

Minto Logistics Hub Modification 3

Changes to Stage 2 Warehouse
State Significant Development Modification Assessment
(SSD-7500-Mod-3)

April 2022



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Glossary

Abbreviation	Definition
Applicant	Charter Hall Holdings Pty Ltd
BDAR	Biodiversity Development Assessment Report
Council	Campbelltown City Council
Department	Department of Planning and Environment (DPE)
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
GFA	Gross Floor Area
Minister	Minister for Planning
Planning Secretary	Secretary of the Department
SSD	State Significant Development
TIA	Traffic Impact Assessment
TfNSW	Transport for NSW
vtph	Vehicle Trips Per Hour
VIAA	Visual Impact Assessment Addendum

Contents

1	Introduction	1
1.1	Background	1
1.2	Subject Site	1
1.3	Approval history	2
2	Proposed modification	4
3	Statutory context	1
3.1	Scope of Modifications	1
3.2	Consent Authority	1
3.3	Mandatory Matters for Consideration	1
3.4	Biodiversity Conservation Act 2016	1
4	Engagement	3
4.1	Department's Engagement	3
4.2	Government Advice	3
5	Assessment	4
6	Evaluation	7
7	Recommendation	8
8	Determination	9
	Appendices	10
	Appendix A – List of Documents	10
	Appendix B – Notice of Modification	11
	Appendix C – Consolidated Consent	12

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 size and layout of the approved Stage 2 Warehouse, while also dividing the building into two tenancies.

The application was lodged on 11 March 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 commenced construction on a warehouse and logistics hub at 5 and 9 Culverston Road in the suburb of Minto in the Campbelltown local government area (see **Figure 1**). The development involves the construction and operation of four warehouse buildings, demolition of existing structures and hardstand areas, remediation, bulk and detailed earthworks, access roads, infrastructure services, parking and landscaping.

The Applicant is seeking to change the layout of Warehouse 2 to meet market requirements.

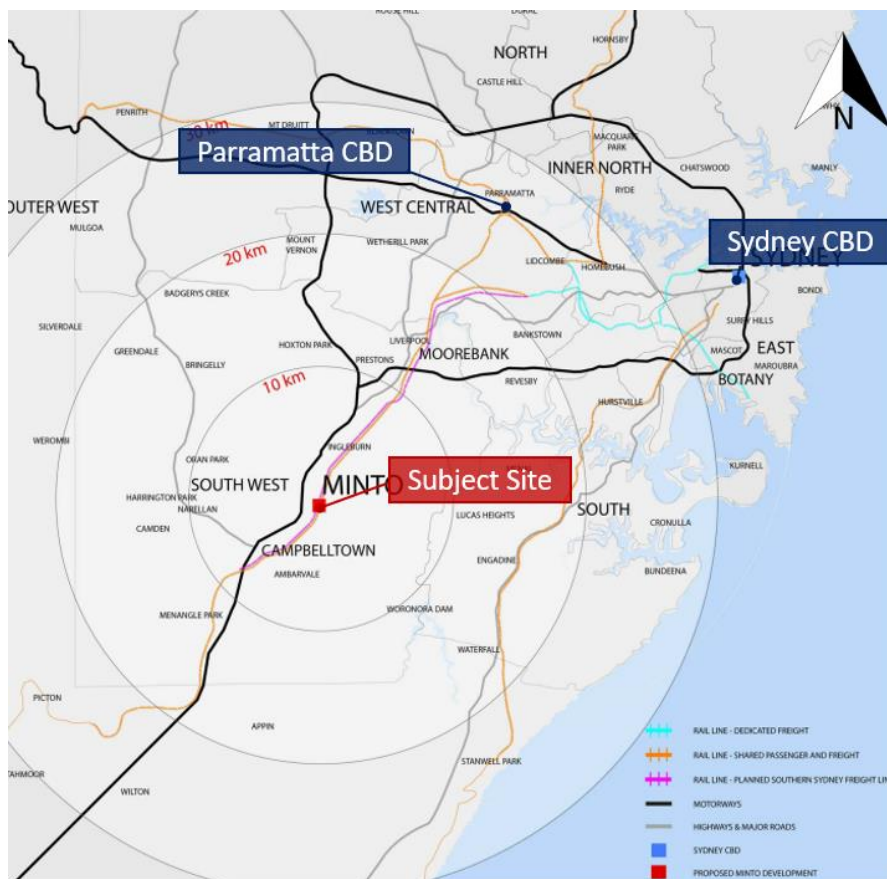


Figure 1 | Regional Context Map

1.2 Subject Site

The site is 29.36 hectares (ha) in area and is zoned IN1 - General Industrial under the Campbelltown Local Environmental Plan 2015. The site consists of two lots, legally described as Lot 3 DP 817793 and Lot 400 DP 875711.

The site has street frontages with Airds Road to the north and Rose Payten Road to the south (see **Figure 2**). Airds Road also runs parallel to the site's western boundary, separated from the site through Bow Bowing Creek. 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) is located to the north. Drainage systems to the east service smaller external catchments and the Main Southern Railway.

The site is a brownfield industrial site currently occupied by Prixcar Services Limited under lease, which provides services for pre-delivery inspection, storage, processing and washing of vehicles. The Prixcar operation has been in place since at least 2005.

The site has been extensively altered, and is generally clear of vegetation, with the exception of planting along the site boundaries and Culverston Road. The site is largely impervious consisting of hardstand, asphalt seal spray, shade structures and warehouse and office buildings.

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 permits the construction and operation of four warehouse buildings, demolition of existing structures and hardstand areas, remediation, bulk and detailed earthworks, access roads, infrastructure services, parking, an external storage area and landscaping.

The development consent has been modified on two occasions (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Consent Authority	Type	Approval Date
MOD 1	Layout and staging changes	Department	s.4.55(1A)	16 December 2021
MOD 2	Changes to Stage 1 warehouse	Department	s.4.55(1A)	25 March 2022



Figure 2 | Local Context Map

2 Proposed Modification

The modification is described in full in the Applicant's Modification Report included in **Appendix A** and is illustrated in **Figure 3** to **Figure 8**.

The modification seeks to make changes only to the approved Stage 2 Warehouse, which includes:

- increase in gross floor area (GFA) to 17,490 square metres (m²) by expanding the warehouse along its east-west axis
- splitting of the warehouse into two tenancies
- removal of outdoor storage area
- changes to fencing internal to Stage 2 warehouse
- rearrangement and increase in number of carparking spaces
- reduction entry driveway width adjacent to the fire tank by 1.5 metres to accommodate a pedestrian pathway.

A comparison of the original, approved and proposed key details is provided in **Table 2**.

Table 2 | Summary of Changes

Modification Aspect	Original Consent	Consent, as modified	Proposed
Stage 2 Warehouse GFA	Warehouse: 22,000 m ²	Warehouse: 9,500 m ²	Warehouse: 17,490 m ²
	Office: 1,000 m ²	Office: 500 m ²	Office: 1000 m ²
Total Estate GFA	112,000 m ²	93,378 m ²	101,868 m ²
Stage 2 Warehouse External Storage Area	0 m ²	9,485 m ²	0 m ²
Car Parking	Stage 2: 98	Stage 2: 117	Stage 2: 136
	Total Parking: 481	Total Parking: 505	Total Parking: 524
	Provisional Parking: 147	Provisional Parking: 80	Provisional Parking: 80

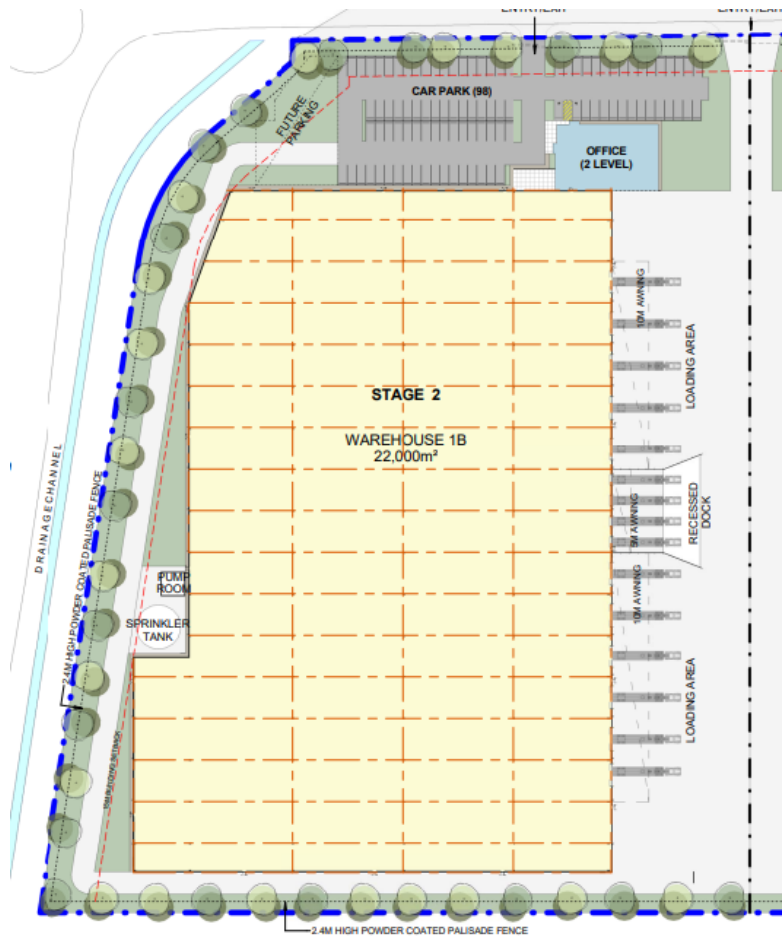


Figure 3 | Stage 2 Warehouse Site Plan, Original Consent

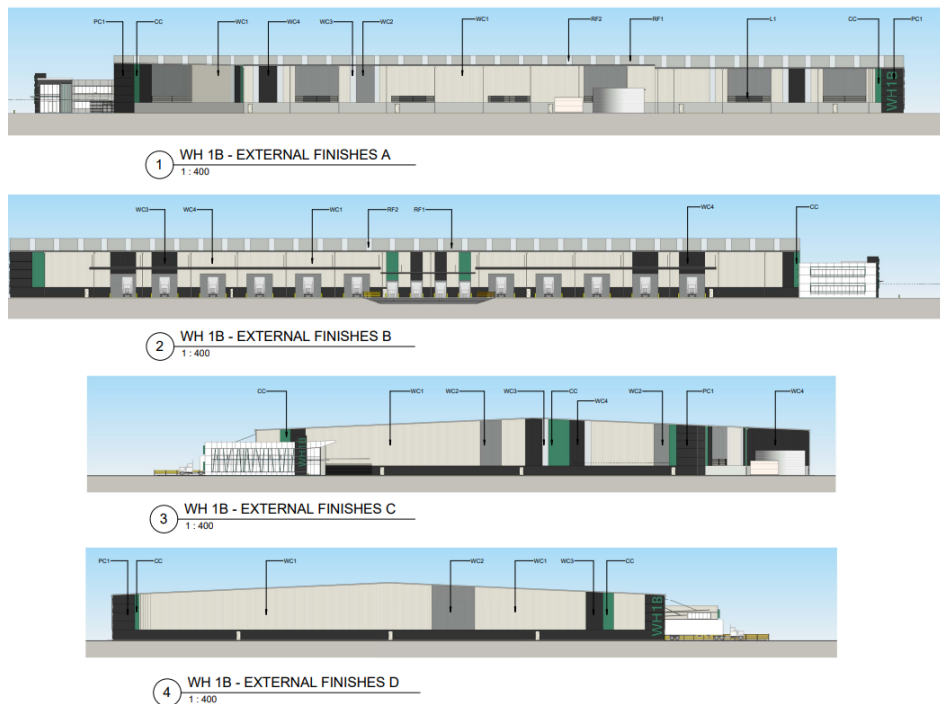


Figure 4 | Stage 2 Warehouse Elevations, Original Consent

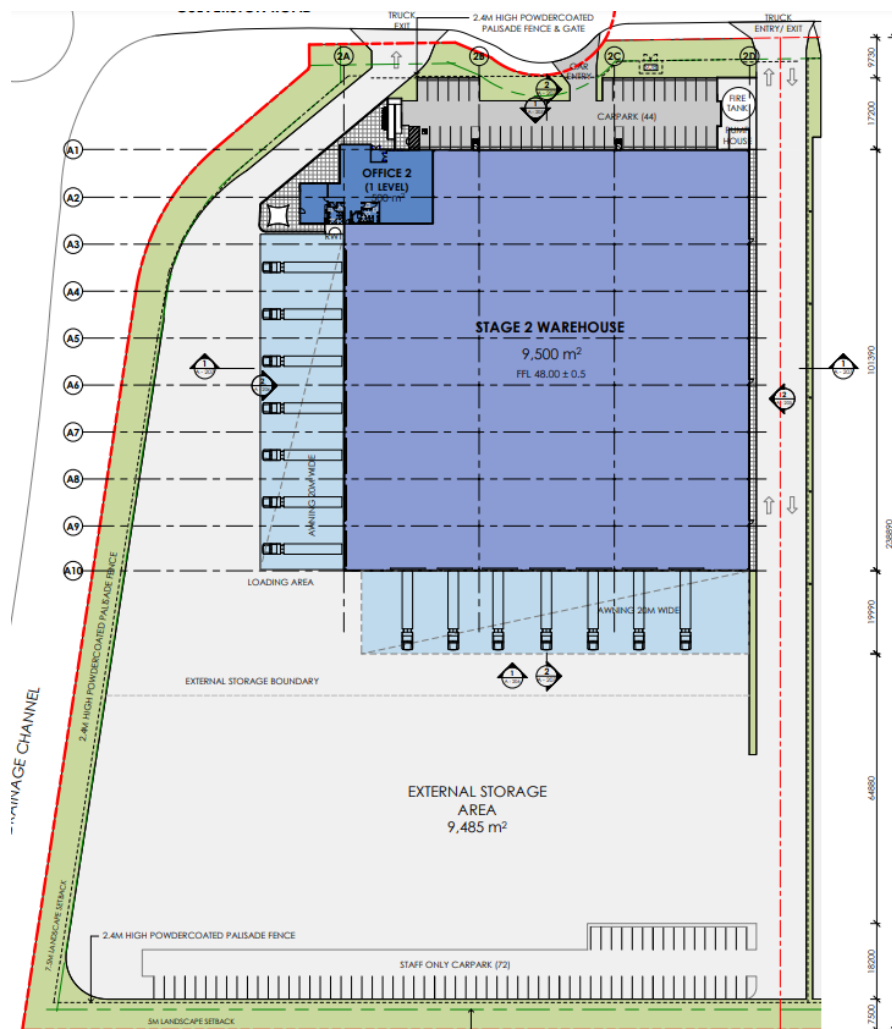


Figure 5 | Stage 2 Warehouse Site Plan, Approved, As Modified

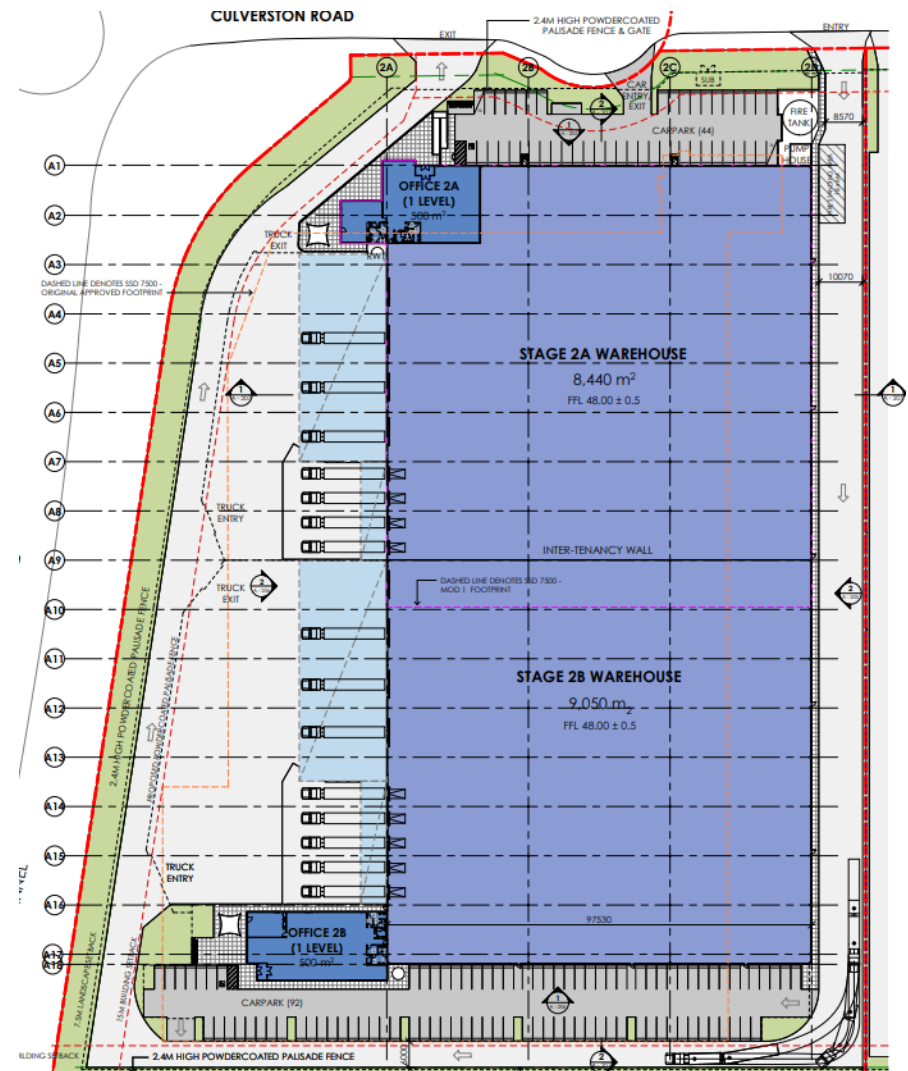


Figure 6 | Stage 2 Warehouse Site Plan, Proposed

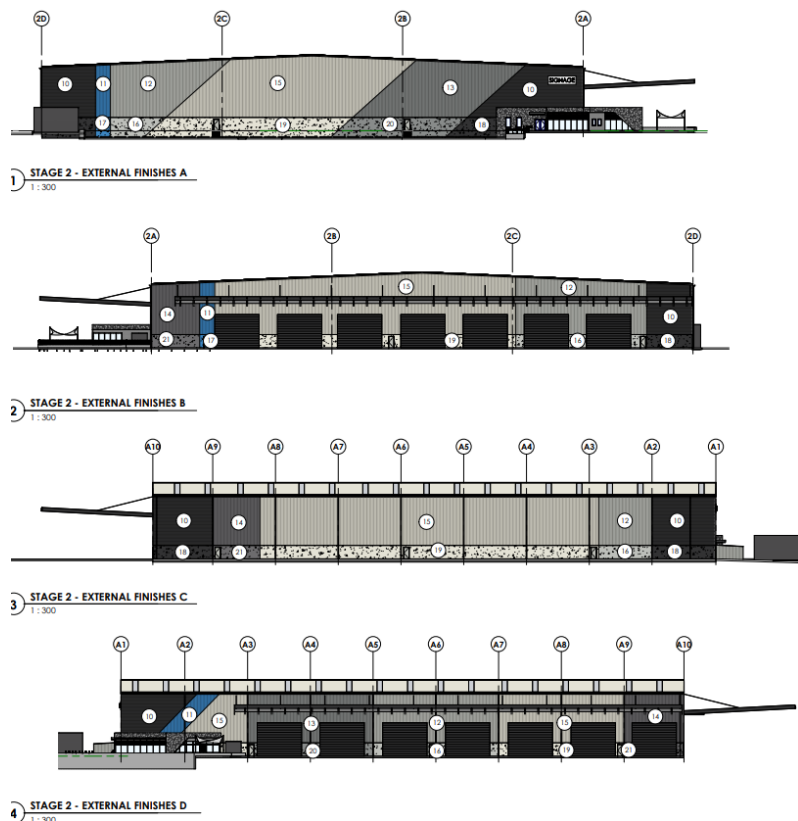


Figure 7 | Stage 2 Warehouse Elevations, Approved, As Modified

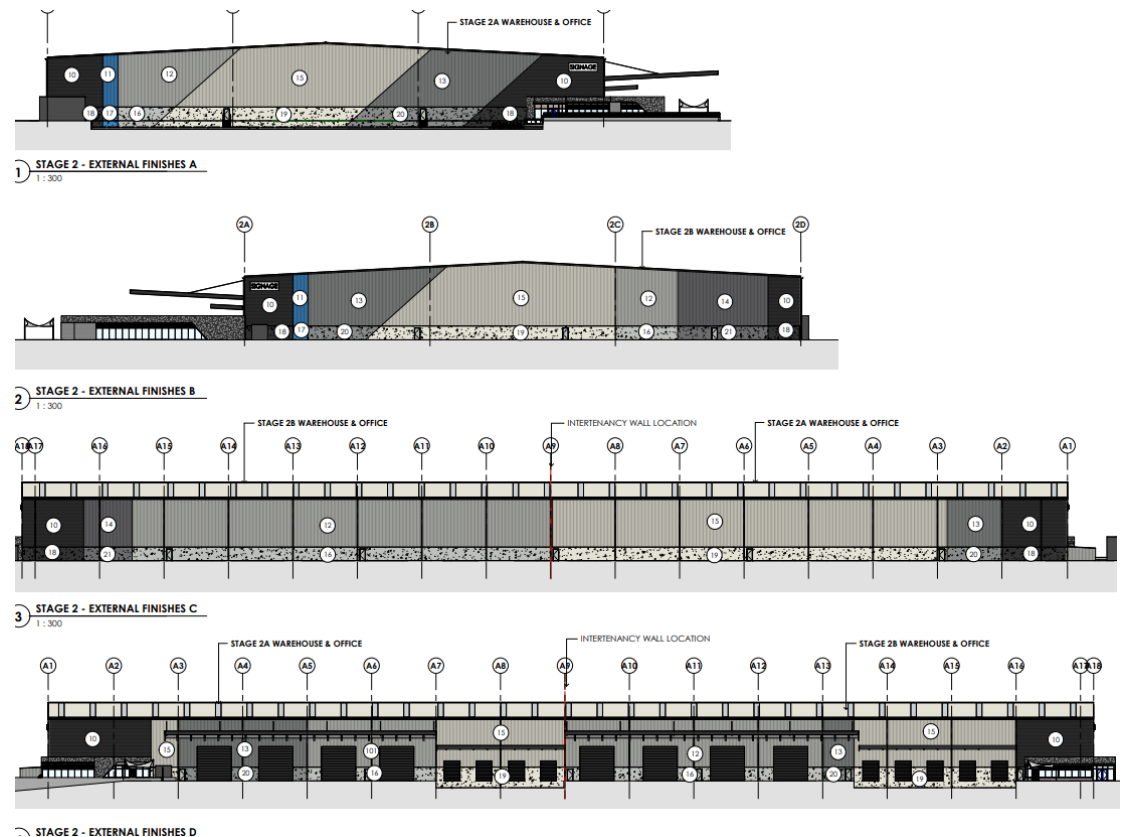


Figure 8 | Stage 2 Warehouse Elevations, Proposed

3 Statutory context

3.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved
- the primary function and purpose of the approved development would not change 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
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act.
- is substantially the same development as originally approved
- would not involve any further disturbance outside the already approved disturbance areas for the development.

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 (DA). 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 DA 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 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 the development's overall 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 the reasons discussed above, the Department's assessment concludes a BDAR is not necessary for the proposed modification.

4 Engagement

4.1 Department's Engagement

Section 105(2) of the Environmental Planning and Assessment Regulation 2021 requires a section 4.55(1A) modification application to be notified or advertised if specified by a community participation plan. The Department's Community Participation Plan notes the exhibition requirements for such modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed changes would result in minimal environmental impacts (see **Section 3**), the application was not notified or advertised. However, it was made publicly available on the Department's website on 11 March 2022 and was referred to Campbelltown City Council and the Department's Environment, Energy and Science Group (EES), now Environment and Heritage Group, for comment.

4.2 Government Advice

Advice was received from one State government authority, and from the local council. A summary of this advice is provided below.

Council advised it has no objection.

EES advised it has no comment on the application regarding flooding.

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**)
- documentation and Department's assessment report for the original DA and subsequent modification applications (see **Appendix A**)
- advice from the State government authorities and Council (**Appendix A**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

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

Table 3 | Assessment of Issues

Findings	Recommendations
Traffic and Parking	
<p><u>Traffic Generation</u></p> <ul style="list-style-type: none"> • As part of the Applicant's modification report, a Traffic Impact Assessment (TIA) was prepared to compare and assess the traffic generation of the proposal against that in the original assessment, as well as the most recent approved modification (Mod 2). The TIA found that due to an increase in GFA, the proposal would see a 2.5% increase in daily trips, whilst still remaining 9.1% less than that originally approved. • The TIA also found the proposed modification would increase the morning and afternoon peak trips. The morning peak would see an increase of 24 vtpm to a total of 222 vtpm and the afternoon peak would see a 1 vtpm increase to a total of 223 vtpm. • Although there would be an increase in peak hour trips, the TIA concluded the additional trips would have no impact on the level of service of the Airs Road / Culverston Road intersection, which is currently operating at an A level of service in peak hours. • Council raised no concerns relating to trip generation. • The Department considers the calculation used to be conservative and in line with Transport for NSW's (TfNSW) Guide for Traffic Generating Developments and the original assessment of traffic impacts and agrees with the conclusions of the TIA. The increase in peak hour traffic is not expected to impact on the efficiency of the local road network. Further, the Department notes that existing conditions of consent require the Applicant to ensure operations do not impact on the public road network, including ensuring queuing does not occur. • The Department concludes the modification will not adversely impact the efficiency or safety of the local road network, subject to the conditions of the original consent. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • adhere to revised car parking numbers.
<u>Parking</u>	

Findings

Recommendations

- The modified development will see an additional 19 permanent car parking spaces compared to the approved development, resulting in a total of 136 permanent car parking spaces for the Stage 2 warehouse.
- The TIA found the modified development would still provide permanent parking in line with TfNSW's parking requirements for each project stage, with the provisional parking supplementing this to meet Council's DCP requirements if needed, in line with the approach taken in the original assessment.
- Council did not comment on parking provisions of the modification proposal.
- The Department considers the proposed additional permanent car parking to be acceptable in terms of providing car parking to the development. Parking will be supplied to meet TfNSW's parking requirements, which aligns with the approach taken in the original assessment and subsequent modification assessments.
- The Department has reviewed the existing conditions of consent and notes that Condition B3 will need to be updated to reflect the updated permanent and provisional car parking numbers.
- The Department's assessment concludes the modified development retains an acceptable amount of parking capacity on site and recommends updating existing conditions of consent to include the revised parking numbers.

Visual Amenity

- Changes to built form and the layout of the warehouses have potential to change the visual amenity impacts of the warehouse.
- As part of its Modification Report, the Applicant provided a Visual Impact Assessment Addendum (VIAA), which assessed the potential impacts of the additional built form.
- The VIAA noted that whilst the proposal sees an increase in GFA and bulk, the proposed modification sees a smaller building with greater setbacks compared to the original development.
- As such, the VIAA concluded that the visible impacts of the development would be negligible and comparable to the approved development.
- Council raised no objection.
- The Department has considered the changes and notes the visual impact of the building will be most visually identifiable from the north and west of the site along Airs Road. While the proposed modification would see greater built form from these viewpoints, it sees a reduction in bulk due to the significantly greater setbacks from Airs Road when compared to the original development and retains significant vegetation buffers to the public domain.
- The Department notes that existing conditions of consent restrict the height of external storage areas within the Stage 2 Warehouse lot. As this external storage area is proposed to be removed, the Department recommends amending the condition to remove reference to Stage 2 for consistency.
- The Department's assessment concludes the visual impacts of the modified development would not increase over that

Amend Condition A6 to remove reference to the Stage 2 Warehouse.

Findings	Recommendations
<p>considered under the original assessment, subject to existing and recommended conditions.</p>	
<p>Noise</p>	
<ul style="list-style-type: none"> • Changes to the layout of buildings on the site have potential to impact on the noise generated by the development. • As part of its modification report, the Applicant included a letter from acoustic specialists, PWNA. Due to the built form changes being similar to that consented to in the original assessment, the Applicant concluded that noise levels would remain in line with the development, as approved and subsequently will continue to meet the Environment Protection Authority's Noise Policy for Industry guidelines. • Council raised no concerns regarding noise impacts. • The Department has reviewed the conditions of consent, as modified, and notes the Applicant is required to meet operational noise limits, as well as implementing a complaint and non-compliance handling system under its Operational Environmental Management Plan. • The Department considers the findings of the Applicant's noise assessment to align with the noise levels considered and conditioned as part of the original consent and as such will not increase noise impacts over that of the original development. • The Department's assessment concludes the development will have similar noise impacts to the original development and acoustic matters can continue to be managed through existing conditions of consent. 	<p>No changes to conditions required.</p>

6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act.

The Department has found the key issues of the modification to relate to the increase in bulk and GFA of the Stage 2 Warehouse and potential impacts this may have on visual amenity, traffic generation and parking. The Department is satisfied the changes result in negligible impacts on visual amenity and the traffic and parking impacts remain in line with those of the original assessment.

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
- changes in built form would not result in further visual amenity or traffic impacts
- the development would continue to provide employment and capital investment in Western Sydney

Overall, the Department is satisfied the impacts from the proposed modification can be appropriately managed through the existing and recommended modified conditions of consent.

Consequently, 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-3 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
- **modify** the consent SSD-7500-Mod-3 the modification
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:



12 April 2022

Thomas Bertwistle
Environmental Assessment Officer
Industry Assessments

8 Determination

The recommendation is **Adopted** by:

 13 April 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

- 'Modification Report' prepared by Urbis dated 28 February 2022 - <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-changes-stage-2-warehouse>

Submissions and Advice

- <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-changes-stage-2-warehouse>

Department's Assessment Report for SSD-7500-Mod-3

- <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-changes-stage-2-warehouse>

Appendix B – Notice of Modification

The recommended modification instrument for SSD-7500-Mod-3 can be found on the Department's website at <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-changes-stage-2-warehouse>

Appendix C – Consolidated Consent

The consolidated consent for SSD-7500-Mod-3 can be found on the Department's website at <https://pp.planningportal.nsw.gov.au/major-projects/projects/mod-3-changes-stage-2-warehouse>