



Minto Logistics Hub Modification 2

Changes to Stage 1 Warehouse
State Significant Development Modification Assessment
(SSD-7500-Mod-2)

March 2022



Published by the NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Minto Logistics Hub

Subtitle: Layout changes to the Stage 1 warehouse

Cover image: Minto Logistics Hub (Watch This Space Design)

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Glossary

Abbreviation	Definition
Applicant	Charter Hall Holdings Pty Ltd
Council	Campbelltown City Council
Department	Department of Planning and Environment (DPE)
DRAINS	Stormwater Drainage System design and analysis
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation 2000	Environmental Planning and Assessment Regulation 2000
EP&A Regulation 2021	Environmental Planning and Assessment Regulation 2021
GFA	Gross Floor Area
m	Metre
Minister	Minister for Planning
MUSIC	Model for Urban Stormwater Improvement Conceptualisation
Planning Secretary	Secretary of the Department
PMF	Probable Maximum Flood
SEPP	State Environmental Planning Policy
SSD	State Significant Development

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1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State significant development (SSD) consent for the Minto Logistics Hub (SSD-7500).

The modification application seeks consent to modify the footprint location of the Stage 1 warehouse, increase the size of the western elevation awning, amend the car park entry from Culverston Road, reduce the southern internal vehicle access for the Stage 2 warehouse and associated boundary realignments.

The application was lodged on 25 February 2022 by Charter Hall Holdings Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Background

The Applicant has an existing approval for the construction of a warehouse and logistics hub at 5-9 Culverston Road, Minto in the Campbelltown local government area (see Figure 1).

The existing approval involves the construction and operation of four warehouse buildings, demolition of existing structures and hardstand, remediation, bulk and detailed earthworks, access roads, infrastructure services, parking and landscaping.

The Applicant is seeking to primarily amend the footprint of the Stage 1 warehouse building to meet the future tenant's specific requirements.

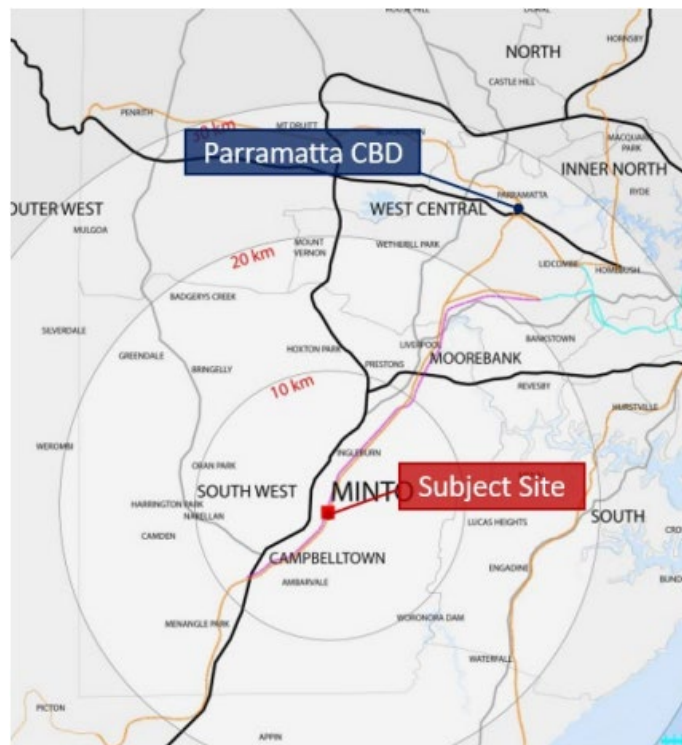


Figure 1 | Regional Context Map

1.2 Subject Site

The site consists of two lots, legally described as Lot 3 DP 817793 and Lot 400 DP 875711 and known as 5-7 Culverston Rd, Minto (see Figure 2).

The site is 29.36 hectares (ha) in area and is zoned IN1 - General Industrial under the Campbelltown Local Environmental Plan 2015.

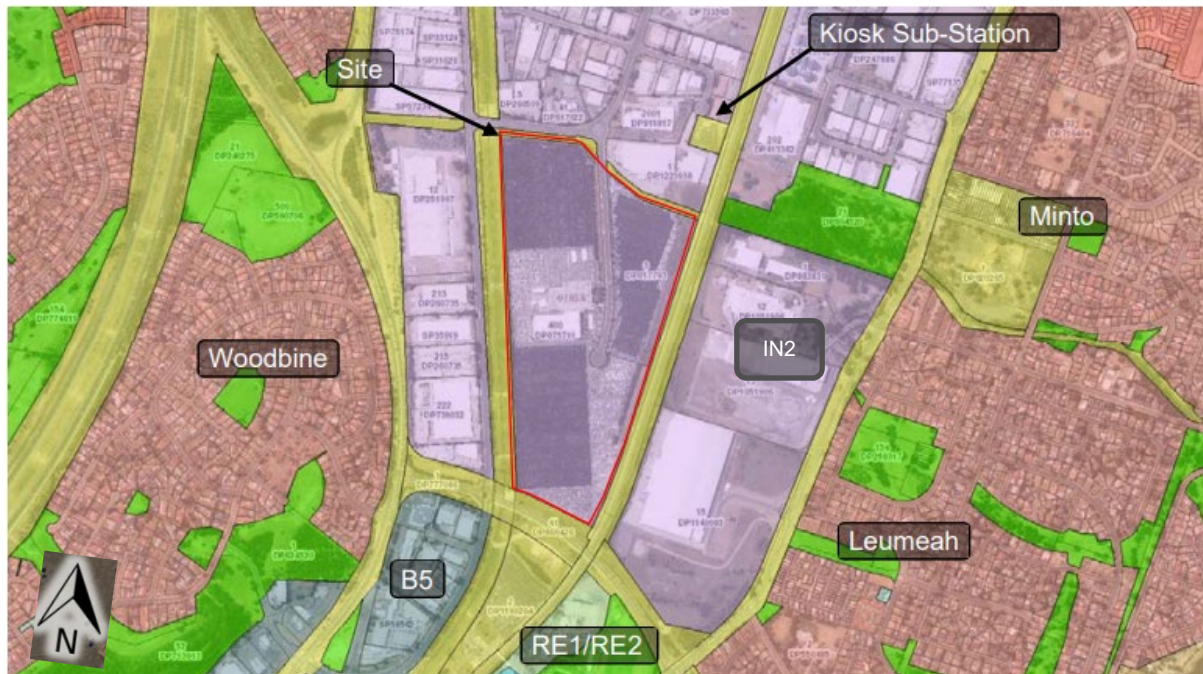


Figure 2 | Local Zoning Context

The site has street frontages with Airds Road to the north and Rose Payten Road to the south. Airds Road also runs parallel to the site's western boundary, separated from the site through Bow Bowing Creek (see Figure 3).

The Main Southern Railway runs along the eastern frontage of the site. Culverston Road extends south into the site from a three-way roundabout with Airds Road.

The site is surrounded by existing waterways. Bow Bowing Creek (a constructed channel) runs along the western boundary of the site and McBarron Creek (a constructed drainage canal) to the site's north. Drainage systems to the east service smaller external catchments and the Main Southern Railway (see Figure 3).

The site has largely been cleared for preparation of Stage 1 and Stage 2, with the exception of existing planting along the site boundaries and Culverston Road. The remainder of the site is largely impervious consisting of hardstand, asphalt, shade structures, a warehouse and office buildings.



Figure 3 | Subject Site

1.3 Approval history

On 23 June 2017, development consent was granted by the then Executive Director, Key Sites and Industry Assessments, as delegate for the then Minister for Planning for the development of the Minto Logistics Hub SSD-7500.

The development consent permitted the following:

- staged demolition of existing on-site structures
- construction, fit-out and use of four warehouse buildings (112,000 m² of warehouse space and 5,000 m² of office space)
- establishment of 481 car parking spaces and 147 provisional car parking spaces
- upgrades to access roads, drainage landscaping and associated infrastructure to service the warehouses.

SSD-7500 has been the subject of one previously approved modification with Modification 3 recently submitted to the Department and currently under assessment.

A summary of each modification is provided in Table 1 below.

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Type	Approval Date
MOD 1	Modify the layout of the four warehouses and amend the development's staging.	s.4.55(1A)	16/12/2021
MOD 3	Modify the layout of the Stage 2 warehouse.	s.4.55(1A)	Currently Under Assessment

A summary of the staging and naming convention of the development is demonstrated in Figure 4 below.



Figure 4 | Staging and Naming Convention

2 Proposed modification

On 25 February 2022, the Applicant lodged a modification application under section 4.55(1A) of the EP&A Act to modify development consent SSD-7500. The modification is described in full in the Modification Report included in Appendix A and the works are illustrated in Figure 5 below.

The modification application proposes the following:

- amend the Stage 1 warehouse roof pitch from 2.5 to 3 degrees
- relocation of Stage 1 warehouse northwards by 1.94 metres (m) and westwards by 2.0 m
- relocation of Stage 1 warehouse office eastwards by 2.0 m
- repositioning of loading dock roller shutter doors on the Stage 1 warehouse northern and western elevations
- extension of the Stage 1 Warehouse western awning to the south by 9.6 m
- relocation of the car park access point from Culverston Road north by 41.95 m
- relocation of the retaining wall to the car park westwards by 0.5 m
- reduction in the width of the southern vehicle internal access road servicing the Stage 2 warehouse by 1.94 m to accommodate the amended boundaries (reduced from 12.0 m to 10.06 m)
- inter-tenancy boundary fence materials amended to be constructed of cyclone fencing
- align the staging boundaries with the amended tenancy boundaries.

There is no amendment to the previously approved building heights or gross floor area (GFA) of the proposal.

Amendments to Conditions of Consent

The Applicant is also seeking to correct an identified error within the listed plans of Condition B4 Parking and amend conditions of consent to reflect the abovementioned changes.

Condition B4 referenced approved drawing '*A-101_D Stage 1 – Site Plan-revision C, prepared by Watch This Space Design, dated 6/10/2021*' which incorrectly demonstrated 8 car parking spaces within the Stage 1 western boundary, not the required 14 car parking spaces as approved. As a result, an amended Site Masterplan has been submitted as part of the modification demonstrating the correct car parking layout at the western boundary for Stage 1. Accordingly, Condition B4 is to be amended to reference the updated Site Masterplan.

It is also proposed to amend Condition B44 Landscaping and Vegetation Management to refer to the amended Site Masterplan.

The Applicant states the proposed design amendments are required so to facilitate the delivery of a warehouse and distribution centre in accordance with the incoming tenant requirements for the Stage 1 warehouse.

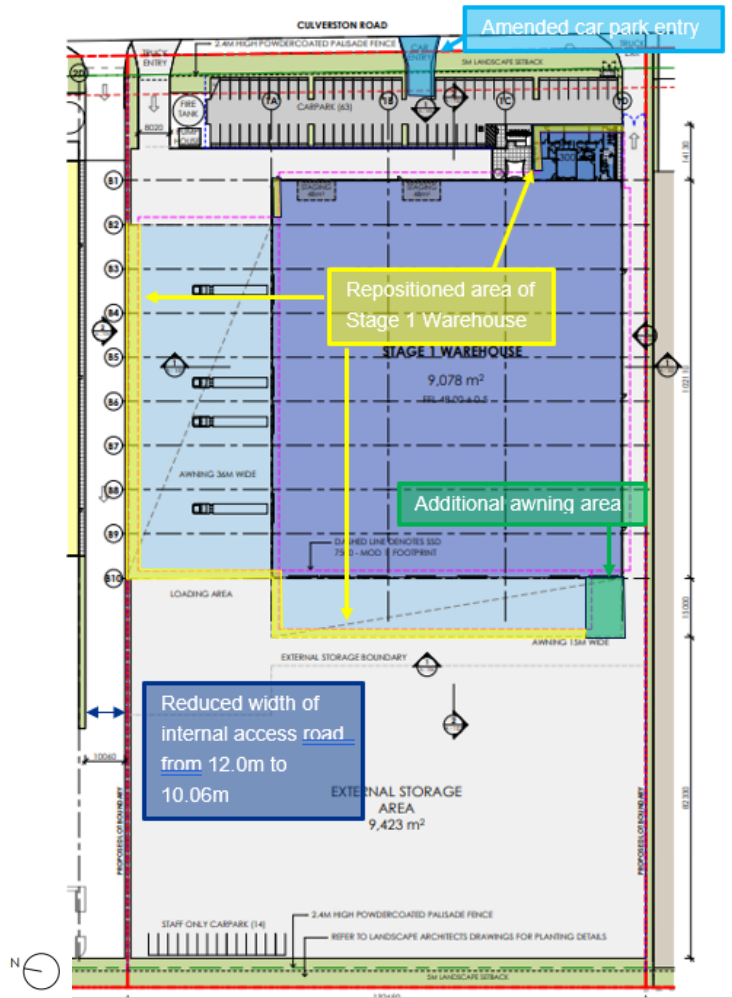


Figure 5 | Location of key works sought to be modified under this modification

3 Statutory context

3.1 Scope of Modifications

The Department has reviewed the scope of the modification application and is satisfied the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent (as last modified under 4.55(1A) of the EP&A Act) on the basis that:

- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- the primary function and purpose of the approved warehouse development would not change as a result of the proposed modification
- the approved building height, gross floor area and car parking rates of the development would remain unchanged as a result of the proposed modification
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of consent.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(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 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent Authority

The Minister for Planning (Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. Under the Minister's delegation of 9 March 2022, the Team Leader, Industry Assessments, may determine the application under delegation as:

- the application has not been made by a person who has disclosed a reportable political donation under section 10.4 of the EP&A Act
- there are no public submissions (other than a council) in the nature of objections, and
- Council has not made a submission by way of objection under the mandatory requirements for community participation listed under Schedule 1 of the EP&A Act.

3.3 Mandatory Matters for Consideration

The Department undertook a comprehensive assessment of the application against the mandatory matters for consideration as part of the original assessment of SSD-7500 (under section 79C of the EP&A Act, as in force at the time).

This modification application does not result in significant changes that would alter the Department's consideration of the mandatory matters for consideration under section 4.15(1) of the EP&A Act and conclusions made as part of the original assessment.

3.4 Legislative Amendments

The Department notes that since the lodgement of the modification application, the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) has been repealed by the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021). Under Schedule 6(3) of the 'savings, transitional and other provisions' of the EP&A Regulation 2021, the EP&A Regulation 2000 continues to apply (instead of the new EP&A Regulation 2021) to applications made but not finally determined before 1 March 2022. As the application was lodged on 25 February 2022, the application has been assessed having regard to the requirements of the EP&A Regulation 2000.

3.5 Biodiversity Conservation Act 2016

Clause 30A(2)(c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 specifies that if the determining authority is satisfied a modification will not increase the impact on biodiversity values, a biodiversity development assessment report (BDAR) is not required. Given the site is largely cleared of vegetation, and the modification does not seek an increase in footprint, the Department is satisfied that there will be no additional clearing of native vegetation or habitat loss beyond that previously assessed and considered under the original consent. For these reasons, the Department's assessment concludes a BDAR is not necessary for the proposed modification.

4 Engagement

4.1 Department's Engagement

Under the EP&A Regulation 2000, there is no requirement for section 4.55(1A) modifications to be publicly exhibited. In addition, the Department's Community Participation Plan notes that the exhibition requirements for section 4.55(1A) modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed modification results in minimal environmental impacts and relates to substantially the same development as the original development consent (see Section 3.1), the application was not publicly exhibited. However, the application was made publicly available on the Department's website and was referred to Campbelltown City Council (Council) for comment.

Council did not raise concerns with the modification, noting the proposal will result in minimal environmental impact.

Council did request the Department consider the previous comments provided for Modification 1 in relation to the screening of the new external storage areas and the height of any structure within these external storage areas.

Council also requested the Department consider the previous comments provided in relation to the development of the Stormwater Management Plan as required by Condition B11 (Stormwater Management Plan) and the Flood Emergency Evacuation Plan as required by Condition B13 (Flood Emergency Evacuation Plan).

Council comments in relation to the Stormwater Management Plan included the request of additional information, being MUSIC and DRAINS modelling, along with stormwater long sections. Council also requested the stormwater drainage pipes under the traffic loading areas be Class 3 pipes with pit grades demonstrating a heavy-duty design.

Council comments in relation to the Flood Emergency Evacuation Plan included the request for confirmation that the building levels met Council's required flood planning levels (FPL) and that the part of the building to be utilised as a refuge during a flooding event is designed to withstand a Probable Maximum Flood Event (PMF).

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5 Assessment

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

- Modification Report provided to support the proposed modification (see Appendix A)
- assessment report for the original development application and subsequent modification applications
- existing conditions of consent (as modified)
- submissions received from Council (see Appendix A)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

As the modification is primarily minor in nature and does not seek to intensify the use of the site, the original studies assessed as part of the original development application and subsequent modification are considered to remain valid for this modification.

5.1 Visual Impact

The Department notes the visual impact of the development was assessed as part of the original SSD consent and Modification 1, both of which concluded the site is located within an established industrial precinct with the built form being appropriately located and screened by proposed canopy trees, and soft landscaping. There is no change to the previously approved GFA or overall building height of the proposal, however, the adjustment to the setbacks of the footprint of the Stage 1 warehouse have the potential to alter the visual impact of the development.

The modification includes the amendment of the Stage 1 warehouse footprint by the following dimensions:

- northwards by 1.94 m
- further eastwards by 2.0 m
- further westwards by 2.0 m.

The visual impact of the proposal could also be altered by the amended roof pitch of the Stage 1 warehouse from 2.5 degrees to 3 degrees, the increase in the western elevation awning, and the amended car park entry.

To assess visual impact from the minor amendments, the Applicant supplied a Visual Impact Assessment (VIA) Addendum as part of its Modification Report. The VIA Addendum assessed the impact the amended footprint, additional awning and amended car parking entry would have from key vantage points, including from Airds Road. The Addendum compared the views from the listed vantage points and concluded the magnitude of the proposed changes would be negligible, even from Viewpoint 2 which is most impacted due to the proximity to the Stage 1 warehouse.

In its advice, Council requested that adequate consideration be given to visual impact of the external storage areas.

The Department notes that external storage areas were altered under Modification 1, with the subject modification application seeing no changes to external storage areas. As such, the Department considers screening was given appropriate consideration under Modification 1 with changes of Condition A6 limiting the height of the external storage area.

The Department agrees with the VIA Addendum conclusion, with little visual difference between the approved development and the modified design (see Figure 6 and Figure 7).

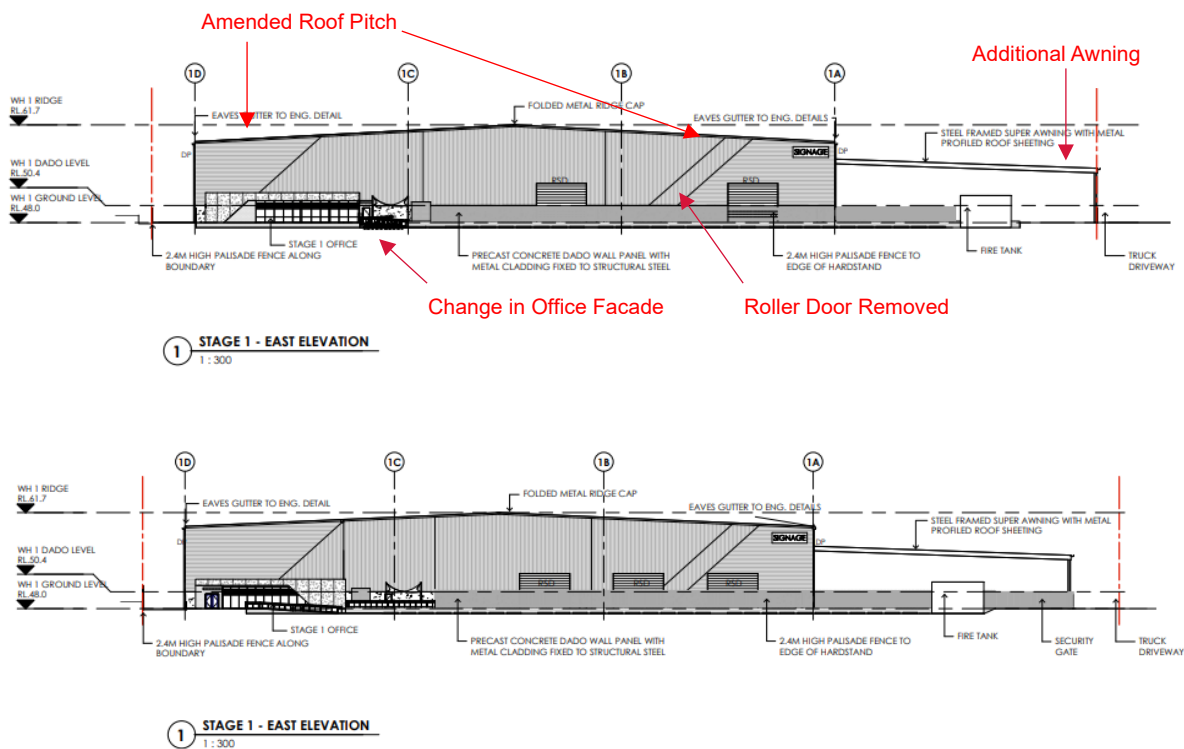


Figure 6 | Proposed eastern elevation (top figure) compared to approved eastern elevation (lower figure) via Culverston Rd.

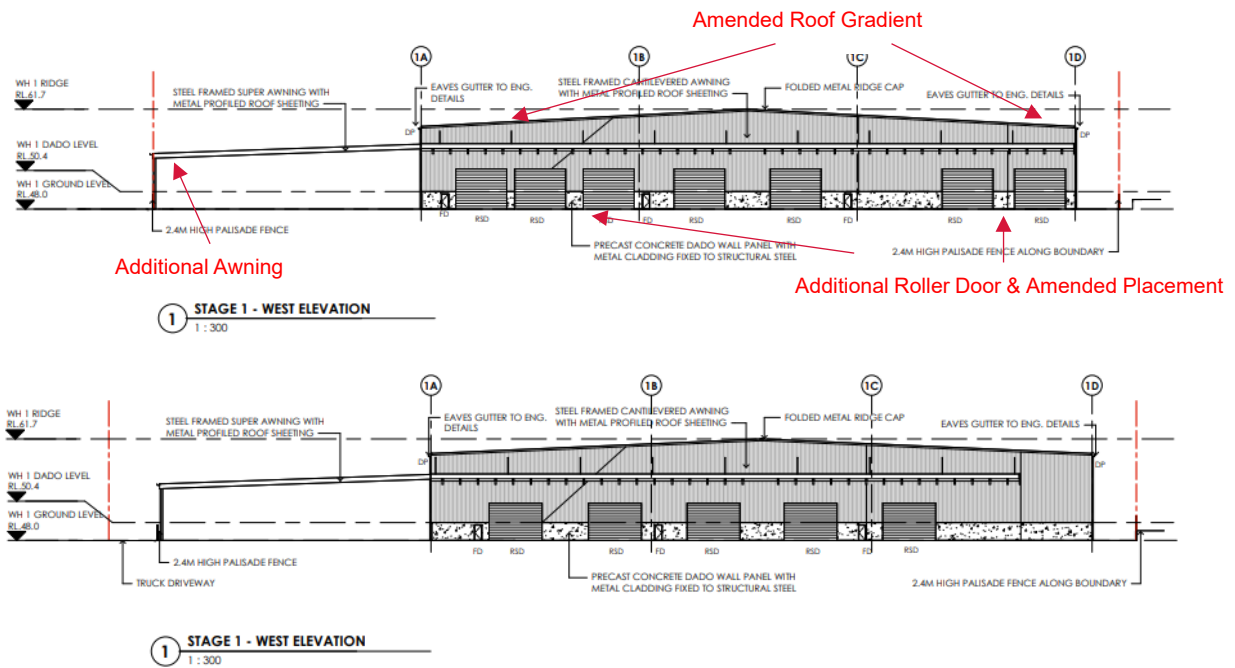


Figure 7 | Proposed western elevation (top figure) compared to approved western elevation (lower figure) via Airs Rd.

The Stage 1 warehouse will continue to be screened by Stage 3 when viewed from the north and south, buffered by landscaping along the east, and obscured by the previously approved 5 m of landscaping and 75 m wide drainage canal the west. As a result, the proposal remains consistent with, and complementary to, the approved development within the site, particularly in relation to height, roof form and character.

The Department’s assessment concludes the proposed siting and overall building bulk of the development is considered to achieve a commensurate scale in line with the visual impact considered in the original assessment and can be managed through existing conditions of consent.

5.2 Traffic

The modification seeks approval for an amended car park entry point from Culverston Road for the Stage 1 warehouse, which results in a reduction in width to 10.06 m the internal access road for the Stage 2 warehouse.

There is no change to the approved GFA of the warehouses, the traffic network performance or car parking provision.

To assess the potential impact from the minor amendment to the internal access, the Applicant supplied a Transport Statement in support of proposed changes to the site layout as part of its Modification Report.

The assessment affirms that the relocation of the car parking entry approximately 43 m to the north will enable the entry to be centrally located, providing a more effective and functional access point for vehicles to enter the car park. The Department supports the report's findings and concludes that the movement of the car park entry will not have detrimental impacts on the suitability of car access to and egress from the Stage 1 Warehouse car parking area.

The movement north of the Stage 1 warehouse does not create any detrimental impacts to the ability for trucks to access the Stage 1 warehouse, manoeuvre and perform the required operations and egress from the site. As a result, the Department supports the Traffic Statement's conclusion that the footprint amendment will have a negligible impact, subject to existing conditions requiring compliance with relevant Australian Standards.

The reduction in the width of the Stage 2 warehouse internal road access from 12.0 m to 10.06 m removes the ability to provide for bi-directional traffic movement. This reduction reduces the capability of a truck entering from Culverston Road to pass a stationary car exiting from the same internal road. However, the Applicant proposes amendment to the access arrangement whereby the internal access road sited between Stages 1 and 2 (southern access) is to now be a one-directional access driveway for trucks and cars, with all exit movements to be undertaken via the Stage 2 northern egress driveway (see Figure 8).

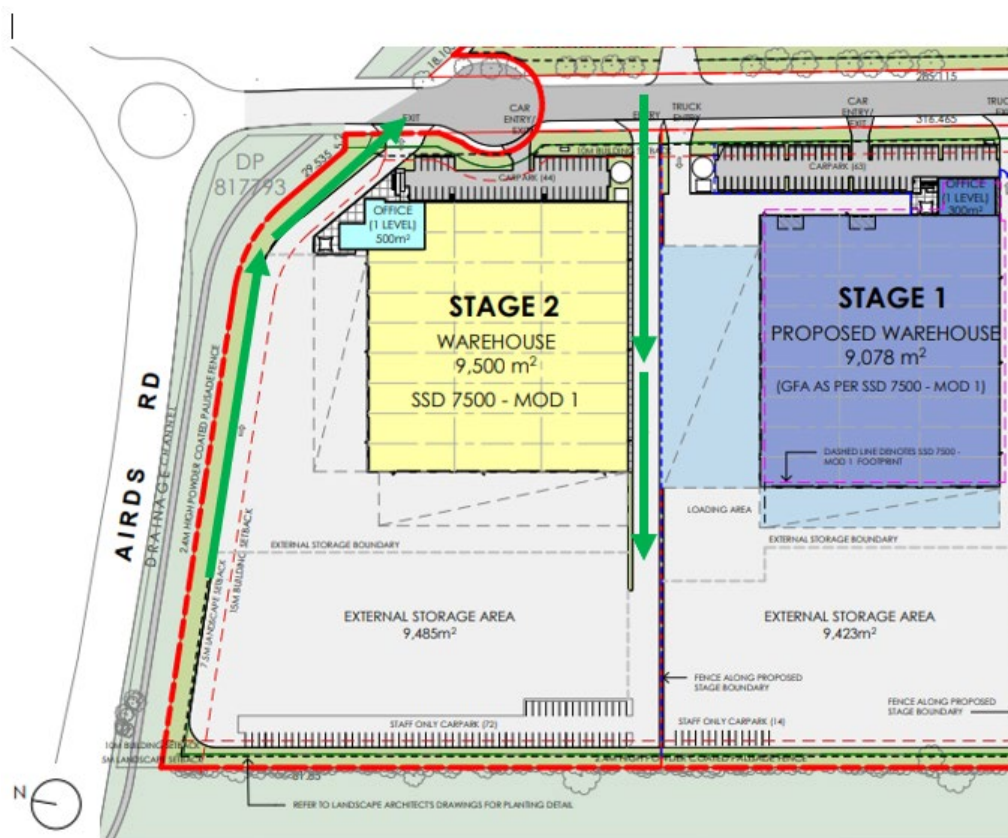


Figure 8 | One-directional access driveway from the southern access with all exit movements undertaken from the northern egress driveway.

Council has reviewed the proposal and did not raise any objections to the amendment to the traffic access arrangement subject to conditions addressing the new vehicle movement within the site.

The Department finds that the amendment to the bi-directional arrangement for southern Stage 2 warehouse access road will improve traffic movement for the site by removing potential truck and car conflict within this access road. Access to the approved secondary car parking along the western boundary is maintained, with continued sufficient access and manoeuvrability for a 26 m B-double vehicle to perform the required operations. All vehicle exit movements will be via the Stage 2 northern egress driveway in line with the original consent.

There is no change proposed to the access arrangements to/from the Stage 2 eastern primary car park.

The Department's assessment concludes the proposed works will improve the existing traffic arrangements on-site and will have negligible impacts along the local road network during operation. The amendment to the Stage 2 access and egress can be adequately managed through conditions of consent in line with the original approval, as modified.

5.3 Other Issues

The Department's assessment of other issues is provided in Table 2.

Table 2 | Assessment of Other Issues

Issue	Findings	Recommendations
Stormwater & Flooding	<ul style="list-style-type: none"> • Modifications of developments have potential to increase stormwater production and conflict with existing water management plans in place. • The modification seeks approval to increase the size of the western awning. The increased square footage of awning will take place entirely over existing hardstand surfaces. No additional hardstand surfaces are proposed to be constructed as part of the proposed modification with stormwater run-off from the awning extension to be collected and disposed of by the existing stormwater management system. • In its advice, Council requested adequate consideration be given to its previous comments on the Stormwater Management Plan (SMP) and Flood Response and Evacuation Plan (FREP). • The Department notes the SMP and FREP were approved by the Planning Secretary as part of the Construction Environmental Management Plan (CEMP) on 15 March 2022, incorporating the specific comments made by Council. • This included confirmation in the FREP that the building levels meet Council's flood planning level requirements. Additional drawings and a DRAINS model 	No updated conditions required.

Issue	Findings	Recommendations
	<p>were provided for the SMP along with confirmation that the pipes were private assets and not Council assets and as such, only required to comply with the Australian Standards.</p> <ul style="list-style-type: none"> The Department recognises that the modification will not see an increase in hardstand on site and as such is satisfied that no increase in stormwater quantity would occur. The Department has reviewed the existing conditions of consent and notes the Applicant is required to review, and if necessary, update management plans (including the SMP and FREP) after a modification has been approved (Condition C8). The Department's assessment concludes that stormwater can continue to be managed through existing conditions of consent, including those requiring the Applicant to review management plans. 	
<p>Additional Plans & Amended Technical Reports</p>	<ul style="list-style-type: none"> The modification was accompanied by revised plans of the site, detailing the proposed modifications, including: revised internal layout; revised floor plans; elevations, sections of the proposed Stage 1 warehouse; landscaping and technical documents. Council did not raise any issues to the inclusion of revised plans in the consent. The Department is satisfied with the addition of these plans noting they will ensure that the modifications to the development are carried out in a way generally consistent with the amendments sought under the request. The Department's assessment concludes the plans are acceptable and should be reflected in the modified instrument of consent. 	<p>Include revised plans and documents in Appendix A of the consent.</p>

6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Applicant is proposing to modify the development consent to alter the location of the footprint of the Stage 1 warehouse to respond to tenancy requirements.

The Department has found the key issues of the modification relate to potential visual impacts the built form changes may have and the amendment to the bi-directional arrangement for the southern Stage 2 warehouse internal access road. The Department is satisfied visual amenity concerns are negligible and the new one-directional arrangement for the southern Stage 1 internal access road can be appropriately managed through the recommended modifying conditions.

The Department considers the proposed modification is appropriate on the basis that:

- the proposed modification will result in minimal environmental impacts beyond the approved facility
- the works and operations proposed under the modification are such that it remains substantially the same development as that originally approved
- the development would continue to provide employment and capital investment in Western Sydney
- changes in built form would not result in further visual amenity or traffic impacts.

Overall, the Department is satisfied the impacts from the proposed modification can be appropriately managed through the existing and recommended modified conditions of consent. The Department is satisfied that the modification should be approved, subject to conditions.

7 Recommendation

It is recommended that the Team Leader, Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-7500-Mod-2 falls within the scope of section 4.55(1A) of the EP&A Act
- **forms** the opinion under clause 30A(2)(c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 that a BDAR is not required to be submitted with this application as the application will not increase the impact on biodiversity values on the site
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modifies** the consent SSD-7500
- **signs** the attached approval of the modification (Appendix B)

Recommended by:



Catriona Shirley

Senior Environmental Assessment Officer
Industry Assessments

8 Determination

The recommendation is **Adopted** by:



25 March 2022

Joanna Bakopanos
Team Leader

Industry Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

Modification Application

- Section 4.55(1A) 5 & 9 Culverston Road, Minto Modification Report, prepared by Urbis, dated 17 February 2022 and all attachments

Submissions and Advice

- Submission received from Campbelltown City Council.

Statutory Documents

- Relevant environmental planning instruments, policies and guidelines and relevant requirements of the EP&A Act.

Other Documents

- Environmental Impact Statement – Proposed Warehouse and Logistics Hub at 5 & 9 Culverston Road, Minto, prepared by Willow Tree Planning, dated June 2016
- State Significant Development Assessment: Proposal by Minto Properties Pty Ltd, consent to construct and operate a warehouse and logistics hub at 5 & 9 Culverston Road, prepared by the Department of Planning, dated June 2017
- Existing conditions of consent in SSD-7500 (as modified)

The relevant supporting information for the subject modification may be found on the Department's website at: <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-2-changes-stage-1-warehouse>

Appendix B – Notice of Modification

The recommended modification instrument for SSD-7500-Mod-2 can be found on the Department's website at <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-2-changes-stage-1-warehouse>.

Appendix C – Consolidated Consent

The Consolidated Consent for SSD-7500-Mod-2 can be found on the Department's website at <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-2-changes-stage-1-warehouse>.