (OSE) is located in the suburb of Kemps Creek, located in the Penrith local government area (LGA) (see **Figure 1**). The site is also located in precinct 8 of the Western Sydney Employment Area (WSEA) which is strategically identified industrial employment land under *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). The OSE site is currently under construction with clearing and site preparation works as well as the construction of Building 3B (SSD 7663) having commenced.

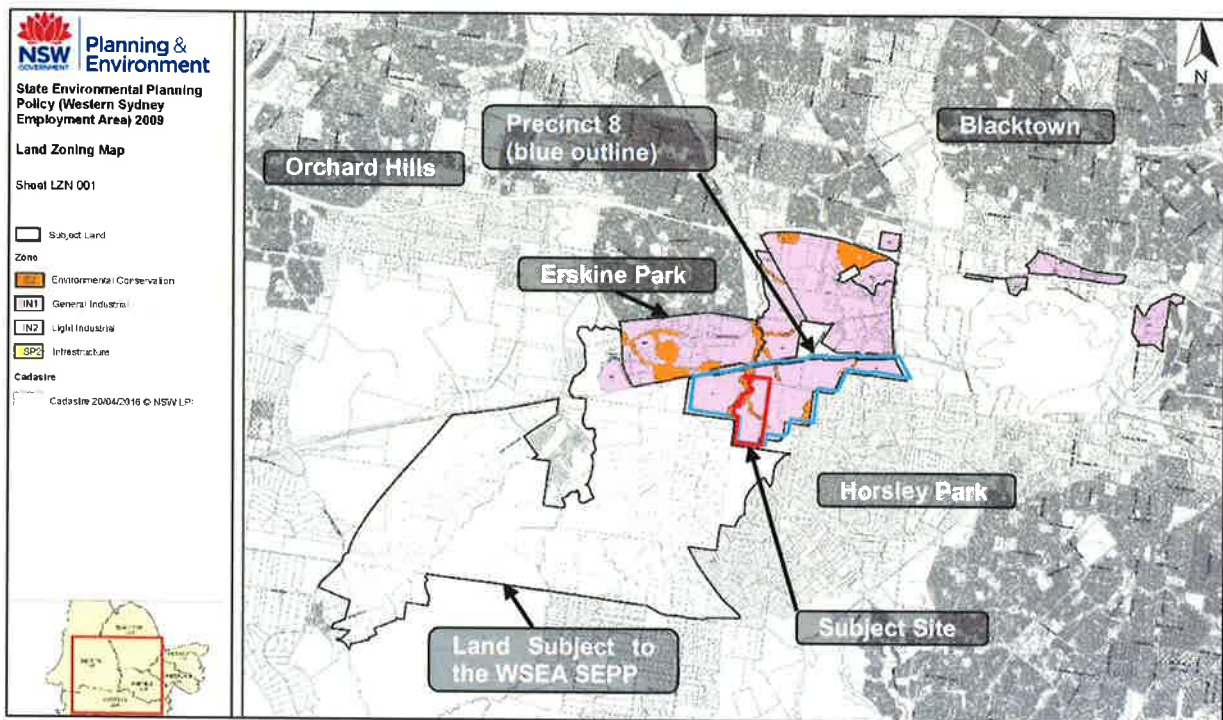


Figure 1: Site Location

The site is 117 hectares (ha) of IN1 General Industrial and E2 Environmental Conservation zoned land previously used for pastoral grazing. Ropes Creek passes along the western boundary and two unnamed tributaries traverse the site from the north-west to the south-east. Remnant vegetation exists along the western boundary. High voltage electricity transmission lines cross the south-western corner of the site.

Several existing industrial developments either under construction or currently operating, and rural residential properties are near the site. Surrounding developments and local features are shown in **Figure 2** and include:

- the Oakdale Central Industrial Estate (SSD 6078) and Millner Avenue to the north
- the Jacfin Horsley Park warehousing hub (MP 10_0129 and MP 10_0130) approved in October 2013 and RU4 zoned land to the east
- vacant RU2 zoned land to the west
- vacant E4 zoned land immediately south of the site with an existing development consent permitting the creation of 42 residential lots (referred to as the Capitol Hill Subdivision)
- IN1 General Industrial zoned land within the WSEA and rural residential properties at Kemps Creek are located to the west of the site.

The nearest residential receiver to the boundary of the site is located 500 metres (m) to the south-west at 126 Aldington Road (black star in **Figure 2**). The closest residential receiver to the Stage 1 Development Application works is approximately 855 m to the east in Greenway Place (white star in **Figure 2**).



Figure 2: Local Context

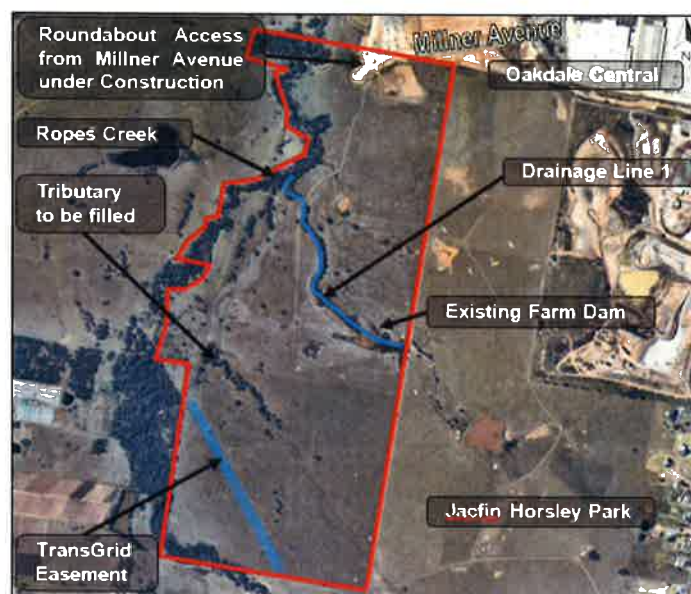


Figure 3: Site Features

When SSD 6917 was approved, operators for the Estate were unknown. Several operators have since been confirmed and subsequent site specific Development Applications (DA) have been submitted for the construction, fit-out and operation of warehouse and distribution facilities as follows:

- SSD 7663 approved on 8 May 2017, for Toyota to construct and use as a spare parts and distribution facility at approved Lot 3B
- SSD 7719 approved on 28 July 2017, for Sigma Pharmaceuticals to construct and use as a warehouse and distribution facility at approved Lot 3A
- SSD 8209 lodged on 16 August 2017 and currently under assessment for Costco to construct and use as a warehouse and distribution facility at approved Lot 4A.

The Applicant is now seeking the proposed modifications to the Concept Proposal and Stage 1 DA in response to securing Iron Mountain, a document storage company, as the operator of Lot/Warehouse 1B. The amendments are proposed to accommodate the requirements of this operator and other future operators.

3. APPROVAL HISTORY

On 26 October 2016, development consent was granted by the Executive Director, Key Sites and Industry Assessments for SSD 6917 consisting of a Concept Proposal and a Stage 1 DA for a warehousing and distribution complex known as the Oakdale South Estate. Since this approval, the development has been modified three times. The scope of the original approval and subsequently approved modifications are summarised at **Appendix D**.

3.1 Development Applications

Since SSD 6917 was approved, two subsequent SSD applications for the construction, fit-out and use of warehouses 3B and 3A have been approved, comprising Stages 2 and 3 of the development respectively. SSD 7663 was approved on 8 May 2017 and SSD 7719 was approved on 28 July 2017. Each development involves the construction of a warehouse building with ancillary office space, car parking spaces and business identification and wayfinding signage. Warehouse 3B is to be occupied by Toyota and Warehouse 3A by Sigma Pharmaceuticals.

On 16 August 2017, the Applicant lodged SSD 8209 for the construction, fit-out and use of Warehouse 4A for Costco to use as a distribution facility. This forms Stage 4 of the OSE development and is currently under assessment.

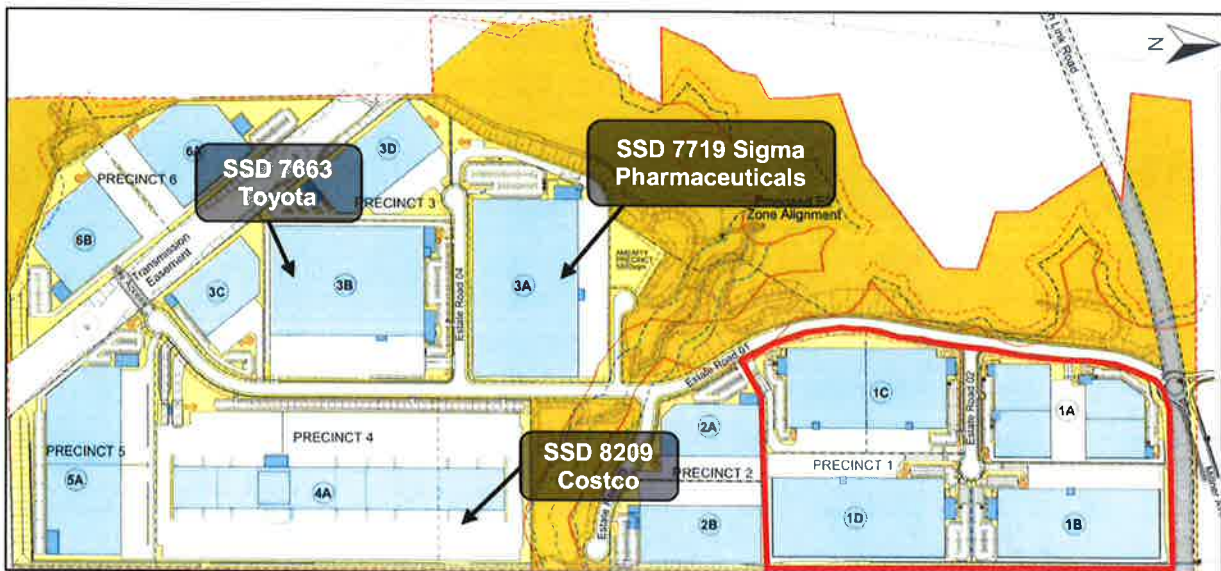


Figure 4: Approved Site Plan (MOD 1) including the locations of site specific Development Applications

4. PROPOSED MODIFICATION

On 29 June 2017, the Applicant lodged a modification application under section 96(1A) of the EP&A Act to modify the approved Concept Proposal and Stage 1 DA of SSD 6917. The modification is described in full in the modification application included in **Appendix B** and is illustrated in **Figures 5 and 7**.

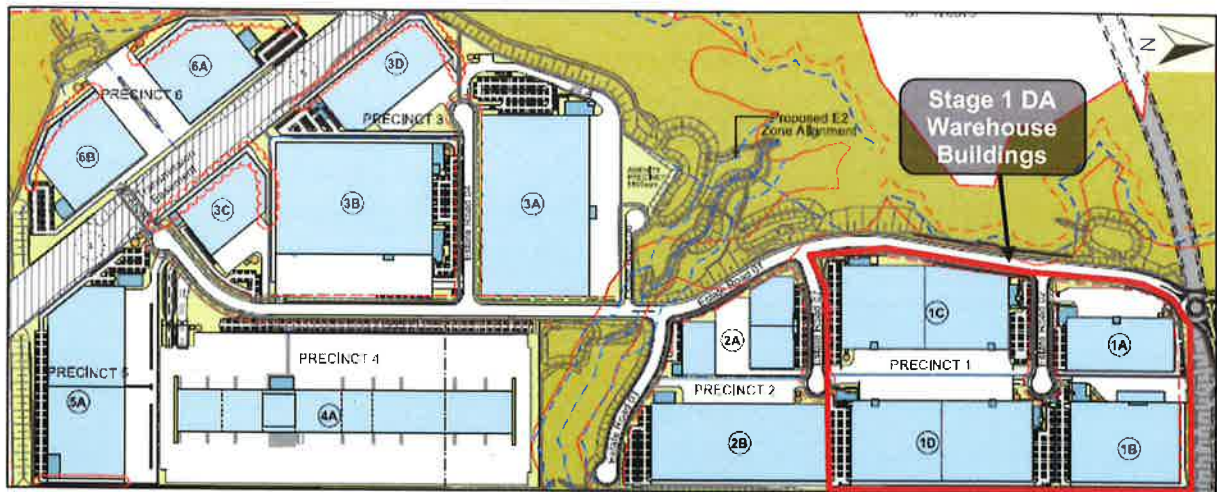


Figure 5: Proposed Concept Proposal layout (MOD 4)

4.1 Concept Proposal

The modification application seeks to amend the Concept Proposal to:

- amend the subdivision and lot layout for precincts 1 and 2
- amend the Estate road network
- increase the approved maximum GFA across the OSE
- reduce the developable area across the OSE
- add fire trails at precincts 1, 2, 3, 5 and 6.

Table 1: Developable area

Development Area	Approved SSD 6917	Approved (MOD 1)	Proposed	Difference to MOD 1
Precinct 1	18.81 ha	18.81 ha	16.46 ha	- 2.36 ha
Precinct 2	4.38 ha	5.43 ha	7.31 ha	+ 1.88 ha
Total Estate	70.28 ha	71.33 ha	70.89 ha	- 0.44 ha

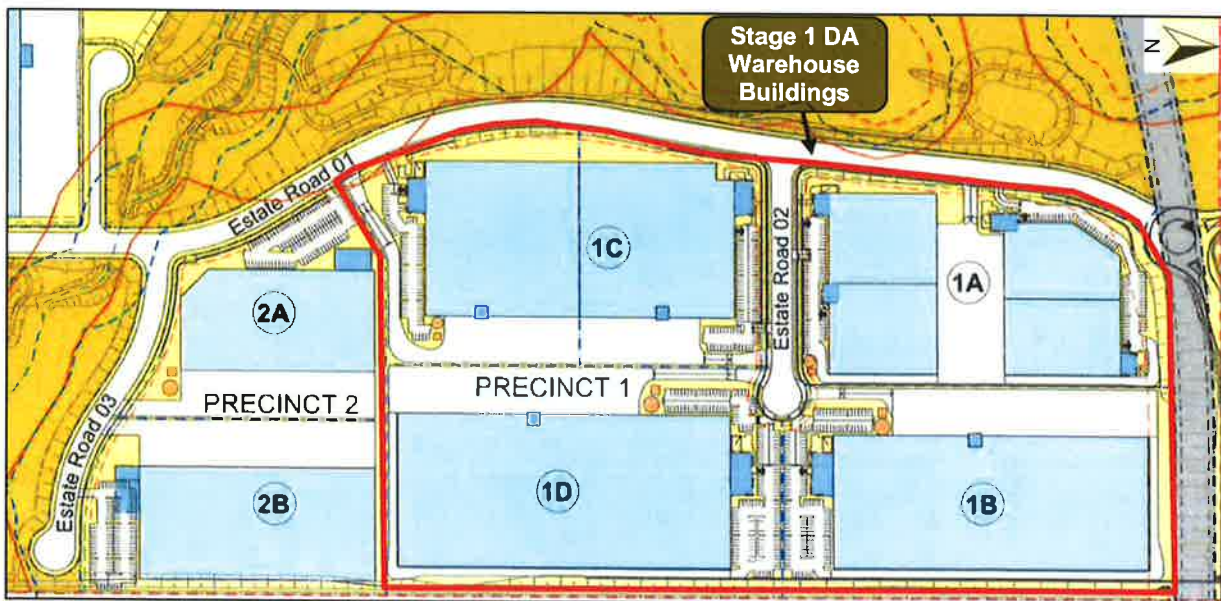


Figure 6: Approved Precinct 1 and 2 Lot Layout

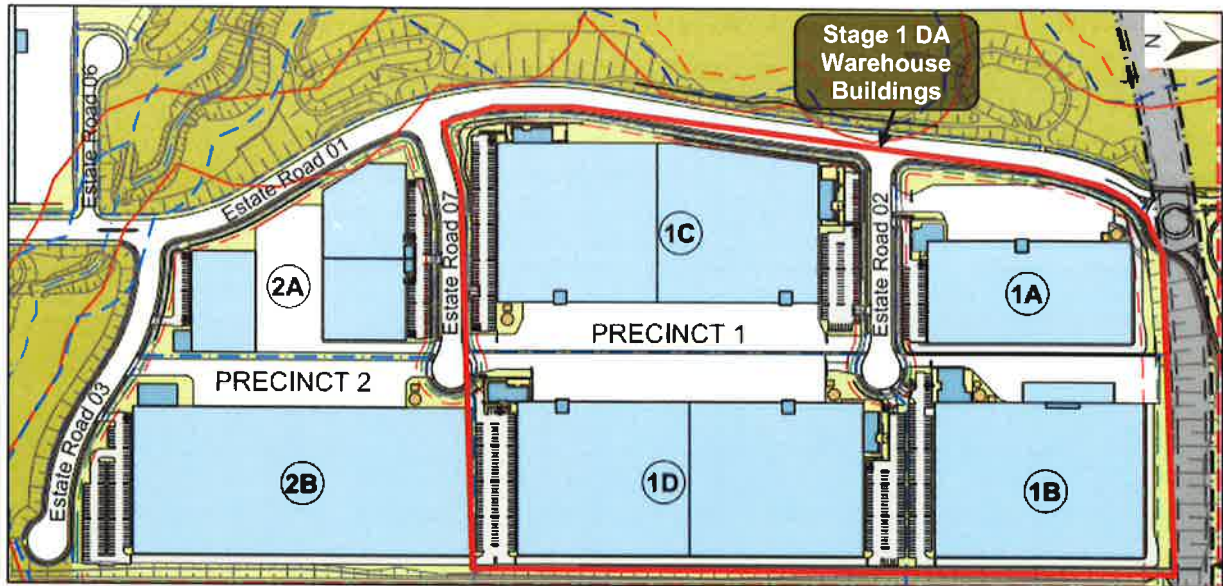


Figure 7: Proposed Precinct 1 and 2 Lot Layout

4.2 Stage 1 Development

Modifications to the Stage 1 DA are required to ensure consistency with the Concept Proposal, including:

- the addition of Estate Road 07 and realignment of Estate Road 02
- light vehicle car parking and vehicle access points
- landscaping
- cut and fill
- retaining walls, services and utilities
- subdivision plan
- sub-staging of construction works.

4.3 Need and Justification

The Applicant is seeking the proposed amendments in response to the specific needs of the operator secured for Warehouse 1B. The operator is Iron Mountain, an international document management company. The proposed amendments were requested of the Applicant by Iron Mountain to facilitate the operation of Warehouse 1B for the purposes of a document storage facility. This use is consistent with the approved use of the OSE, being warehousing and distribution.

Additional modifications including the addition of fire trails are in response to the fire safety requirements of the NSW Rural Fire Service, outlined in their MOD 1 submission to the Department dated 13 December 2016. These requirements are included within the development consent, as modified.

The Applicant has advised that the proposed modifications would continue to be in accordance with the development objectives set out by SSD 6917 and would facilitate the use of the site for the purposes of employment lands, in accordance with the WSEA SEPP.

5. STATUTORY CONTEXT

5.1 Consent Authority

The Minister for Planning is the consent authority for the application. Under the Minister's delegation of 11 October 2017, the Director, Industry Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objections.

5.2 Section 96(1A)

The Department has reviewed the scope of the modification application and is satisfied that the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent on the basis that:

- the primary function and purpose of the approved project would not change as a result of the proposed modification
- the modification is of a scale that warrants the use of section 96(1A) of the EP&A Act
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of approval.

Therefore, the Department is satisfied the proposed modification is within the scope of section 96(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 96(1A) of the EP&A Act rather than requiring a new development application to be lodged.

5.3 Environmental Planning Instruments

- *Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2)*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy No. 64 – Advertising and Signage*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*
- *State Environmental Planning Policy (State and Regional Development) 2011.*

The Department is satisfied the proposal generally complies with the relevant provisions of these EPI's. Consideration of the provisions of all EPIs that apply to the proposal is provided in **Appendix C**.

6. CONSULTATION

Clause 117(3B) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the application was not notified or advertised, however, it was made publicly available on the Department's website on 12 July 2017, and was referred to Fairfield City Council, Penrith City Council, Environment Protection Authority, Fire and Rescue NSW, Office of Environment and Heritage, Rural Fire Service, Roads and Maritime Services, Sydney Water and Transgrid for comment.

Fairfield City Council did not object to the proposed modification. No further comments were provided.

Penrith City Council (Council) did not object to the modification and stated previous comments made by Council about the OSE development are still applicable, specified and summarised as follows:

- the configuration and layout of Warehouse 1A has an undesirable presentation to the main entrance
- general engineering matters regarding the technical design and layout of the local road network
- flooding and Water Sensitive Urban Design regarding design and management of the proposed bio-retention basins.

Council also provided comments on the Applicants Response to Submissions (RTS). Council did not object however raised further concerns relating to Lot 1A amendments, specifically the lot configuration, the visual impact of the retaining wall at the western boundary of the lot and the western landscape setback.

The Department has considered Council's comments in its assessment and has determined that, subject to conditions of consent, the proposed modifications are appropriate.

The **Environment Protection Authority** (EPA) did not object to the modification on the basis the development in its current form is not considered a Scheduled Activity in accordance with Schedule 1 of the *Protection of the Environment Operations Act 1997*. The EPA noted any future site operations that would constitute a Scheduled Activity would be required to obtain an Environment Protection Licence.

The **Office of Environment and Heritage** (OEH) did not object to the proposed modification. No further comments were provided.

Rural Fire Service (RFS) did not object to the proposed modification and provided recommended conditions of consent regarding Asset Protection Zones (APZ's), water and utilities, emergency services access, emergency and evacuation management, construction and landscaping.

The Department has considered the RFS submission and has recommended relevant conditions of consent.

Roads and Maritime Services (RMS) raised no objection to the proposed modification providing the overall GFA and access to the broader road network are consistent with the approved masterplan.

The Department's assessment has concluded that the proposed amendments would not result in the Estate GFA exceeding that of the approved masterplan and access to the broader road network via Estate Road 01 remains unchanged. The Department therefore considers there would be no impact.

Sydney Water raised no objection to the proposed modification and reiterated their comments provided as part of the original application, summarised as follows:

- the Applicant is to consult with relevant stakeholders to finalise the Local Area Servicing Plan prior to Sydney Water endorsement
- there is capacity to service the proposed precinct (water and sewer) however the Applicant is responsible for any changes to the infrastructure required, to be addressed at Section 73 stage
- the Developer is responsible for delivering any system augmentations required to service the Oakdale precinct and surrounds.

Transgrid raised no objection to the proposed development however requested clarification on whether the proposed modifications would affect the Transmission Easement traversing the site at the south-western corner. The Applicant confirmed there would be no impact on this easement and Transgrid has since confirmed they have no further comments.

To date, no comment has been received from Fire and Rescue NSW.

7. ASSESSMENT

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- the Modification Report and RTS provided to support the proposed modification (see **Appendix B**)
- the assessment report for the original development application and subsequent modification applications
- submissions from State government authorities and Council (**Appendix C**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department considers the key assessment issues are:

- urban design and visual impact
- traffic and car parking.

The Department's assessment of other issues is provided in **Table 3**.

7.1 Urban Design and Visual Impact

The proposed amendments to the layout of Lot 1A have the potential to increase the visual impact of the development to the external road network and Estate entrance as compared to the approved development. The proposed modifications to Lot 1A are depicted in **Figure 8** and include the consolidation of Warehouse 1A into one building (comprised of one tenancy) and the relocation of the loading dock and the tank and pump room to the western portion of the site. This reconfiguration of Lot 1A results in the loading dock, tank and pump room being visible from the Estate entrance and the road network.

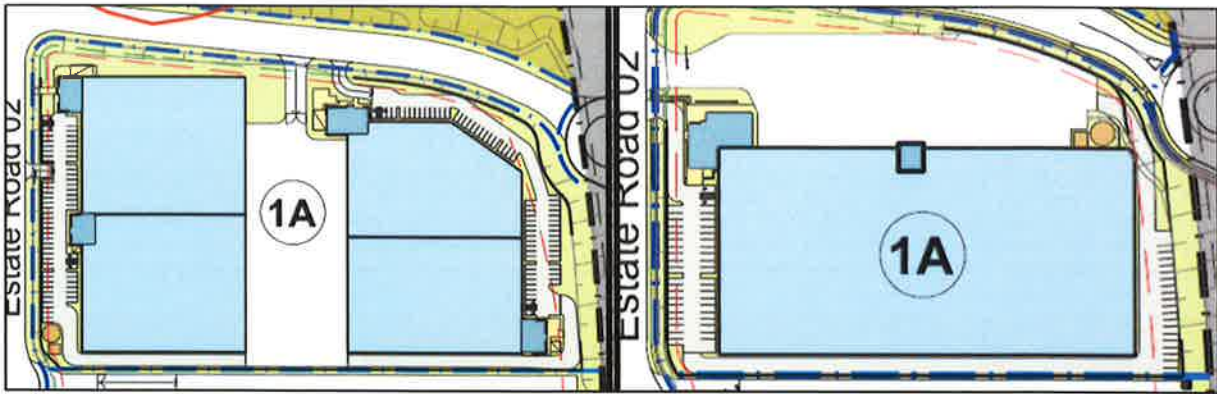


Figure 8: Approved Lot 1A (left) and Proposed Lot 1A (right)

To support the proposed amendments to Lot 1A, the Applicant has submitted a written justification, mock-up sketch drawing of an alternative layout (**Figure 10**), plans for a tank screen and screen landscaping at Lot 1A. The Applicant's justification states that the amended site layout is in response to the operating needs of the tenant secured for Lot 1B. The Applicant considers the proposed lot configuration is optimal due to the restricted size of the lot, the constructed site levels and the shape of the land. The Applicant suggest reorienting the warehouse and loading dock would be operationally unfeasible because of the resultant shape of the warehouse, which would result in the loss of 1,000 m² of racking space and the requirement for a ramp up to the loading dock, which would take up a large portion of the loading dock area and cause difficult heavy vehicle maneuvers. The mock-up sketch shown at **Figure 10** was submitted to illustrate this.

Furthermore, the Applicant has stated that by setting the warehouse back, the visual bulk and scale of the warehouse would be reduced and the additional landscaping would reduce the visual impacts to the Estate entrance and road network. To support this, the Applicant has submitted landscaping plans (see **Figure 11**) proposing several vegetative layers comprised of various grasses, shrubs and trees ranging between 0.6 m (h) x 0.6 m (w) and 30 m (h) x 8 m (w) at their maximum mature size. The Applicant has proposed for on-lot trees to be planted at a pot size of 100 litres (L) and all shrubs at 300 millimetres (mm) to facilitate the immediate use of the vegetation for the purposes of screening. The Applicant has noted that 300 mm is the largest shrub size available. The installation heights of 100 L trees would be between 2.5 m and 3m and shrubs would have an installation height of approximately 0.65 m. The Applicant has also submitted plans for a tank and pump room screen (see **Figure 9**).

In their submissions on the proposed amendments and the RTS, Council raised concerns regarding the visual impact of the loading dock to the road network and Estate entrance, and requested the Applicant to consider opportunities to improve the presentation.

While the relocation of the Lot 1A loading dock could result in an undesirable presentation to Estate Road 01 and the external road network, the Department considers the Applicant's proposed mitigation measures are satisfactory and would minimise the visual impacts. The mock-up sketch provided by the Applicant, shown at **Figure 10**, depicts physical constraints on Lot 1A imposed by the proposed amendments to Lot 1B; including the alignment of the Estate roads. The Department considers the warehouse orientation depicted in the mock-up sketch would have the potential to impact heavy vehicle safety and the functionality of the lot. The setback of the warehouse proposed also provides a visual break to the long walls along Estate Road 01 and increases solar access opportunities to the boundary planting at Lot 1A when compared to the alternative layout depicted in **Figure 10**.

The Applicant has proposed additional landscape plantings adjacent to the western boundary of Lot 1A in response to the concerns raised by both the Department and Council. The proposed screen planting includes a variety of plants of different heights, spread and foliage densities. As well as screening the loading dock area, this landscaping also has the potential to create visual appeal in an industrial area. Subject to the Applicant providing adequately mature plants at installation and adequately maintaining the vegetation, screening would be provided for the life of the development and the Department is satisfied that adequate screening would be provided from "installation" with the planting of semi-mature trees. However, to ensure trees and shrubs are established early, the Department has recommended a

condition of consent that plantings are established prior to the commencement of construction of the warehouse.



Figure 9: Perspective Drawing of the Proposed Tank Screen at Lot 1A

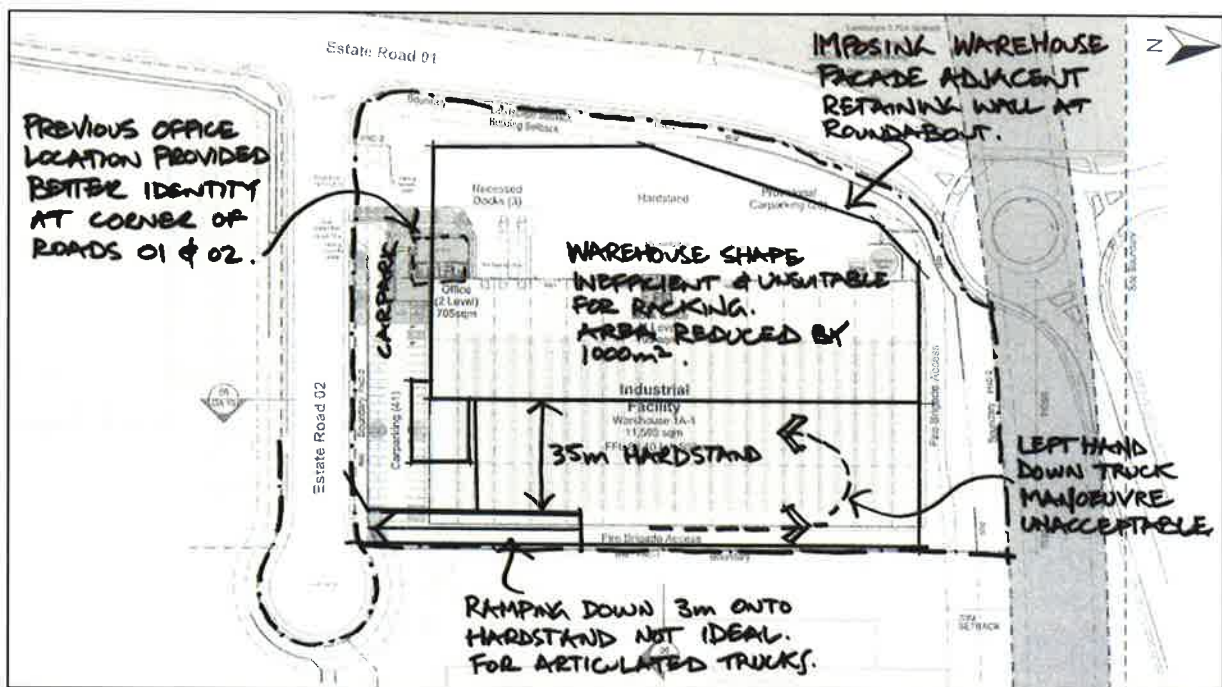


Figure 10: Mock-up Sketch Depicting the Orientation of the Lot 1A Loading Dock away From Estate Road 01

The Department considers the design of the tank screen is in keeping with the design characteristics OSE. The screen is comprised of slats, which would soften the visual impact of the tank and create visual interest as opposed to a solid, blank wall. Although the tank screening would be visible from the road network, the plans illustrate that the tank itself would be screened from public vantage points and the Department is satisfied the impacts would be less than if the screen were not included.

Furthermore, the area has been zoned for industrial purposes and is surrounded by both existing and proposed industrial use development. To the north and west of the OSE are a further two sites owned by the Applicant. Construction of Oakdale Central, to the north, is near completion and the Applicant lodged an application for a Concept Proposal and Stage 1 works for the Oakdale West Estate on 27 June 2017. The proposed amendments at the OSE are characteristic of an industrial area and although it is the Departments view that loading docks should be oriented away from public view, it is considered

that in this instance, the visual impacts of the amendments will be satisfactorily mitigated by the proposed measures.

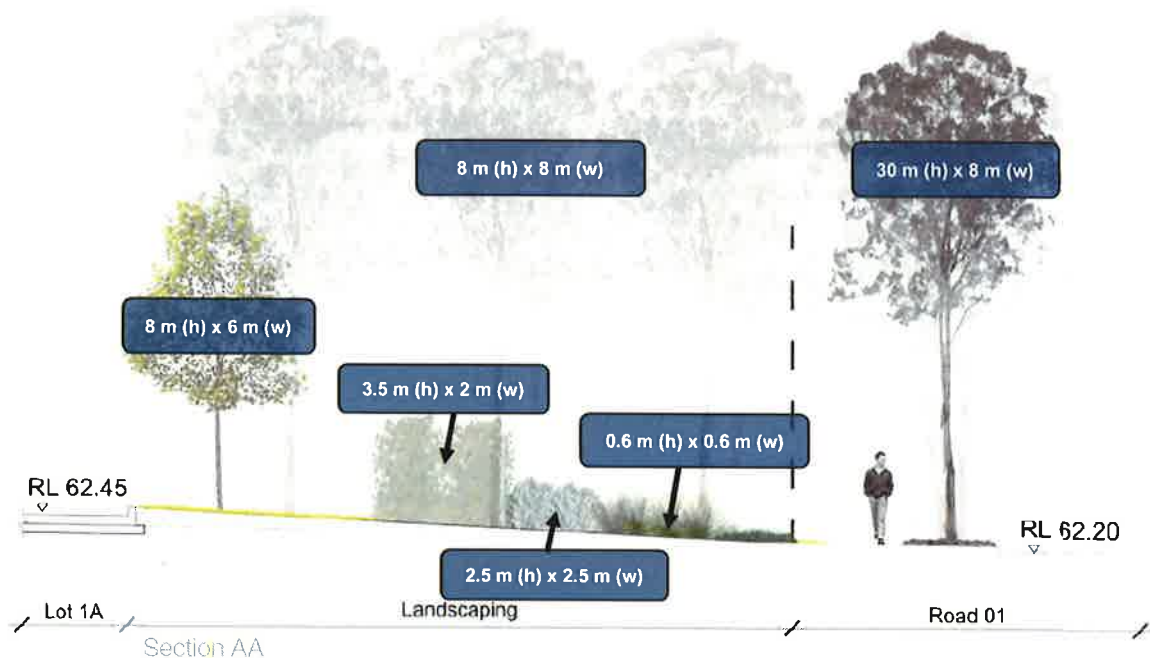


Figure 11: Section of Proposed Landscaping Between Lot 1A and Estate Road 01

The Department's assessment concludes that the impacts of the proposed amendments are acceptable given the scale and character of the development and the satisfactory mitigation measures which have been proposed. In its assessment, the Department has considered the concerns raised by Council and considers that the proposed screening measures would satisfactorily minimise the visual impact of the proposed amendments to Lot 1A. The proposed tank and pump room screening is of a design that is complementary to warehouse 1A and would satisfactorily screen the tank from public view points. Subject to satisfactory screen landscape planting in accordance with the approved plans, including the planting of 100 L trees prior to works commencing, the visual impact of the loading dock would be minimised. It is recommended that Condition E61, which requires the preparation of a Vegetation Management Plan, be amended to include the requirement for ongoing vegetation management, specifically related to the vegetation screening Lot 1A from Estate Road 01 to ensure it is adequately maintained to reach its maximum height to facilitate effective screening of the loading dock area.

7.2 Traffic and car parking

The proposed amendments to the Concept Proposal and Stage 1 DA include an increase in the OSE traffic generation and the reduction of car parking spaces across Precinct 1.

7.2.1 Traffic

The proposed changes to the Concept Proposal include increasing the maximum OSE GFA from 331,311 m² to 336,735 m², an increase of 5,424 m². This is to comprise of 321,249 m² of warehousing and 15,486 m² of office floor space. Subsequently, the Estate traffic generation would increase by 9 vehicles per hour (vph). The Applicant is also seeking to amend the Estate road network to include new Estate Road 07 (see **Figure 7**) and modify the site access arrangements across precincts 1 and 2. These amendments are internal only and would not impact traffic generation or the external road network. The Department notes upgrades to Old Wallgrove Road were under SSD 6078 and are complete.

The Applicant has submitted a Traffic Impact Assessment (TIA) which assesses the proposed modifications to the Concept Proposal and Stage 1 DA. The TIA states that traffic generation rates have been calculated in accordance with the RMS guidelines and the rate used to calculate SSD 6917, as follows:

- 1.892 daily vehicle trips per 100m² of industrial GFA including ancillary office floor space
- 0.163 peak hour vehicle trips per 100m² of industrial GFA including ancillary office floor space.

As such, the proposed amendments to GFA have increased the predicted operational traffic generation from 541 vph to 550 vph, in accordance with the above rate.

The Department notes although MOD 4 is proposing an increase to the predicted traffic generation approved by MOD 1, the amount still remains well below the predicted total traffic generation for SSD 6917 which was 654 vph. The Department's assessment of SSD 6917 determined this rate could be satisfactorily accommodated within the regional and local road network, subject to the following:

- road upgrade works (which have commenced based on this higher rate)
- traffic assessments to be undertaken for all future development applications in accordance with Condition C4
- the implementation of an Operational Traffic Management Plan in accordance with condition E3
- the implementation of a Sustainable Travel Plan to encourage reduced commuter vehicle usage, in accordance with Condition C7.

Furthermore, the Department's original assessment concluded the OSE traffic generation would be below the predictions from the regional road capacity modelling of 672 vph.

The Department is satisfied that although the proposed modification would increase the predicted traffic generation from what is approved (as modified) the predicted traffic generation remains 16% below that of the original SSD 6917 development consent and therefore is considered acceptable. In their submission, RMS raised no objection to the proposal subject to the Estate GFA and access to the broader road network remaining consistent with the approved Concept Proposal. The Department notes the proposed GFA is less than the approved Concept Proposal and no changes to the Estate access to the external road network are proposed. The other relevant government agencies did not raise any traffic related concerns in their submissions during the exhibition period. It is therefore considered the proposed traffic generation rate of 550 vph would not create any significant additional impacts to what has previously been considered and approved.

7.2.2 Car parking

Given the proposed reduction in GFA in Precinct 1, the car parking requirements are subsequently reduced. **Table 2** provides the updated car parking requirements, calculated using the approved car parking rate, as follows:

- warehousing: 1 space per 300 m²
- office: 1 space per 40 m²
- disabled parking spaces: 2 per 100 car parking spaces.

The MOD 4 plans originally submitted demonstrated compliance across Lots 1B, 1C and 1D however the proposed arrangement for Lot 1A showed 19 "provisional" car parking spaces, located adjacent to the north-western lot boundary and within the loading dock area. The Department raised concerns regarding pedestrian and vehicle safety, the combined heavy and light vehicle access point and the implication of "provisional" meaning temporary. Without these car parking spaces, Lot 1A would not satisfy the minimum number of car parking spaces required by Condition C5. Further to this, Condition C6 requires heavy and light vehicle access to be separate.

Table 2: Precinct 1 Car Parking

Lot	Minimum Car Parking Requirement MOD 1	Minimum Car Parking Requirement MOD 4	Proposed MOD 4
A	124	59	61
B	143	76	91
C	157	138	185
D	167	149	204
Total	591	422	541

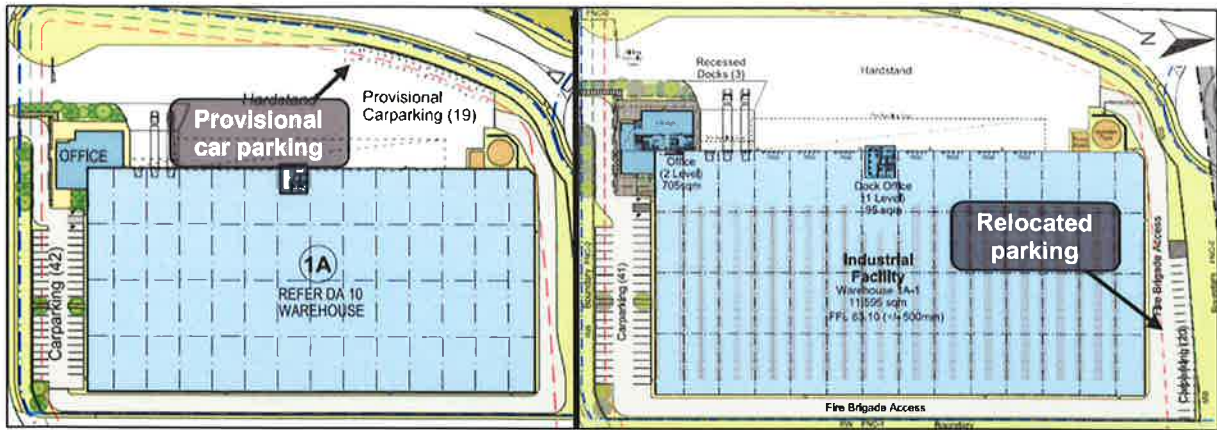


Figure 12: Proposed Car Parking at Lot 1A (left) and Amended Car Parking (right)

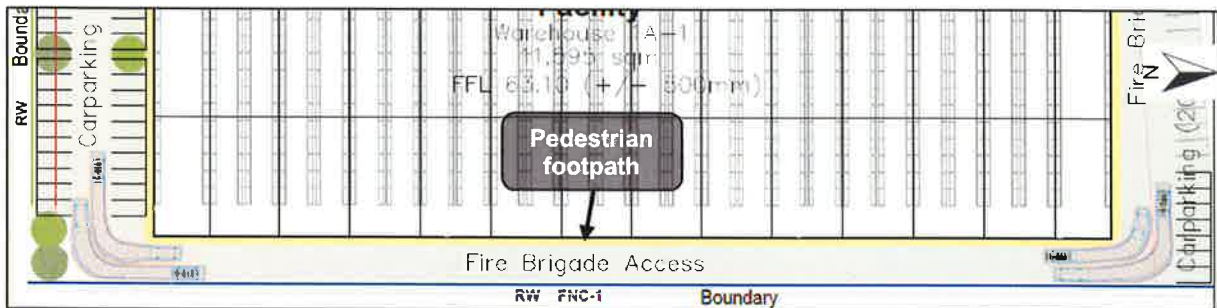


Figure 13: Light Vehicle Manoeuvres to and from the Proposed Car Parking Area Located at the Northern Boundary of Lot 1A

Amended plans submitted by the Applicant removed the word “provisional” and relocated these car parking spaces to the northern boundary of Lot 1A as shown in **Figure 12**. Subsequently, this made the car parking spaces fixed and separated the heavy and light vehicle entry points to Lot 1A. The Applicant also submitted a justification for the location of these car parking spaces stating that no more than 30 staff would be required for the day-to-day operation of activities at Warehouse 1A, car parking for which could be satisfactorily catered for in the main car park at the southern end of Lot 1A, thereby leaving the parking area adjacent to the northern boundary for overflow parking only.

The Department’s assessment concludes the proposed amendments to precinct 1 are consistent with the approved parking rates for the OSE and that separation of heavy and light vehicles is adequate to facilitate the safe ingress and egress of vehicles. It is recommended that Condition E5 of the development consent be amended to reflect the updated car parking requirements. It is also recommended a condition be added to the consent requiring the installation of safety devices within the car parking area to manage vehicle and pedestrian interactions within Lot 1A (see **Figure 13**). Measures should include, but not be limited to clear delineation of vehicle and pedestrian paths, safety railing adjacent to the proposed pedestrian path, adequate lighting and safety mirrors at corners and points of low visibility.

7.3 Other Issues

The Department’s assessment of other issues is provided in **Table 3**.

Table 3: Assessment of Other Issues

Issue	Assessment	Recommendation
Air Quality	<ul style="list-style-type: none"> The addition of Estate Road 07 has the potential to redistribute sources of vehicle emissions and modify the air quality impacts of the development. The Applicant has submitted an air quality review of the proposed modifications prepared by SLR Consulting Pty Ltd dated 9 May 2017. The Air Quality review concludes that although the distribution of vehicle emissions would change as a result of the amended Estate Road layout, the overall cumulative impacts would be below those 	<ul style="list-style-type: none"> manage through existing conditions.

Issue	Assessment	Recommendation
	<p>assessed in the original Air Quality Impact Assessment for SSD 6917.</p> <ul style="list-style-type: none"> The relevant government authorities raised no concerns regarding air quality in their submissions on MOD 4. The Department is satisfied that the MOD 4 amendments would be unlikely to create any additional air quality impacts. 	
Noise	<ul style="list-style-type: none"> The addition of Estate Road 07 and reconfiguration of precincts 1 and 2 has the potential to alter the noise levels at nearby sensitive receivers. The Applicant has submitted an assessment of the noise impacts associated with MOD 4 in accordance with Condition C11. The updated noise modelling demonstrates that despite the proposed modifications, there would be no change to the approved MOD 1 predicted noise levels at sensitive receivers and the predicted operational noise levels are within the noise limits specified in Condition B18. The relevant government authorities raised no concerns regarding noise in their submissions on MOD 4. The Department is satisfied there would be negligible additional noise impacts. 	<ul style="list-style-type: none"> no amendments to Condition B18 required; and manage through existing conditions.
Fire Safety	<ul style="list-style-type: none"> The proposed modifications include the addition of fire trails in precincts 1, 2, 3, 5 and 6. The Applicant has submitted an update to the Bushfire Protection Assessment Report stating the MOD 4 Concept Proposal complies with the recommendations made in the original report for SSD 6917. The Applicant has submitted an updated Fire Safety Strategy for precinct 1. In their submission, NSW RFS raised no objection to the proposed modifications and provided updated conditions of consent, requiring the provision of asset protection zones (APZ), the preparation of a Bushfire Emergency Management and Evacuation Plan in accordance with "Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, December 2014" (NSW RFS) and compliance with "Planning for Bush Fire Protection 2006" (NSW RFS), "Standards for Asset Protection Zones" (NSW RFS) and Australian Standard AS3959-2009. To date, no submission has been received from Fire and Rescue NSW. The Department recommends adding conditions of consent, requiring compliance with the requirements of RFS. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> comply with the conditions recommended by NSW RFS.
Stormwater	<ul style="list-style-type: none"> Modifications to the Estate road network, amendments to precinct 1 and 2 lot layouts and the inclusion of fire trails across the OSE have the potential to change post-development flows. The modification application proposes amendments to drainage catchments as follows: <ul style="list-style-type: none"> redistribution of catchments "A" and "B" reduction in area of catchments "C" and "D" to reflect the inclusion of a 30 m vegetation buffer at the southern boundary of the site, required by condition B7 The Applicant submitted updated DRAINS and MUSIC modelling which states the targets and principles of water sensitive urban design (WSUD) would be achieved at basins "A", "B", "D" and "E". Basin "C" presents a 2.7 per cent variation for the reduction in Total Suspended Solids (TSS), however complies for all other criteria. In their submission, Council reiterated their comments made on previous OSE applications, highlighting flooding and WSUD as particular areas of concern. The Department is satisfied the proposal generally addresses Councils previous concerns. The modification application demonstrates water quantity and quality devices are to be installed, sediment basins are located clear of the 100 year ARI flood event, the design would incorporate a minimum 500 mm freeboard above 100 year overland flows, minimum grades for batter slopes and swales would be achieved and detention is designed up to and including the 1 per cent ARI. 	<ul style="list-style-type: none"> manage through existing conditions, as amended.

Issue	Assessment	Recommendation																				
	<ul style="list-style-type: none"> The Department's assessment concludes the post-development flows would be less than the pre-development flows and the capacity of the bio-retention basins would adequately accommodate the proposed amendments. The Department considers the minor variation to TSS reduction at Basin "C" to be negligible. It is considered the proposed amendments would not create any additional impacts and are therefore acceptable. 																					
Signage	<ul style="list-style-type: none"> The Applicant has submitted an amended signage plan which includes the addition of illumination to all "Goodman" logos used for directional purposes. Currently only "Goodman" lightboxes on buildings are approved to be illuminated. The proposed illumination is small scale and will aid in direction through the site at night time. No significant amendments are proposed to any other aspect of the signage. The relevant government authorities did not raise any concerns regarding signage. The Department is satisfied the proposed signage is in accordance with the <i>State Environmental Planning Policy No. 64 – Advertising and Signage</i>. A full assessment against the relevant controls is at Appendix E. Furthermore, the Department is satisfied that the illumination of the signage would not create any significant additional impacts. 	<ul style="list-style-type: none"> update the approved signage plan in the consent. 																				
Site specific development controls	<ul style="list-style-type: none"> Condition B10 of the development consent provides development controls, as follows: <table border="1" data-bbox="384 981 1166 1538"> <thead> <tr> <th data-bbox="384 981 788 1010">Control</th> <th data-bbox="788 981 1166 1010">Proposed</th> </tr> </thead> <tbody> <tr> <td data-bbox="384 1010 788 1061">Southern link road minimum setback 20 m</td> <td data-bbox="788 1010 1166 1061">Complies.</td> </tr> <tr> <td data-bbox="384 1061 788 1113">Internal Estate Roads minimum setback 7.5 m</td> <td data-bbox="788 1061 1166 1113">Complies.</td> </tr> <tr> <td data-bbox="384 1113 788 1209">Rear and side boundary setbacks to development adjacent to Estate 5m</td> <td data-bbox="788 1113 1166 1209">Complies.</td> </tr> <tr> <td data-bbox="384 1209 788 1261">Southern property boundary setbacks 30 m</td> <td data-bbox="788 1209 1166 1261">N/A.</td> </tr> <tr> <td data-bbox="384 1261 788 1357">Side boundary setback within OSE 0 m (subject to compliance with fire rating requirements)</td> <td data-bbox="788 1261 1166 1357">Complies.</td> </tr> <tr> <td data-bbox="384 1357 788 1408">Maximum building height 15 m</td> <td data-bbox="788 1357 1166 1408">No change to building height proposed.</td> </tr> <tr> <td data-bbox="384 1408 788 1460">Minimum lot size 5,000 m²</td> <td data-bbox="788 1408 1166 1460">Complies.</td> </tr> <tr> <td data-bbox="384 1460 788 1512">Minimum frontage 40 m, minimum 35 m at the building line</td> <td data-bbox="788 1460 1166 1512">Complies.</td> </tr> <tr> <td data-bbox="384 1512 788 1538">Maximum site coverage 65 per cent</td> <td data-bbox="788 1512 1166 1538">Complies.</td> </tr> </tbody> </table>	Control	Proposed	Southern link road minimum setback 20 m	Complies.	Internal Estate Roads minimum setback 7.5 m	Complies.	Rear and side boundary setbacks to development adjacent to Estate 5m	Complies.	Southern property boundary setbacks 30 m	N/A.	Side boundary setback within OSE 0 m (subject to compliance with fire rating requirements)	Complies.	Maximum building height 15 m	No change to building height proposed.	Minimum lot size 5,000 m ²	Complies.	Minimum frontage 40 m, minimum 35 m at the building line	Complies.	Maximum site coverage 65 per cent	Complies.	<ul style="list-style-type: none"> manage through existing condition.
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8. CONCLUSION

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification is appropriate on the basis that:

- it will result in minimal environmental impacts beyond the approved Estate
- it will facilitate the use of the land for employment generating purposes in accordance with the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*
- the inclusion of fire trails and additional fire safety conditions will increase protection against bushfire
- the amendments will help facilitate the needs of specific end users
- satisfactory mitigation measures would be put in place to reduce the visual impacts of the development
- the local road network can accommodate the predicted traffic generation and adequate car parking would be provided.

The Department is satisfied that the modification should be approved, subject to conditions.

9. RECOMMENDATION

It is recommended that the Director, Industry Assessments, as delegate for the Minister for Planning:

- consider the findings and recommendations of this report
- determine that the application SSD 6917 MOD 4 falls within the scope of section 96(1A) of the EP&A Act
- modify the consent SSD 6917
- sign the attached approval of the modification (**Appendix A**).

Recommended by:

Endorsed by:



Nikki Matthews 18/12/17.
Planning Officer
Industry Assessments



Kelly McNicol 18/12/17.
Team Leader
Industry Assessments

DECISION

The recommendation is: Approved by:



Chris Ritchie 18/12/17.
Director
Industry Assessments
as delegate of the Minister for Planning

APPENDIX A – NOTICE OF MODIFICATION

The Notice of Modification is on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8581

APPENDIX B – MODIFICATION REPORT

The modification application and all supporting information is available on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8581

APPENDIX C – SUBMISSIONS

All submissions received are available on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8581

APPENDIX D – SSD 6917 HISTORY

Table 5: Approval History

Application	Details
SSD 6917	<p>Approved by the Executive Director, Key Sites and Industry Assessments on 26 October 2016, to permit a Concept Proposal and concurrent Stage 1 Development Application for the Oakdale South Industrial Estate, involving:</p> <ul style="list-style-type: none"> • a Concept Proposal for a warehousing and distribution complex with: <ul style="list-style-type: none"> i. a total gross floor area (GFA) of 395,880 m² across six development precincts; ii. 15 building envelopes for warehouse and distribution uses; and iii. subdivision, site levels, landscaping, infrastructure services and development controls; and • a Stage 1 DA involving: <ul style="list-style-type: none"> iv. construction and operation of nine warehouse buildings with a total GFA of 237,070 m² across precincts 1, 4 and 5; v. estate wide bulk and detailed earthworks involving the importation of 1,007,000 m³ of fill to achieve warehouse and infrastructure levels during standard construction hours; and vi. infrastructure works including road construction, drainage and landscaping across the site. <p>http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6917</p>
MOD 1 - 96(2)	<p>Approved by the Director, Industry Assessments on 21 April 2017, involving:</p> <ul style="list-style-type: none"> • amended Concept Proposal and Stage 1 DA-site, building envelope and road layout and gross floor area mix; • increase creek realignment works; • addition of an amenity lot in precinct 3; • removal of the construction of warehouse buildings in precincts 4 and 5 to be assessed under future DAs; and • amended site levels and bulk earthworks. <p>http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8090</p>
MOD 2 - 96(1A)	<p>Withdrawn by the Applicant on 25 January 2017.</p>
MOD 3 - 96(1A)	<p>Approved by the Executive Director, Key Sites and Industry Assessments on 5 October 2017, involving:</p> <ul style="list-style-type: none"> • extended weekday construction hours for the importation of fill material for the Stage 1 DA bulk earthworks, including spreading and compacting of fill material. <p>http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8380</p>
MOD 5 - 96(1)	<p>Approved by the Director, Industry Assessments on 23 November 2017, involving:</p> <ul style="list-style-type: none"> • updating condition E37 to remove a contradiction in the wording of the consent. <p>http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8807</p>

APPENDIX E – SEPP 64 COMPLIANCE TABLE

Table 6: Assessment against SEPP 64

	Comment	Compliance
1. Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is in keeping with the character of approved future use of the area, being an industrial estate.	Yes.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The local area is currently being developed, primarily for the purposes of industrial uses. The proposed signage is consistent with the industrial land use.	Yes.
2. Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is to be located within Precinct 1 of the approved OSE. The signage location plan demonstrates that all signage is to be located internally and would have negligible impact on the amenity of the area.	Yes.
3. Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage is unlikely to compromise any important views. The signage is to be located within an industrial estate and provide direction and building identification for users of the site.	Yes.
Does the proposal dominate the skyline and reduce the quality of vistas?	No signage is to be located above the height of the approved warehouse buildings. Building identification signage will be attached flush against warehouse facades and is not considered to reduce the quality of vistas or dominate the skyline.	Yes.
Does the proposal respect the viewing rights of other advertisers?	All proposed signage is internal and consists of directional/wayfinding signs. There is no advertising material proposed. All signage above ground level is to be located on the walls of warehouse buildings and would not protrude above the approved building height. It is not considered the proposed signage would obstruct the rights of any other advertisers.	Yes.
4. Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signage is considered appropriate for the setting, being an industrial estate.	Yes.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The design of the signage is in keeping with the theme of the Estate.	Yes.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is for a new development. There is no existing signage.	N/A
Does the proposal screen unsightliness?	There is not considered to be unsightliness which would require screening.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage would not protrude above the approved building height.	Yes.
Does the proposal require ongoing vegetation management?	The proposed signage would not require ongoing vegetation management however the Department notes Condition E61 requires the preparation of a Vegetation Management Plan which would ensure adequate management of vegetation across the Estate.	Yes.
5. Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or	The Department considers the proposed signage to be compatible with the scale, proportion and character of the approved development.	Yes.

	Comment	Compliance
building, or both, on which the proposed signage is to be located?		
Does the proposal respect important features of the site or building, or both?	The proposed signage is to be constructed in a new industrial Estate. The design of the proposed signage is in keeping with the OSE development and provides a complementary wayfinding and building identification function.	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is a modern design and would present an obvious relationship to the approved buildings and the overall use of the site.	Yes.
6. Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	With the exception of signs attached to the buildings, the logos, text/numbers and directional symbols will be illuminated. The sides of the Estate entrance sign will also be illuminated to provide visibility of directional signage at night time for approved 24-hour operations.	Yes.
7. Illumination		
Would illumination result in unacceptable glare?	Illumination is not proposed to be bright and would be adjustable. The proposed signage is unlikely to result in unacceptable glare.	Yes.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The signage illumination is proposed to be relatively dim and would not affect aircraft. Safety of pedestrians and vehicles would not be reduced as a result of the signage illumination. The illumination is to provide visibility of directional signage at night time for approved 24-hour operations.	Yes.
Would illumination detract from the amenity of any residence or other form of accommodation?	Precinct 1, being the location for the proposed signage, is located away from residential development. Given the illuminated signage is proposed at ground level, it is unlikely to impact on the amenity of a residence.	Yes.
Can the intensity of the illumination be adjusted, if necessary?	The signage lighting would be capable of being adjusted.	Yes.
Is the illumination subject to a curfew?	No curfew is proposed to be imposed on the illumination of signage. The OSE has been approved to operate 24 hours a day. The illumination of signage at ground level would facilitate wayfinding and building identification at night time.	Yes.
8. Safety		
Would the proposal reduce the safety for any public road?	The signage location plan demonstrates signage is to be located off the road and provide directions for vehicles. The illumination of the signage would facilitate wayfinding at night time, during 24-hour operations.	Yes.
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage is unlikely to reduce safety for pedestrians and bicyclists.	Yes.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage is unlikely to obscure sightlines for pedestrians.	Yes.