

ASSESSMENT REPORT

Section 4.55(1A) Modification

Oakdale South Stage 4, Site 4A - Costco Wholesale (SSD 8209 MOD 1)

1. INTRODUCTION

This report assesses a modification application by Costco Wholesale Australia Pty Ltd (the Applicant) to modify approved plans and allow for minor changes to the facility to improve operational practices and achieve compliance with the relevant Australian standards and Building Code of Australia (BCA) provisions of Oakdale South Stage 4, Site 4A. The application has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. BACKGROUND

On 26 October 2016, The Executive Director, Key Sites and Industry Assessments approved a concurrent Concept Proposal and Stage 1 Development Application (DA) for a warehousing and employment precinct (SSD 6917) known as the Oakdale South Industrial Estate (Oakdale South). The Concept Proposal established 15 building envelopes for warehouse and distribution facilities across six development precincts; conceptual subdivision, landscaping, stormwater and infrastructure designs; conceptual site levels; conceptual car parking and biodiversity offset requirements. The Stage 1 DA includes the construction and use of warehouse buildings within Precinct 1, estate wide bulk earthworks, access roads, infrastructure services, parking and landscaping.

On 23 February 2018, the Executive, Key Sites and Industry Assessments approved the Costco Wholesale Warehousing and Distribution Facility (SSD 8209) on site 4A of Oakdale South, at Kemps Creek in the Penrith local government area (LGA). The consent allows for the storage and distribution of goods for Costco Wholesale. The facility represents Costco Wholesale's primary distribution facility in Australia, with the closure of its existing facility at Wetherill Park. The consent allows for operation of the facility 24 hours a day, 7 days a week.



Figure 1: Site Location

The site is located approximately 40 kilometres (km) west of the Sydney city centre, 12 km south-east of Penrith, 5 km south of the M4 and 4 km west of the M7 Motorway. The site is also located within the Western Sydney Employment Area (WSEA) which is strategically identified industrial and employment land under State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP).

2.1 Site Description

The site is legally described as Lot 3 in Deposited Plan 1229850 and is commonly known as 15 Ottelia Road, Kemps Creek. It has an area of approximately 14.27 hectares (ha).

Bulk earth works and infrastructure construction have commenced across the site in accordance with SSD 6917. The bulk earthworks include the establishment of the building pad for the Costco warehouse, the site though is currently vacant of any buildings or structures.

Several residential receivers are located near the site in the suburbs of Kemps Creek, Mount Vernon and Horsley Park, with the closest located 500 metres (m) to the south-east on Aldington Road.

Surrounding land uses include those associated with industrial activities in the WSEA to the north, east and west and residential land uses are located further to the east, south and south-west. Land uses in the vicinity of the site include the:

- Toyota Spare Parts Warehouse and Distribution Centre (SSD 7663) to the immediate north
- Oakdale Central Industrial Estate (MP 08_0065 & SSD 6078) to the north east
- Proposed Oakdale West Industrial Estate (SSD 7348) to the north west
- Jacfin Horsley Park warehousing hub (MP 10_0129 and MP 10_0130) to the west
- Residential subdivision known as the Capitol Hill to the south.

3. APPROVAL HISTORY

On 23 February 2018, development consent was granted by the Executive Director Key Sites and Industry Assessments for the construction and operation of a warehouse and distribution centre in two stages (SSD 8209). The development consent permits the following works:

- a warehouse and distribution facility;
- ancillary office space;
- car parking;
- stormwater and rainwater infrastructure; and
- landscaping.

4. PROPOSED MODIFICATION

On 25 June 2018, the Applicant lodged a modification application under section 4.55(1A) of the EP&A Act to make minor amendments to the approved building and associated building details. The modification is described in full in the Statement of Environmental Effects (SEE) included in **Appendix B** and is illustrated on **Figure 2**.

The overall intent of this modification is to allow for minor changes to the approved warehouse and distribution facility that will improve operational practices and achieve compliance with the relevant Australian Standards and BCA provisions. The proposed modifications include amendments to:

- guard house access ramp and internal layout;
- structural grid pattern;
- dock doors;
- office building;
- plant room and amenities;
- rain water treatment plant room;
- baler room extension;
- baler room access ramp;
- driveway to dry depot;
- freezer layout;
- roof amenities; and
- updated site data as denoted on architectural plans.

Table 1: Summary of Proposed Modification

Aspect	Proposed
Guard House	<ul style="list-style-type: none"> extension to ramp and stairs by 2m; deletion of second accessible toilet; relocation of cleaner/janitor's room to previous location of accessible toilet; provision of electrical and communications cupboard added adjoined to relocated cleaners/janitors; relocation of boom gates.
Structural Grid Pattern	<ul style="list-style-type: none"> minor changes to the structural grid wet storage cross dock layout.
Dock Doors	<ul style="list-style-type: none"> bonded dock doors changed to future-knock out in precast panels; future knock-out in precast panels changed to bonded dock doors; extension of Dock door canopy across all shipping and receiving doors.
Office Building	<ul style="list-style-type: none"> egress door reversed; accessible amenities rotated; provision of a fire control centre cupboard added to western elevation; deletion of external columns to the entry awning along western elevation and 450mm awning extension to each side of the office; western elevation ramp extended with adjoining stairs realigned accordingly; reduction of employee locker room by 8.57m²; relocation of amenities, cleaner and first aid room to suit reduced employee locker room; provision of one WC and cubicle added in lieu of one urinal in men's restroom; provision of a second egress to the electrical room between lift and women's restroom wall and reconfigured electrical room layout; entry/egress door relocated accordingly from the office to the depot; provision of Amenities added to level 1 along eastern elevation; reconfiguration of level 1 internal office layout; changes to external windows to level 1 along northern, western and southern elevation; relocation of external hydrants from ground level to top of external (northern) stair case.
Plant Room and Amenities	<ul style="list-style-type: none"> reconfiguration of plant room layout and amenities relocated; external stair case added to the condenser platform to eastern elevation; changes to approved solid and louvre screen around condenser platform to continuous louvre screen, located centrally along the eastern elevation.
Rain Water Treatment Plant Room	<ul style="list-style-type: none"> installation of rain water treatment plant room added to eastern external elevation of baler room.
Baler Room Extension	<ul style="list-style-type: none"> extension of baler room and lowering of roof height over, located along the eastern external elevation.
Baler Room Access Ramp	<ul style="list-style-type: none"> the reduction of the ramp width (adjoining baler room).
Driveway to Dry Depot	<ul style="list-style-type: none"> provision of driveway at north end of dry depot (northern elevation adjacent E-com and AQIS Depot area). Proposed batter added against building and revised raised landscaped area.
Freezer Layout	<ul style="list-style-type: none"> reconfiguration of freezer layout and location within depot and demising wall between dry and wet docks.
Roof Amendments	<ul style="list-style-type: none"> deletion of depot rooftop HVAC and skylights; provision of rotary ventilation added atop of depot; proposed roof access between depot and office.
Updated site data as denoted on architectural plans.	<ul style="list-style-type: none"> table 2 of the submitted SEE identifies the proposed reconfigured area of the development.
Landscaping amendments	<ul style="list-style-type: none"> amendment to two approved tree planting species under SSD 8209



5. STATUTORY CONTEXT

5.1 Consent Authority

The Minister for Planning is the consenting authority for the application under section 4.5(1) of the EP&A Act. 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 4.55(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 4.55(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 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.

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 does 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 5 July 2018, and was referred to Penrith City Council (Council) for comment.

Council did not object to the modification, and did not provide any comments.

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 assessment report for the original development application and subsequent modification application(s)
- submissions from the public, 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 modification would only have minor impacts. The Department's assessment of the proposed alterations and amendments is provided below.

7.1 Minor Amendments

The Applicant is seeking to make minor design alterations and additions to the approved design and layout of the Costco warehouse and distribution facility. The overall intent of this modification is to improve operational practices and achieve compliance with the relevant Australian Standards and BCA provisions.

Council provided correspondence on 17 July 2018 stating they had no particular requirements or comments in relation to the proposed modifications to the originally approved development. As the proposed modifications are all relating to BCA requirements and alteration of the internal layout, it can be considered there would be negligible effects to the surrounding locality. It is noted the key assessment issues of the original approval were in relation to noise, traffic and access. The proposed modifications would in no way further incite these issues. As such, the Department considers that the

proposed amendments are minor in nature and do not alter the overall building design approach. In addition, the amendments would not reduce the architectural quality of the development or jeopardise the achievement of a high standard of warehouse design.

The Department's assessment concludes the modified office, ancillary buildings and landscaping would continue to provide a high standard of design across the warehouse and distribution centre. It is recommended then that the proposed modifications include an update of Appendix A of the development consent to amended plans for the office layout, ancillary buildings and landscaping of the approved warehouse and distribution centre.

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:

- the proposed modification will result in minimal environmental impacts beyond the approved facility
- The proposed modifications will improve operational practices and achieve compliance with the relevant Australian standards and BCA provisions

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 8209 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act;
- Modify the consent SSD 8209; and
- Sign the attached notice of the modification (Attachment A).

Recommended by:



17/8/2018

Kane Winwood
A/Team Leader
Industry Assessments

DECISION

The recommendation is: Approved by:



17/08/18

Kelly McNicol
A/Director
Industry Assessments