

ASSESSMENT REPORT

**PRESTONS INDUSTRIAL ESTATE
SSD 7155 MOD 1**

1. INTRODUCTION

This report is an assessment of a modification application seeking to modify the State Significant Development (SSD) consent for an industrial estate at Prestons in the Liverpool local government area.

The application has been lodged by the Urbis Pty Ltd, on behalf of the Trust Company (Australia) Limited as trustee for Logos Australian Logistics Venture Prestons Trust (the Applicant) pursuant to section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modification application seeks approval to relocate the sprinkler tank and pump room (resulting in a change in the number of car spaces), add a battery charge room, delete two indoor substation and replace with external substations, remove sunshades from the Warehouse 2 offices, add a pergola and shade cloth awning area adjoining Warehouse 5 and remove the car park lift.

2. SUBJECT SITE

The site is located 6 kilometres (km) south-west of the Liverpool town centre and covers around 20 hectares (ha) of industrial zoned land near the intersection of the M5 and M7 motorways (see **Figure 1**). The site is largely vacant and the surrounding area is being progressively redeveloped, including:

- industrial estates located immediately to the east of the site on Bernera Road, to the north on Yarrunga Street and the Aldi Distribution Centre to the north-east;
- industrial development currently under construction immediately to the west of the site that was previously used for market gardening; and
- residential areas located immediately to the south of the site in the suburb of Prestons and to the north-west in the suburb of Carnes Hill.

Construction of the approved Prestons Industrial Estate has commenced.

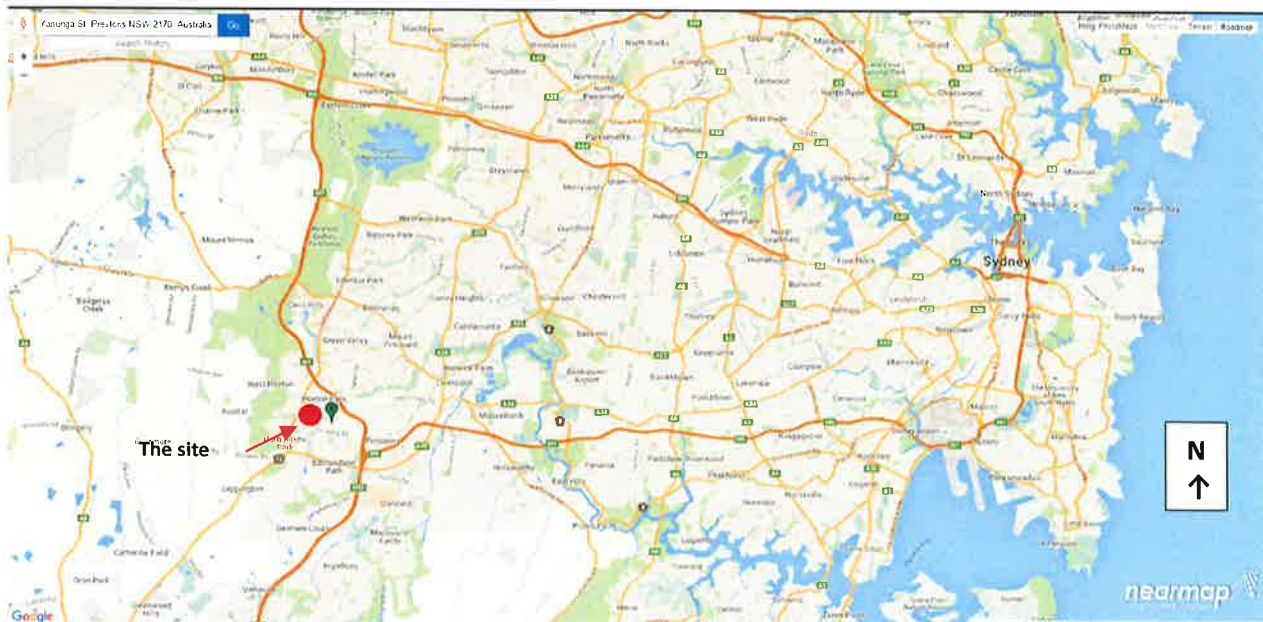


Figure 1: Site Location

3. APPROVAL HISTORY

On 24 June 2016, development application SSD 7155 was approved by the Executive Director, Key Sites and Industry Assessments, as delegate for the Minister for Planning, for the construction of an industrial estate in four stages:

- the first stage involves bulk earthworks across the site and construction of the two largest warehouses (warehouse 2 is 30,005 m² and warehouse 5 is 32,400 m²), offices, internal access roads, parking, drainage and landscaping; and
- subsequent stages (2 to 4) would involve the construction of one warehouse in each stage as each building tenant is secured. The warehouses range in size from 3,000 m² to 32,000 m² and would be used for the storage, packing and distribution of fast moving consumer goods.

The capital investment value is over \$130 million and is expected to generate 500 construction jobs and between 188 to 375 operational jobs. **Figure 2** shows the site layout, as approved.

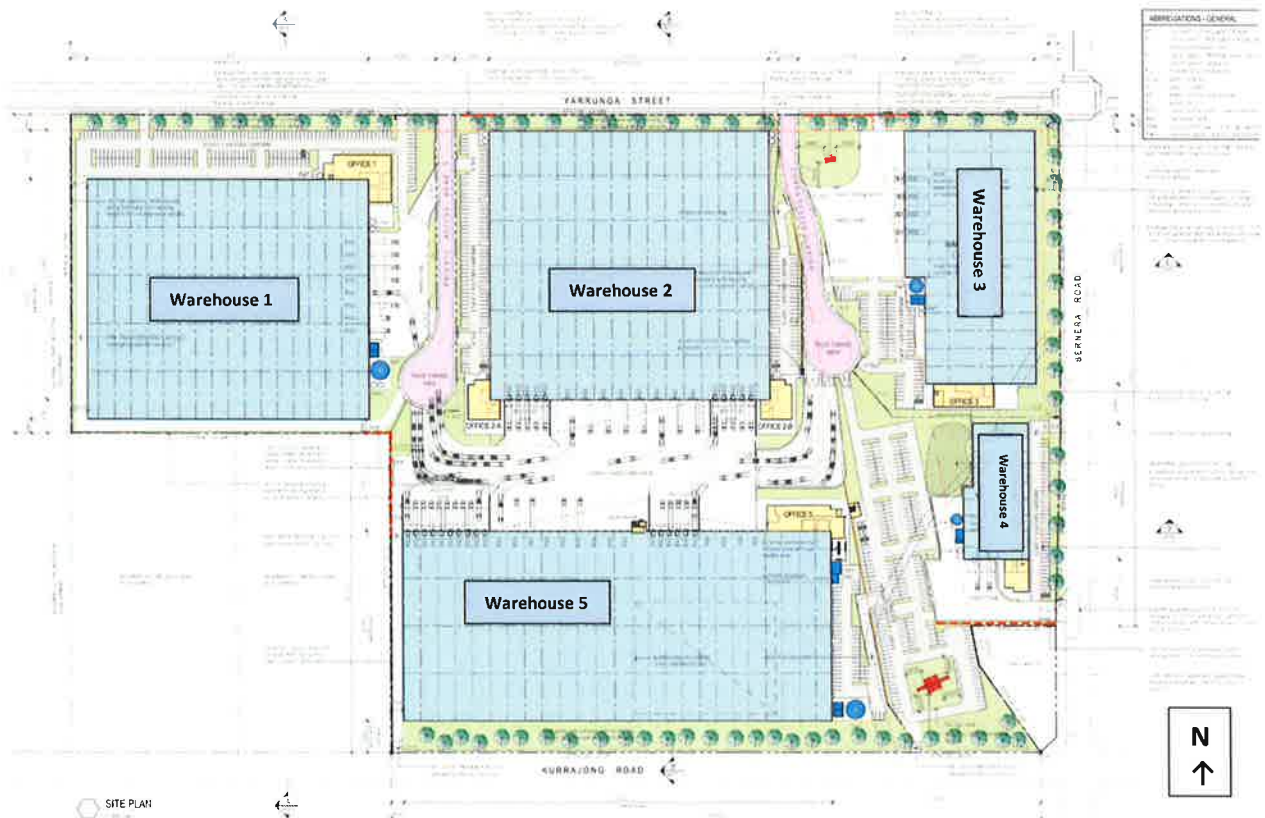


Figure 2: Approved site layout

4. PROPOSED MODIFICATION

On 19 August 2016, the Applicant lodged a modification application (SSD 7155 MOD 1) and supporting Statement of Environmental Effects (SEE) seeking approval to change the following aspects of the development:

- relocate the sprinkler tank and pump room from the south eastern corner of Warehouse 5 to the north west corner of Warehouse 2. As a result of this change, there will be a reduction of 15 car spaces;
- add a battery room on the northern side of Warehouse 5 adjoining the recessed docks;
- delete the indoor substations and replace with new external substations;
- add a pergola and shade cloth awning area adjoining Warehouse 5;
- remove the sun shades from the two offices adjoining Warehouse 2;
- remove the car park lift as depicted on the plan (yet to be built); and
- minor changes to car parking to accommodate the relocated infrastructure.

The proposed changes are shown in **Figure 3**.

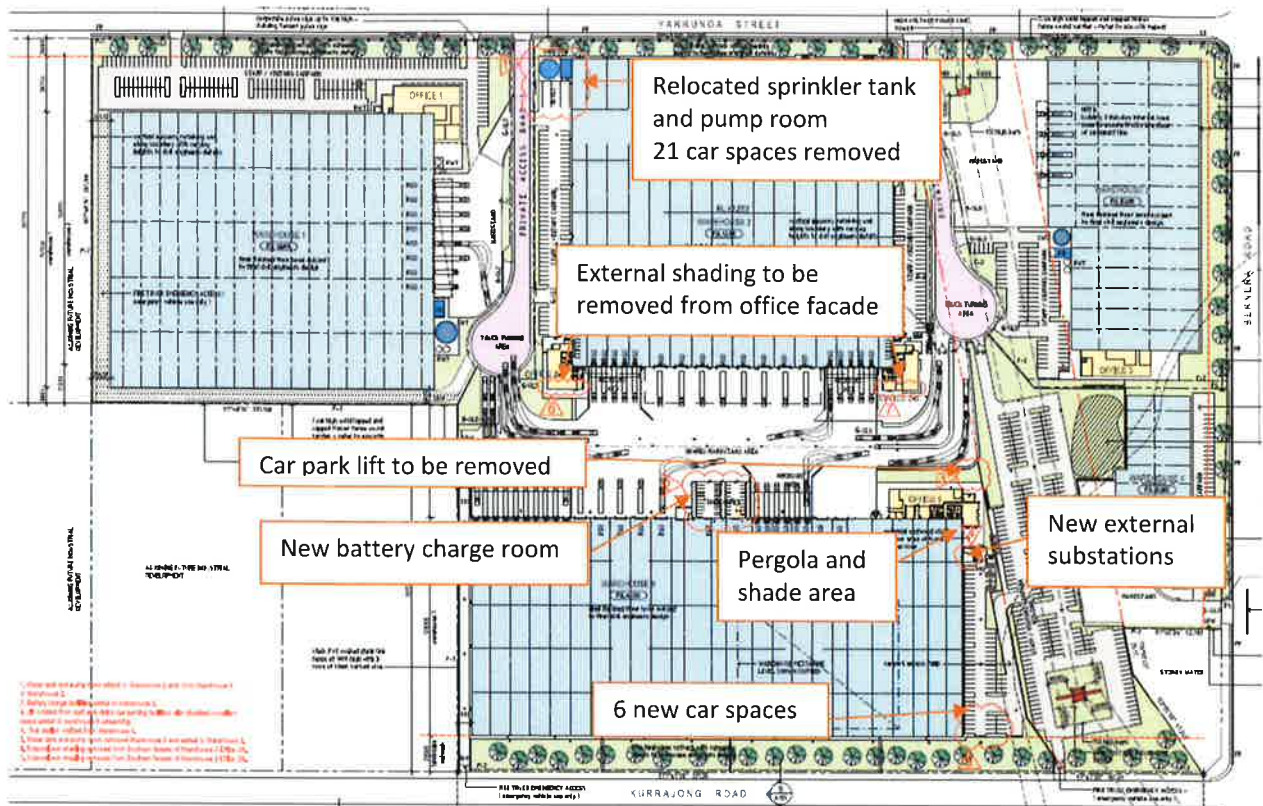


Figure 3: Proposed changes to the site layout

5. STATUTORY CONSIDERATION

5.1 Modification of consent

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters described in Table 2 are addressed in respect of all modification applications:

Table 1: Matters for consideration

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact	Section 7 of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied the proposed modifications will have minimal environmental impacts.
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).	The proposed modification seeks approval for minor changes and does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal would result in development that is substantially the same as the originally approved development.
The application has been notified in accordance with the regulations.	Due to the minor nature of the modification application, the Department is not required to notify or exhibit the application. However, the application was notified to the relevant Government authorities and stakeholders. Details of the notification are provided in Section 6 of this report.
Any submission made concerning the proposed modification has been considered.	The Department received 4 submissions on the proposal. The issues raised in submissions have been considered in Section 7 of this report.

5.2 Environmental Planning Instruments

The following Environmental Planning Instruments (EPs) are relevant to the application:

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development.

The Department undertook a comprehensive assessment of the development against the above mentioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification is consistent with the EPIs.

5.3 Consent Authority

The Minister for Planning is the consent authority for the application. Under the Minister's delegation of 16 February 2015, the Director, Industry Assessments, may determine the application under delegation as:

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

6. CONSULTATION

Due to the minor nature of the modification application, the Department is not required to notify or exhibit the application. Notwithstanding, the modification application was made publicly available on the Department's website and referred to Liverpool Council, Roads and Maritime Services (RMS), TransGrid and Endeavour Energy for comment.

- **Liverpool Council** raised no objection to the proposed modification, however, required clarification regarding an Aboriginal Archaeology zone to be identified on the modified plans.
- **RMS** raised no objection to the proposed modification.
- **Endeavour Energy** raised no objection to the proposed modification.
- **Transgrid** acknowledged the proposed car park lift that was to be located in its easement has been removed from the revised plans.

There were no public submissions received on the proposal.

On 10 October 2016, the Applicant submitted updated plans addressing Council's concerns.

7. ASSESSMENT

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

- the SEE provided to support the proposed modification (see **Appendix B**);
- the Environmental Impact Statement and Response to Submissions for the original development application;
- the assessment report for the original development application;
- submissions from government authorities (**Appendix B**);
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of the issues associated with the modification application is provided in Table 2 below:

Table 2: Assessment

<i>Issue</i>	<i>Consideration</i>	<i>Recommendation</i>
<i>Amendments to building GFA</i>	<ul style="list-style-type: none"> • The addition of the battery charge room adjoining Warehouse 5 will increase the Gross Floor Area (GFA) by 644 m². • There are no GFA requirements for the site. The Department's assessment concludes that the addition of this structure is minor in the context of the overall GFA of the site. 	There are no GFA requirements for the site.
<i>Traffic and car parking</i>	<ul style="list-style-type: none"> • The Department is satisfied the proposal will continue to provide for sufficient on-site parking and that the car parking areas are of an acceptable layout. There will be a reduction of 21 car spaces adjoining Warehouse 2 in order to relocate the sprinkler tank and pump room. However, there will be an increase of 6 car spaces adjoining Warehouse 5 in place of the relocated sprinkler tank and pump room. Overall this will result in 15 less car spaces across the site. • No concerns were raised by Council or RMS. • The Department's assessment concludes there are sufficient car parking provided, as the car space numbers still exceed the RMS guidelines "Guide to Traffic Generating Developments 2002". 	No additional conditions or amendments necessary.

Issue	Consideration	Recommendation
Other amendments	<ul style="list-style-type: none"> • A battery charge room is proposed to be added next to the recessed docks on Warehouse 5. This room will be accessed internally from Warehouse 5 and used to charge forklifts and other equipment used in the operation of the warehouse. The Department understands this addition is necessary for the tenant's operations and is satisfied it will not result in any additional impacts on the site. • The addition of the outdoor substations and removal of the indoor substations is a requirement of Endeavour Energy. This modification application was referred to Endeavour Energy and no issues or concerns were raised. The Department has no concerns with these changes. • The Department has no concerns regarding the addition of a pergola/shade cloth adjoining Warehouse 5 and considers it will provide greater amenity for staff using the outdoor staff area. • The proposed plans remove reference to a car park lift that is shown on the approved plans. This lift was not supported by Transgrid in the original application and the lift is being removed from the plans to comply with Transgrid's requirements for the easement. Car spaces for persons with a disability have consequently been relocated from the car park adjoining Warehouse 4 to Warehouse 5. • Transgrid has acknowledged the removal of this lift from the revised plans. The Department is satisfied with this outcome. • The proposed modification does not involve any changes to the construction or environmental management aspects of the development including flora and fauna, heritage, soil erosion, site contamination, ground water and stormwater management. • The Department's assessment concludes that the modification is acceptable and notes the development consent includes a suite of conditions which would appropriately manage and mitigate any residual impacts associated with the construction of the proposed development including the Construction Environmental Management Plan, standard construction hours and measures to control dust. • In addition, the proposed modification does not involve any changes to the operational aspects of the proposal including air quality, noise, hazards or waste management and no additional conditions are proposed. 	<p>No additional conditions or amendments necessary.</p> <p>The plans in Appendix A of the Development Consent will be updated to show the new infrastructure</p>

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the modification maintains a high standard of design in keeping with the industrial nature of the site; and
- the modification is acceptable in terms of car parking, built form and amenity impacts.


Consequently, it is recommended that the modification be approved subject to the recommended 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;
- **approve** the modification application under section 96(1A) of the EP&A Act, subject to conditions; and
- **sign** the notice of modification (**Appendix A**).

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APPENDIX A: NOTICE OF MODIFICATION

A copy of the notice of modification can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7909

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification application

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7909

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7909