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3 August 2022

Chris Ritchie
Director, Industry Assessments
NSW Department of Planning and Environment
4 Parramatta Square
12 Darcy Street
Parramatta, NSW 2150

Dear Chris,

AMENDMENT TO SSD-9522 KEMPS CREEK ESTATE – MODIFICATION 3

On behalf of the Applicant, a joint venture between Frasers Property Industrial (**Frasers**) and Altis Property Partners (**Altis**) (referred to as the '**Frasers and Altis Kemps Creek JV**'), formal amendment to SSD-9522 MOD 3 is sought in accordance with s37 of the *Environmental Planning and Assessment Regulation 2021*. The amendments to the proposal have arisen as a result of feedback from Transport for NSW (**TfNSW**) who was not satisfied *Condition B18 – Internal Road Network and Southern Link Road* had been met by the proposed MOD 3 layout for Lots 1-4.

The changes requested to the Modification Application are set out below. A thorough description and assessment of the changes is being undertaken in an Amended Development Report which will be submitted to DPE and lodged onto the NSW Major Projects Portal to be accompanied by updated Plans and technical reports.

Amended Project Description

This s37 request to amend the MOD 3 Application pertaining to Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (**Kemps Creek Estate**), which was approved under SSD-9522 (refer Figure 1) seeks to update the MOD 3 project description to incorporate the updated lot configuration for Lots 1-4, north of Bakers Lane (refer Figure 2). The s37 amendment and plan changes seek to satisfy TfNSW and will allow compliance with Condition B18 in the future when the Southern Link Road is built.

The amendments proposed within this s37 request result in an updated MOD 3 description as follows:

- Updated lot configurations of Lots 1-4, north of Bakers Lane.
- Refined Bulk Earthworks Levels across Lots 1-4.
- Removal of approval for construction of warehouse buildings from reconfigured Lots 1 and 4 with a commensurate reduction in approved GFA across Lots 1-4 from 80,375m² to 39,871m².
- Construction of realigned warehouse and distribution buildings on Lots 2 and 3 with associated landscaping, hardstand, truck and car access and car parking.
- Reduction in building height for built form from 21.65m to 14.6m.

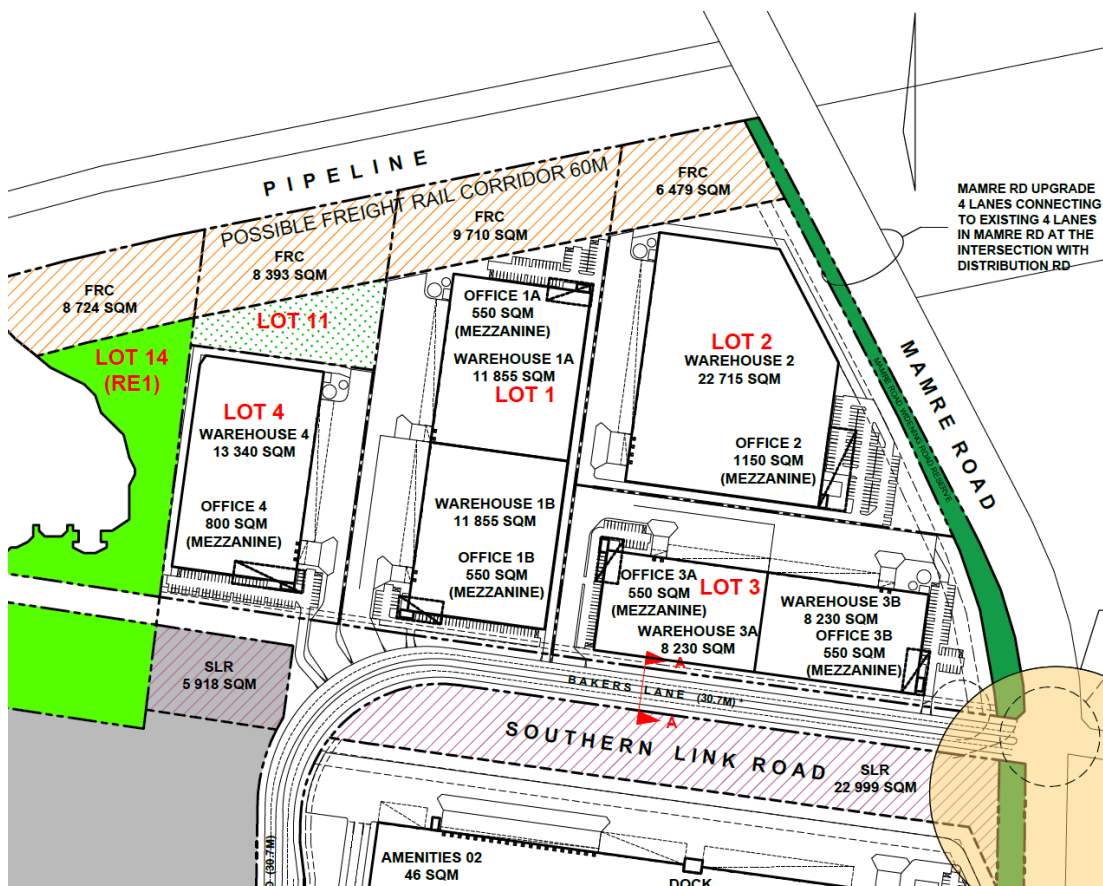
s37 Request to amend SSD-9522 MOD 3

- Inclusion of a private access road off Bakers Lane providing vehicular access to Lot 2 and 3.

The proposed modification maintains the following core objectives of the Kemps Creek Estate, being to:

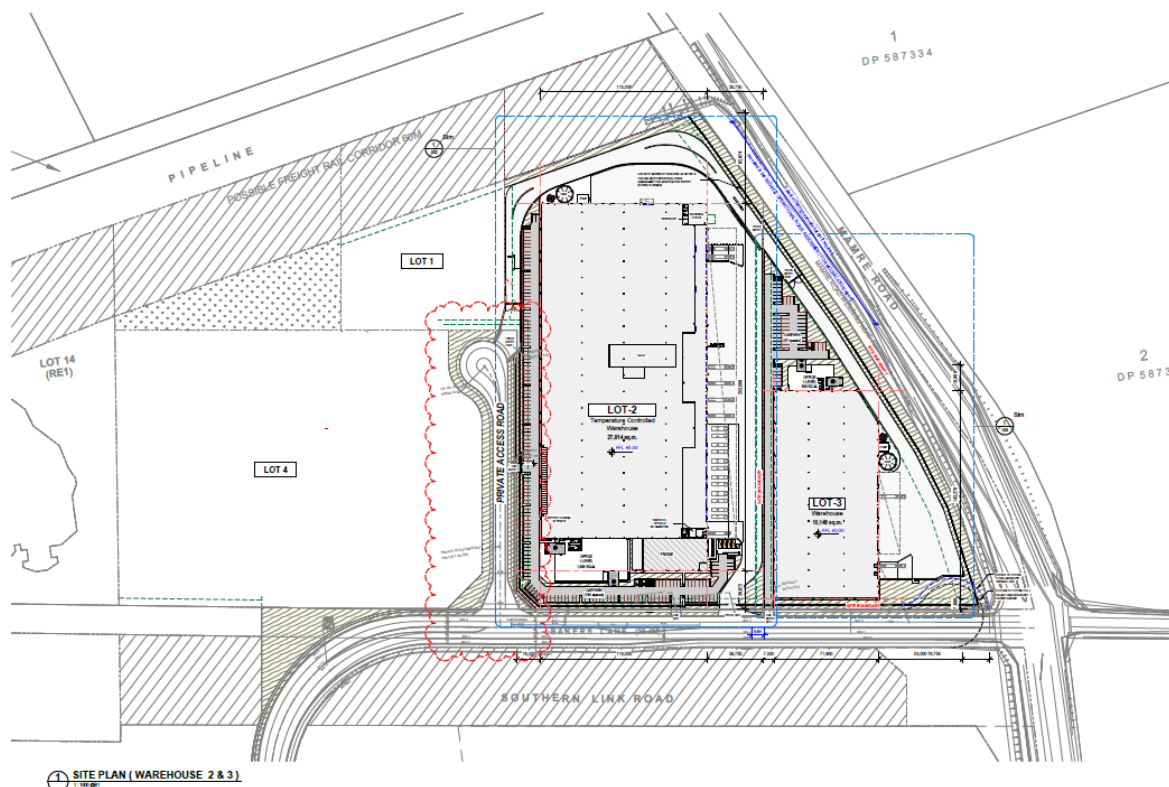
- Generate significant employment;
- Supplement, support and compliment the new Western Sydney Airport;
- Improve access to jobs for residents of the immediate community and wider locality;
- Demonstrate architectural excellence, through its siting and design compatibility, with minimal visual impact;
- Enhance the South Creek Precinct, and regenerate vegetation over 11ha of unimproved land, dedicated to improving the working environment; and
- Provide suitable mitigation measures where required, to minimise any unforeseen impacts arising in the future.

Figure 1 SSD-9522 MOD 1 Master Plan – Lots 1-4



Source: Altis and Frasers 2020

Figure 2 Proposed amendment to SSD-9522 MOD 3 – Site Layout Plan

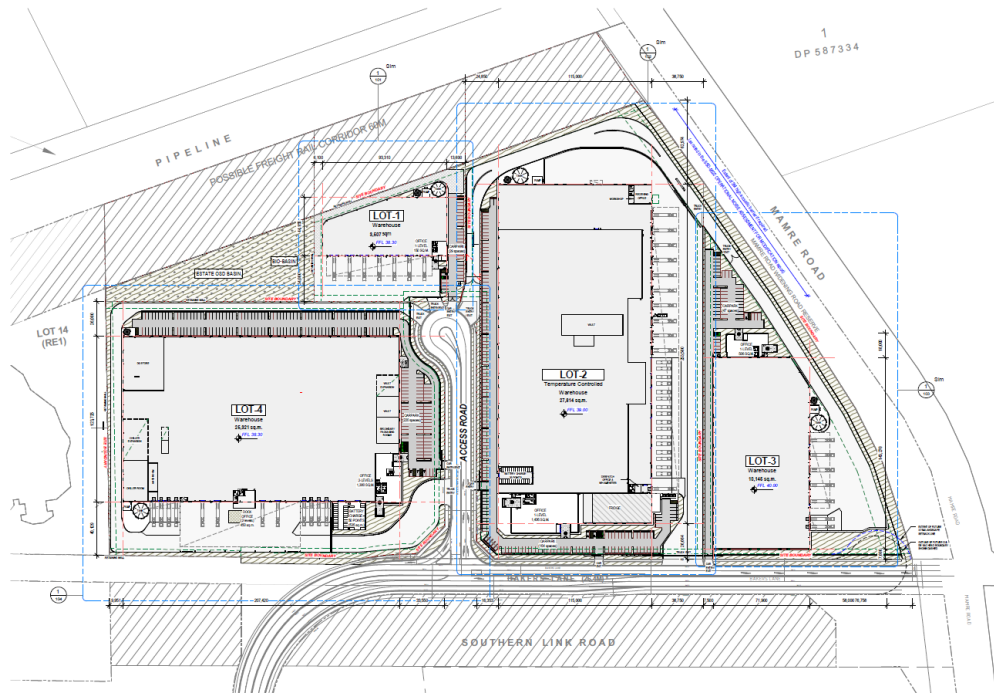


Source: HLA Architects

Change to SSD-9522 MOD 3

The site layout plan for SSD-9522 MOD 3 exhibited by DPE comprised a total of four (4) warehouses within Lots 1-4 (refer Figure 3) and a new north-south one-way directional access road off Bakers Lane.

Figure 3 Previously exhibited layout for SSD-9522 MOD 3 – Site Layout Plan



Source: HLA Architects

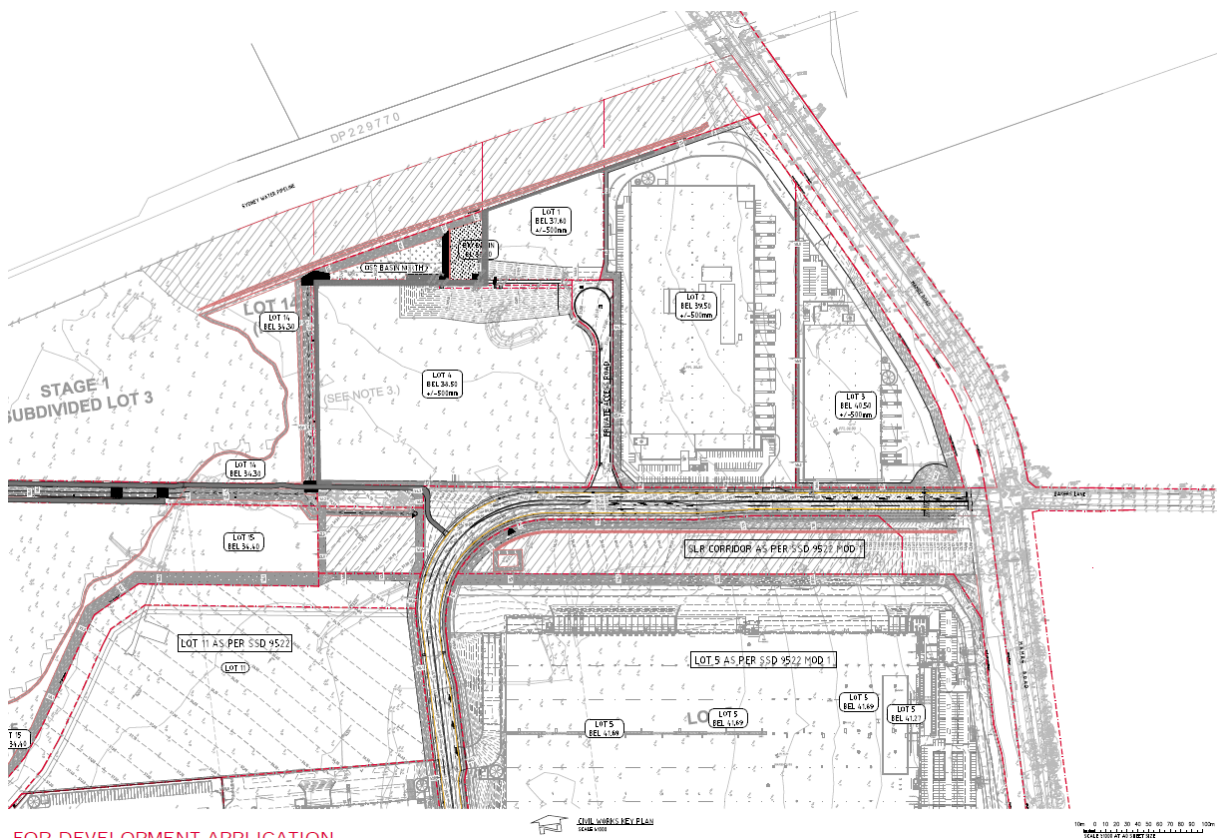
The amendment to SSD-9522 MOD 3 is for the withdrawal of on lot construction works on Lots 1 and 4 from the application, with only Lots 2 and 3 and the associated works for warehouses 2 and warehouse 3 to remain. The amendment also includes the removal of the access road off Bakers Lane and replacement by a private access road serving Lots 2 and 3.

The following changes are proposed to the SSD-9522 MOD 3 which was originally lodged to DPE on 26 November 2021:

- Removal of on lot works and built form within Lots 1 and 4 from MOD 3, with only on lot works and built form to remain within Lots 2 and 3 as part of the amended MOD 3. Bulk Excavation Levels and benching across Lots 1-4, however, remain unchanged and to be retained as originally proposed in MOD 3 (refer Figure 4).
- The proposed development on Lots 2 and 3 will remain unchanged.
- Removal of the north south one-way directional access road, which is in the form of cul-de-sac, proposed within the centre of Lots 1-4.
- The cul-de-sac will be replaced with a private access road which will provide access to Lots 2 and 3. The private access road will provide driveway access to Lots 2 and 3 (refer Figure 5).
- Access points into Lots 1-4 off Bakers lane will reduce from one (1) access road and three (3) driveways to four (4) driveways.
- Access into the private access road will be provided at all four directions off Bakers Lane:

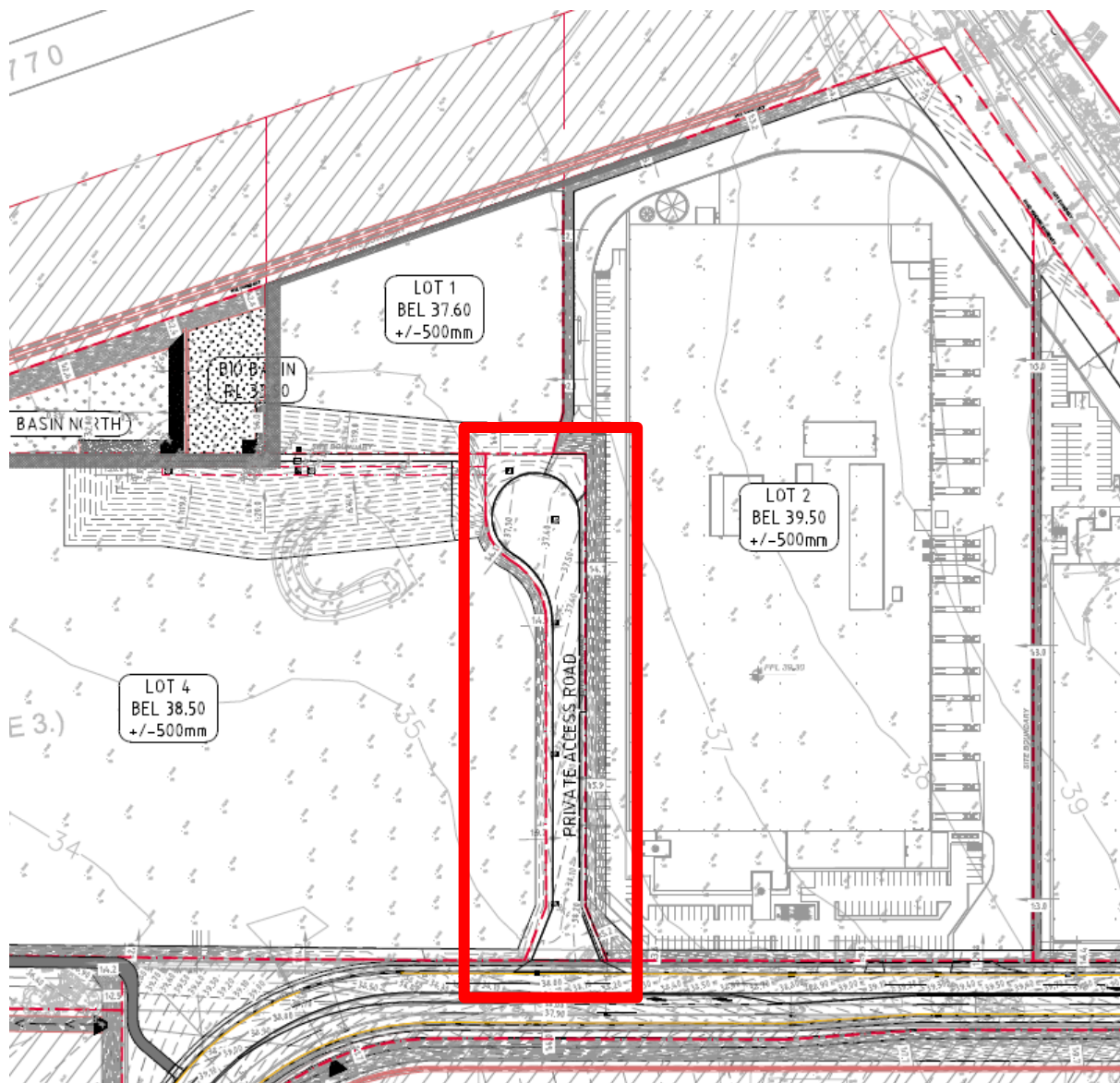
- Left in off Bakers Lane, for vehicles heading from the south;
- Left out onto Bakers Lane, for vehicles heading towards Mamre Road;
- Right in off Bakers Lane, for vehicles coming off Mamre Road;
- Right out onto Bakers Lane for vehicles heading to the south.

Figure 4 Updated Bulk Earthworks Plan for Lots 1-4 under MOD 3



FOR DEVELOPMENT APPLICATION
Source: Costin Roe

Figure 5 Private Access Road arrangement proposed under the revised MOD 3 (outlined in red)



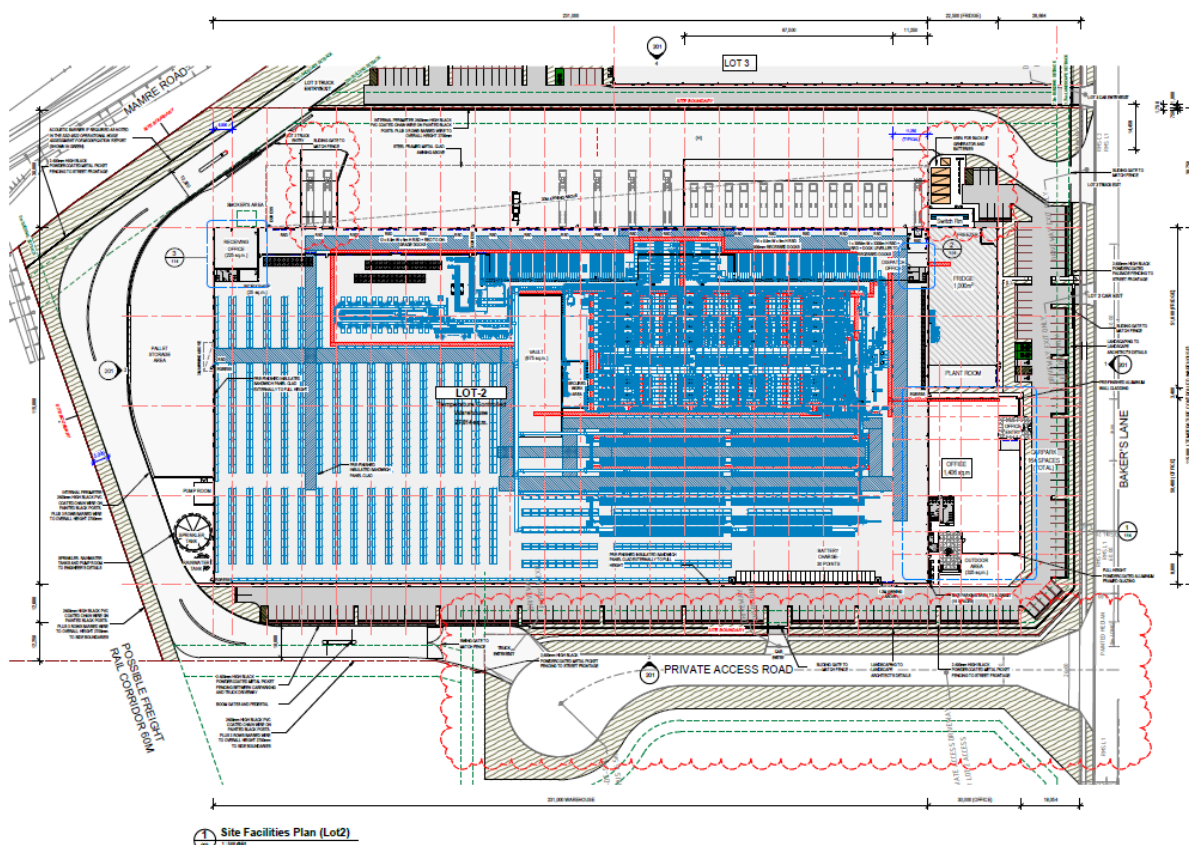
Source: Costin Roe

Detailed Description of the Updated Project

The amendment to SSD-9522 MOD 3 consists of the construction and use of warehouses 2 and 3 for the purposes of warehouse and distribution centres. The design and layout of warehouses 2 and 3 remain unchanged, with the detailed descriptions provided in the sections below.

Warehouse 2

Figure 6 Warehouse 2 Site Plan



Source: HLA Architects

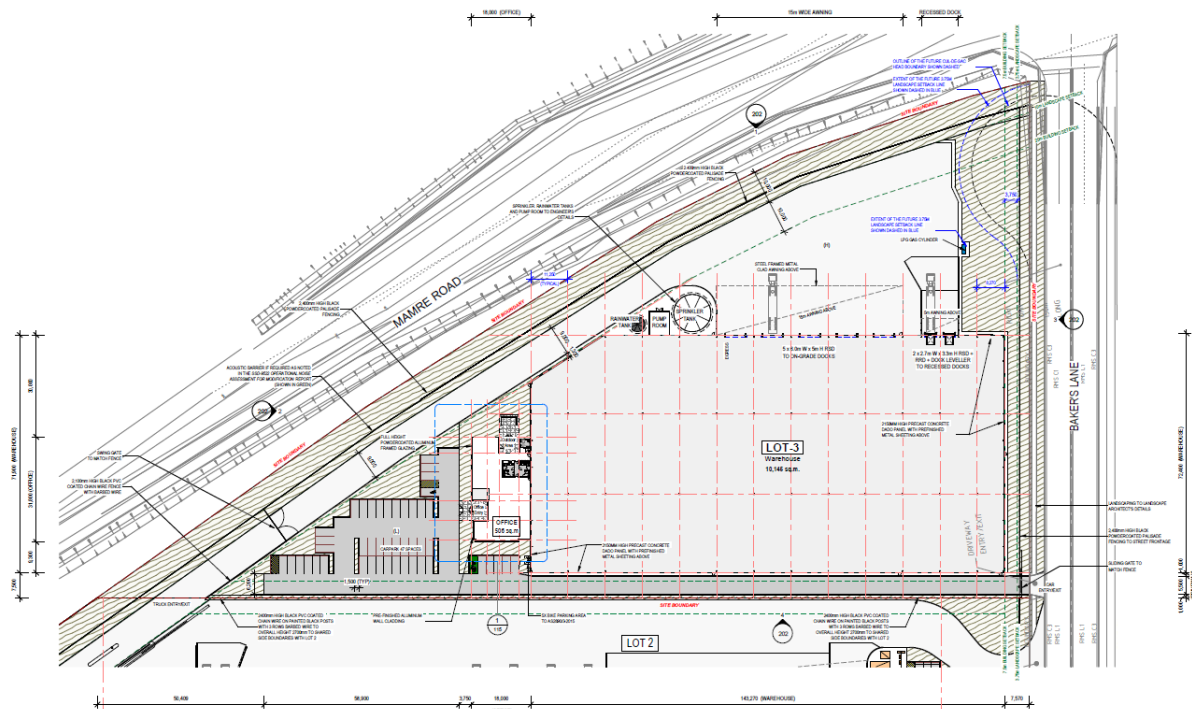
Table 1 Numeric Changes to Lot 2 and warehouse 2 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Lot 2			
Site Area	47,724 m ²	62,440 m ²	62,449 m ²

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Site Efficiency	60.9%	46.8%	46.8%
Warehouse	22,715 m2	27,814 m2	27,814 m2
Office	1,150 m2	1,406 m2	1,406 m2
Total Building	23,865 m2	29,220 m2	29,220 m2
Car Parking Provided	105	164	164
Awning (20m)	1,293 m2	4,284 m2	4,284 m2
Building Height	26m	14.6m	14.6m
Pad Levels	BEL 40.00 (+/- 500mm)	BEL 38.50 (+/- 500mm)	BEL 38.50 (+/- 500mm)

Warehouse 3

Figure 7 Warehouse 3 Site Plan



① Site Facilities Plan (Lot3)
1:500

Source: HLA Architects

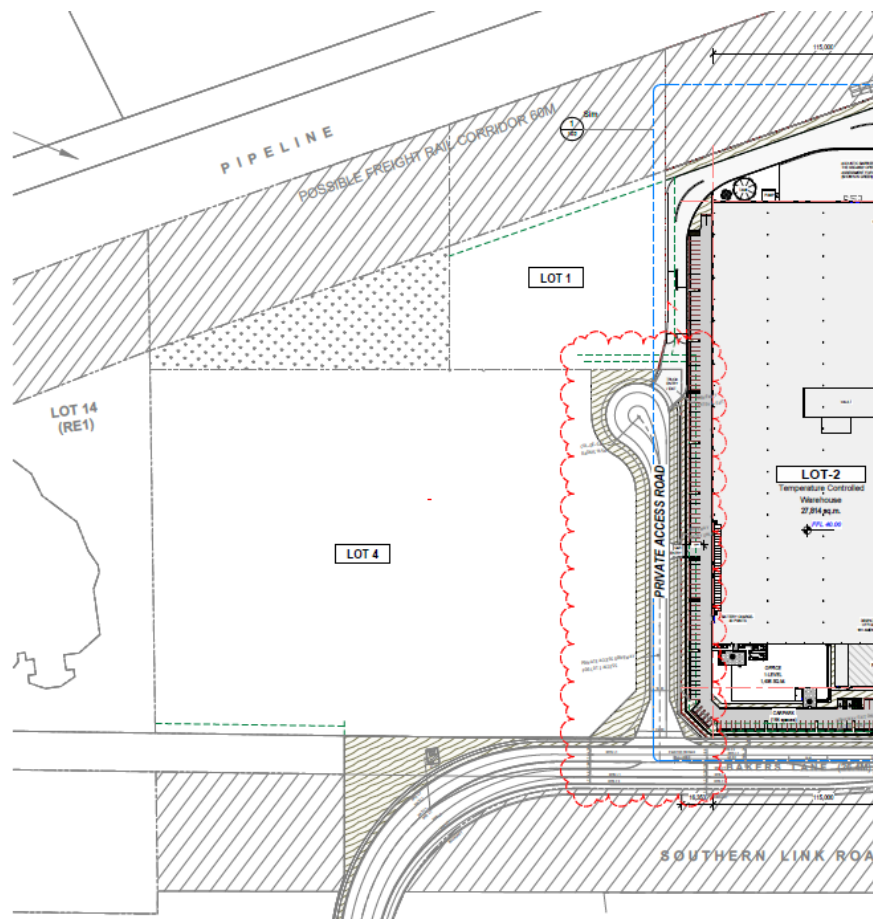
Table 2 Numeric Changes to Lot 3 and warehouse 3 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Lot 3			
Site Area	34,493 m ²	25,403 m ²	25,403 m ²
Site Efficiency	52.8%	41.9%	41.9%
Warehouse	16,460 m ²	10,145 m ²	10,145 m ²
Office	1,100 m ²	506 m ²	506 m ²

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Total Building	17,560 m2	10,651 m2	10,651 m2
Car Parking Provided	44	47	47
Awning (15m)	1,743 m2	850 m2	850 m2
Building Height	13.7m	13.7m	13.7m
Pad Levels	BEL 39.50 (+/- 500mm)	BEL 39.50 (+/- 500mm)	BEL 39.50 (+/- 500mm)

Removal of on lot works and built form within Lots 1 and 4

Figure 8 Warehouse 3 Site Plan



Source: HLA Architects

Table 3 Numeric Changes to Lot 1 and warehouse 1 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Lot 3			
Site Area	51,665 m2	16,663 m2	0 m2
Site Efficiency	63.6%	38.6%	0%
Warehouse	23,710 m2	3,507 m2	0 m2

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Office	1,100 m2	150 m2	0 m2
Total Building	24,810 m2	3,657 m2	0 m2
Car Parking Provided	108	29	0
Awning (15m)	1,913 m2	850 m2	0 m2
Building Height	13.7m	13.7m	0m
Pad Levels	BEL 38.80 (+/- 500mm)	BEL 38.50 (+/- 500mm)	BEL 38.50 (+/- 500mm)

Table 4 Numeric Changes to Lot 4 and warehouse 4 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Lot 3			
Site Area	23,537 m2	46,886 m2	0 m2
Site Efficiency	64.3%	57.9%	0%
Warehouse	13,340 m2	25,321 m2	0 m2
Office	800 m2	1,300 m2	0 m2
Total Building	14,140 m2	27,156 m2	0 m2
Car Parking Provided	65	220	0

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Awning (15m)	1,013 m2	3,305 m2	0 m2
Building Height	13.7m	21.65m	0m
Pad Levels	BEL 37.80 (+/- 500mm)	BEL 37.80 (+/- 500mm)	BEL 37.80 (+/- 500mm)

Justification

The withdrawal of Lots 1 and 4 from SSD-9522 MOD 3 results from the feedback from TfNSW in relation to *Condition B18 – Internal Road Network and Southern Link Road*, from the original SSD-9522 consent, which states:

Condition B18 - Prior to the commencement of any construction (excluding bulk earthworks) on lots 1-4 north of Bakers Lane, the Applicant must prepare a concept design demonstrating how the internal road network can provide access to lots 1-4 and link to the future Southern Link Road. The design must be prepared in consultation with TfNSW and to the satisfaction of the Planning Secretary.

Note: The concept design must address access arrangements to lots 1-4 both with and without the future Southern Link Road, including ensuring any access points are an appropriate distance from signalised intersections.

TfNSW was not satisfied that the proposed development and the provision of the new access road (cul-de-sac) adequately addressed the concerns raised by TfNSW which resulted in the imposition of Condition B18. TfNSW has raised the following issues in their submission to SSD-9522 MOD 3:

- The location of the new access road results in:
 - inadequate sight distance on approach to the intersection with Southern Link Road (SLR) intersection;
 - below standard horizontal geometry for the northbound through movement;
 - angled pedestrian crossings;
 - high angled and tight swept paths
- TfNSW has requested that the location of the new access road should be as close to 90 degrees with the SLR as possible.
- TfNSW has requested that any design for the new access road will need to ensure a double diamond can be achieved.

In order to address TfNSW's concerns, the Frasers and Altis Kemps Creek JV (the Applicant) are considering design options which would incorporate the new access road in alignment with the SLR intersection, in order to create a 90 degree intersection as requested by TfNSW. In doing so, Lots 1 and 4 will have to be reconfigured, given the alignment of the new access road would split the new Lot

4 into two (2) lots. Site reconfiguration to accommodate this change in lot layouts and access road alignment will be subject to a separate Modification Application following MOD 3.

In order to progress this MOD 3 application, the Applicant proposes to withdraw the originally proposed on-lot works from the realigned Lots 1 and 4 as contemplated by MOD 3, with only built form works proposed on Lots 2 and 3 to remain as they will not be impacted by the relocation of the new access road. The originally proposed cul-de-sac will be replaced by a private access road which would only serve warehouse 2 and 3, and given it is a private driveway access, would satisfy TfNSW's concerns in relation to the cul-de-sac.

The withdrawal of on-lot works on Lots 1 and 4 will result in reduced environmental impacts of SSD-9522 MOD 3 given it reduces the total GFA, traffic and noise generation within the proposed development through the removal of two (2) warehouses, in warehouses 1 and 4.

The future development of Lots 1 and 4 will be subject to separate Modification Application and be designed in accordance with the Mamre South Land Investigation Area Development Control Plan 2019 (Mamre South DCP) requirements.

Conclusion

Frasers and Altis Kemps Creek JV trusts that the amendments outlined in this s37 Amendment Request letter are supported by DPE in its finalisation assessment of SSD-9522 MOD 3. As mentioned above, assessment of these elements will form part of the Amended Development Report to be lodged in relation to SSD-9522 MOD 3.

Should you have any questions or require further clarification please contact me on the details below.

Yours sincerely,

A handwritten signature in black ink, appearing to read "JParker", with a stylized flourish at the end.

Jacqueline Parker
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