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# **KEMPS CREEK ESTATE – SSD-9522 MOD 3**

Amended Development Report

Prepared for  
**FRASERS PROPERTY INDUSTRIAL &  
ALTIS PROPERTY PARTNERS**  
29 August 2022

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# 1. INTRODUCTION

This Amended Development Report (ADR) has been prepared by Urbis Pty Ltd (**Urbis**) 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**'), to summarise the project response to matters raised by government agencies and the Department of Planning and Environment (**DPE**) in relation to the proposed Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (referred to as '**Kemps Creek Estate**') Modification 3 (**MOD 3**) for the reconfiguration of Lots 1-4 of the State Significant Development (**SSD**) Development Application (**DA**) (**SSD-9522**).

This ADR outlines the proposed changes to the MOD 3 layout which have occurred since the first and second response to Request for Information (**RFI**) issued from DPE on MOD 3 on 11 February 2022 and 27 May 2022, respectively. The first response to RFI was lodged to DPE on 19 April 2022, with the second response to RFI forming part of this ADR. The ADR provides an assessment of the updated MOD 3 changes against the relevant statutory framework and undertakes an environmental assessment of anticipated impacts.

## 1.1. OVERVIEW

The Kemps Creek Estate SSD DA (**SSD-9522**) MOD 3 was lodged with DPE on 26 November 2021 and placed on exhibition from 17 December 2021.

An RFI Response detailing the proposed response to matters raised in submissions was lodged with DPE on 19 April 2022.

Since the first RFI Response, there has been an additional RFI from DPE and key agencies which is the subject of this ADR for MOD 3. The Frasers and Altis Kemps Creek JV have continued to work with DPE and key agencies to resolve outstanding matters as outlined in this ADR.

## 1.2. ADDITIONAL INFORMATION REQUEST MAY 2022

An RFI letter dated 27 May 2022 was received from DPE's Industrial Assessments Team seeking additional information in relation to comments from:

- Department of Planning and Environment (**DPE**) – 27 May 2022
- Penrith City Council (**PCC**) – 12 May 2022
- Penrith City Council (**PCC**) – 1 August 2022
- Transport for NSW (**TfNSW**) – 22 June 2022

A detailed response to each of the issues raised within the May 2022 RFI letter from DPE, along with the additional agency comments submitted to DPE has been provided at **Appendix Q** of this ADR.

This ADR seeks to directly address the submission from Transport for NSW (TfNSW) who originally required that all access to lots north of Bakers Lane be obtained from a single roadway so to reduce the number of crossings onto Bakers Lane, required under Condition B18 of the original SSD-9522 consent.

The updated site layout plan in the original MOD 3 application, lodged on 26 November 2021, introduced a new cul-de-sac connection for this purpose, at a suitable distance from the future signalised intersection between Mamre Road and the SLR, to ensure there are no disruptions to traffic conditions at this critical node.

In their review of the updated site layout plan, post-exhibition in June 2022, 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) have considered 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.

## 2. SITE AND SURROUNDING CONTEXT

The Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (**Kemps Creek Estate**) is located at 657-769 Mamre Road, Kemps Creek (referred to as **the site**) and is legally described as Lot 1 DP1271677 and Lot 1 DP 1018318 (refer **Figure 1**). The site is located within the Penrith Local Government Area (**LGA**) and is approximately 10km from Penrith Central Business District (**CBD**), 20km from Parramatta CBD and 40km from Sydney CBD. The site is currently undergoing earthworks to support future industrial development.

The site has direct frontage to Mamre Road which itself provides direct access the M4 Motorway to the north and the proposed M12 Motorway to the south. There is an east-west link in Bakers Lane which provides access into the site, intersecting with Mamre Road. The western boundary of the site is framed by the South Creek corridor which is the defining landscape element of the Western Parkland City, connecting the site to the Western Sydney Airport (**WSA**) and the Western Sydney Aerotropolis (**Aerotropolis**).

The immediate context of the site is defined by the following land uses:

- North: The Erskine Park industrial precinct, separated by the Warragamba Pipeline.
- East: The GPT Yiribana Estate (SSD-10272349) and a series of education facilities including Trinity Primary School, Mamre Anglican School, Emmaus Catholic College.
- South: Land zoned IN1 – General Industrial as part of the Mamre Road Precinct.
- West: Land zoned ENZ – Environment and Recreation as part of the South Creek corridor and the Twin Creek residential community.

MOD 3 to SSD-9952 applies to the site at 657-703 Mamre Road, legally described as Lot 1 DP1271677, which is the land north of Bakers Lane and the future Southern Link Road (**SLR**).

Figure 1 Site Aerial



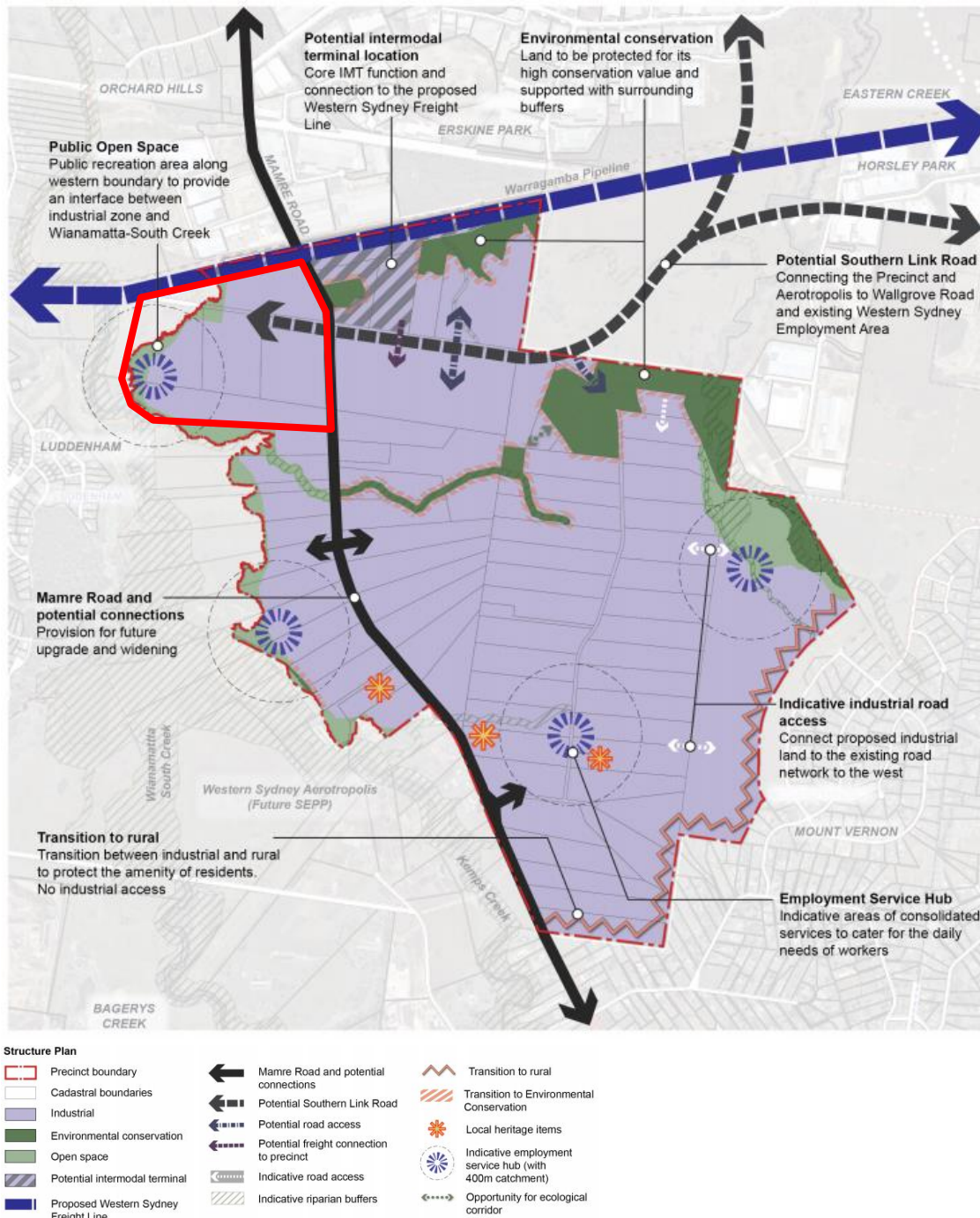
Source: Urbis

The site is situated within the Mamre Road Precinct (**Precinct**), and part of the Western Sydney Employment Area (**WSEA**) which is earmarked for major employment and industrial growth within Western Sydney (refer **Figure 2**). On 11 June 2020, the draft Mamre Road Structure Plan which was exhibited along with the WSEA SEPP Amendment. The structure plan has since come into effect and is reflected in the WSEA SEPP zoning maps.



The structure plan identifies the intent of the precinct, highlighting future industrial, environment and drainage areas, as well as identifying key infrastructure required to support the precinct. The site is situated on the western side of Mamre Road, which forms the north-south axis of the Precinct, anchored on the major interchange between the proposed SLR and Mamre Road. The SLR links the Precinct into the broader WSEA and provides access to the site. The site is also adjacent to the potential intermodal terminal whose future location is identified on the eastern side of Mamre Road, across from the subject land.

Figure 2 Mamre Road Precinct Structure Plan



Source: DPE 2020



### 3. PROPOSED MODIFICATION

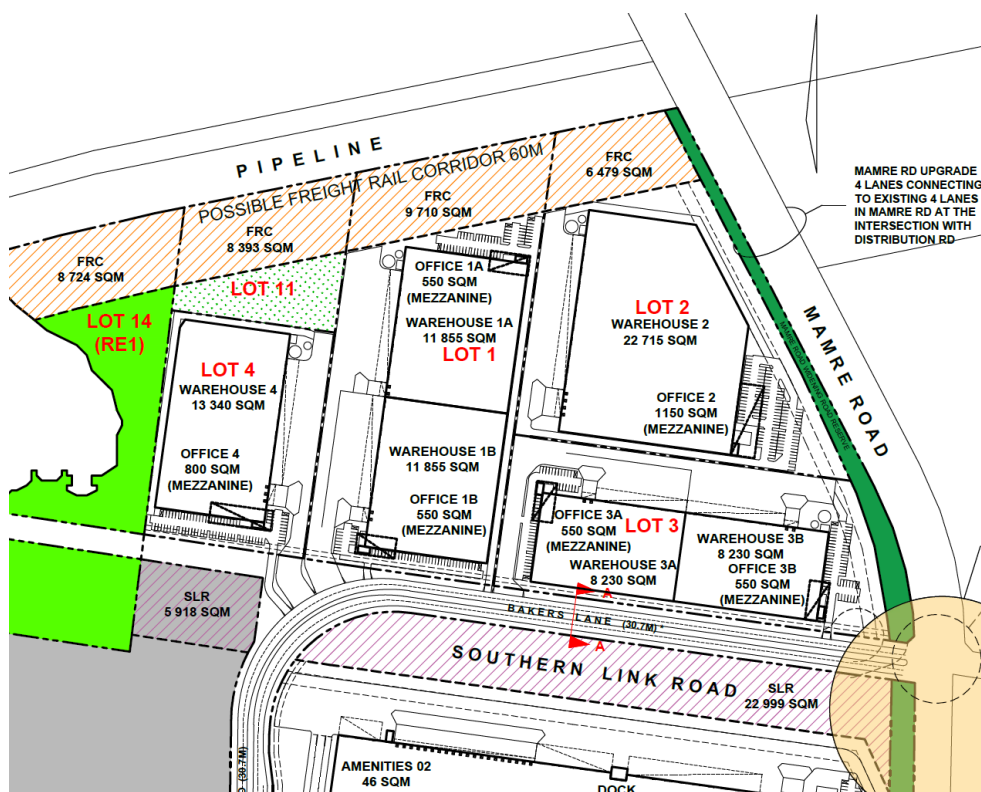
The updated MOD 3 proposal seeks approval for the modification of the Kemps Creek Estate approved under SSD-9522. The MOD 3 proposals seeks consent for:

- 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 80,375m<sup>2</sup> to 39,871m<sup>2</sup>.
- 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.
- 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:

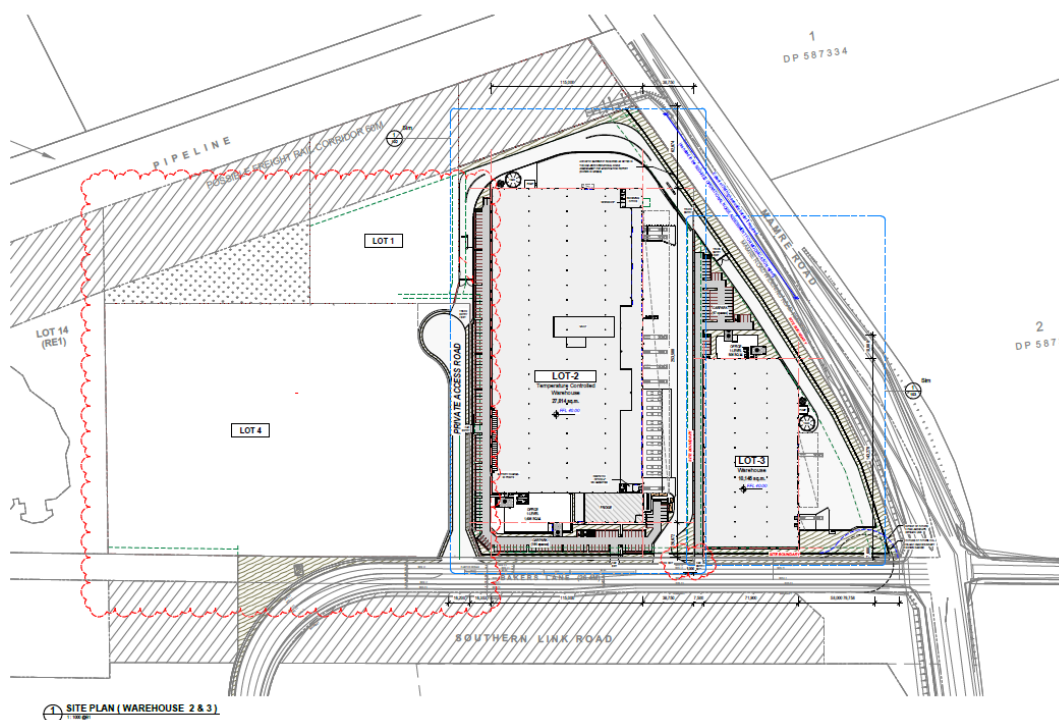
- Generate significant employment;
- Supplement, support and compliment the new Western Sydney Airport;
- Improve access to jobs for residents of the immediate community and wider locality;
- Demonstrate architectural excellence, through its siting and design compatibility, with minimal visual impact;
- 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 3 SSD-9522 MOD 1 Master Plan – Lots 1-4



Source: Altis and Frasers 2020

Figure 4 Proposed amendment to SSD-9522 MOD 3 – Site Layout Plan



Source: HLA Architects

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.

### 3.1. LOT 2/ WAREHOUSE 2

Lot 2 is now the largest lot and contains the largest warehouse across Lots 1-4. Lot 2 has been designed specifically in response to tenant enquiry, which has informed the size and configuration of the warehouse and surrounding hardstand. Lot 2 has a direct frontage to both Bakers Lane and a private access road, anchored on the intersection between the two road corridors. Under the previous configuration as part of the original SSD-9522, Lot 2 was located at the north-western corner of the site, with a direct interface to Mamre Road. The reconfiguration of Lots 1-4 has Lot 2 running north south, with the hardstand area fronting the Warehouse 2 to the east, a portion of which fronts Mamre Road.

Warehouse 2 is bound by a truck accessway to the north, through which trucks enter the hardstand area through a set of sliding gates along the western boundary of the site. Trucks exit Lot 2 through an access point on Bakers Lane which only services Lot 2. Cars enter Lot 2 through the cul-de-sac road and exit through separate access point on Bakers Lane. Lot 2 and Lot 3 are the only lots which have direct access to Bakers Lane which are exit only and separated for cars and trucks.

The layout for Warehouse 2 is directly based on specific customer specialised fitout and operational requirements. The north-south orientation is the most efficient outcome from a series of alternatives assessed for the wider Estate as it also includes extensive automation which meets the operational requirements of the tenant. The proposed configuration of Lot 2 and Warehouse 2 also minimises the number of driveways connecting to/from Bakers Lane which is a key consideration in satisfying Condition B18.

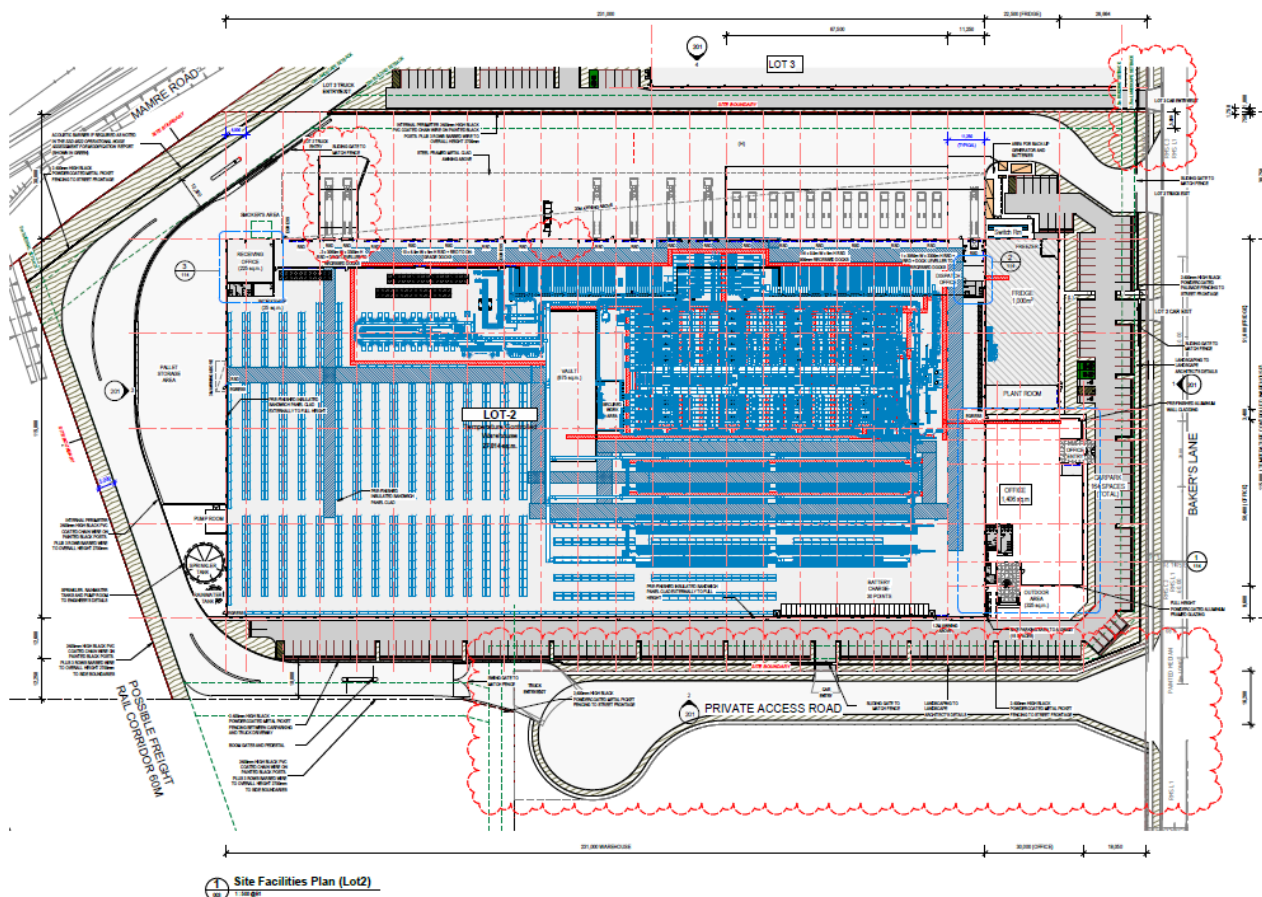
There is a decrease in building height for Warehouse 2 under MOD 3, which consists of an 11.4m reduction within the eastern portion of the site. This is also accompanied by a reduction in pad levels within Lot 2.

The Lot 2 interface with Mamre Road will be defined by a 3m high acoustic wall to mitigate noise from the hardstand area to the east of Warehouse 2. This acoustic wall is required to mitigate sleep disturbance impacts to the residential dwelling at 654-674 Mamre Road (receiver R2) and will be screened by landscaping to ameliorate visual impacts. The acoustic wall will only be required if the residential dwelling is

still occupied once Warehouse 2 is operational, or if it is planned for residential purposes in the future once Warehouse 2 is operational (refer to Noise Impact Assessment in **Appendix D**).

Dangerous Goods (DGs) are proposed to be housed within Warehouse 2, with flammable liquids stored within the north-western corner of the warehouse. The remaining DGs are to be placed within the northern portion of the warehouse towards the western side. The quantities of DGs stored within Warehouse 2 are detailed in the Section 8.9 of the MOD 3 report.

Figure 5 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
<b>Lot 2</b>			
Site Area	47,724 m2	62,440 m2	62,449 m2
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

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
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)

## 3.2. LOT 3 / WAREHOUSE 3

Lot 3 is situated within the eastern periphery of the site and is bound by Mamre Road to the east and Bakers Lane to the south. Warehouse 3 had an east-west orientation under the previous consent which is now proposed to run north-south, with the hardstand area situated to the east of the warehouse and the car park to the north.

Access to and from the Warehouse 3 car park is provided off Bakers Lane, which together with access points for Lot 2 are the only direct access points off Bakers Lane. Truck access to and from the hardstand area of Warehouse 3 is provided from the driveway at the end of the private access road. This driveway is shared between Lots 2 and 3.

Lot 3 provides a buffer zone, which is to be characterised by landscaping, within the south-eastern corner of the lot to cater for the transition of Bakers Lane to be a cul-de-sac road, once its connection to Mamre Road is removed. There is sufficient set back space provided for the future turning head at the end of Bakers Lane.

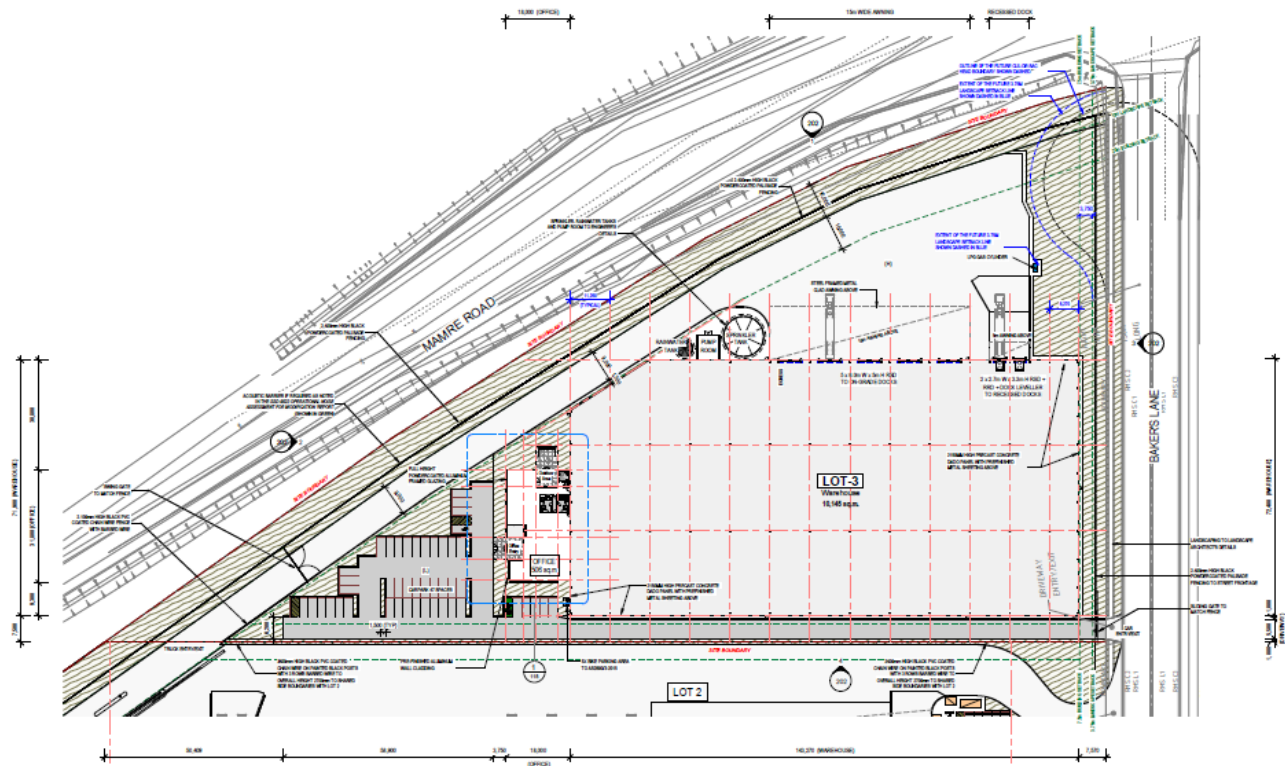
The building heights for Warehouse 3 remain unchanged under MOD 3, being proposed at 13.7m. The pad levels also remain unchanged from what was previously approved on Lot 3.

A portion of the Lot 3 interface with Mamre Road, along the car park, will be defined by a 3m high acoustic wall to mitigate noise from the hardstand area to the east of Warehouse 2. This acoustic wall is required to mitigate sleep disturbance to the residential dwelling at 654-674 Mamre Road (receiver R2) and will be screened by landscaping. The acoustic wall will only be required if the residential dwelling is still occupied once Warehouse 2 is operational, or if it is planned for residential purposes in the future once Warehouse 2 is operational (refer to Noise Impact Assessment in **Appendix D**).

Dangerous Goods (DGs) are proposed within Warehouse 3, with flammable liquids stored within the north-eastern corner of the warehouse. The remaining DGs are placed throughout the warehouse, clustered towards the western periphery of the site. The quantities of DGs stored within Warehouse 3 are detailed in the Section 8.9 of the MOD 3 report.

A summary of the numerical changes to the warehouse building and lot configuration on Lot 3 is provided below in **Table 2**.

Figure 6 Warehouse 3 Site Plan



① Site Facilities Plan (Lot3)  
1:100 scale

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
<b>Lot 3</b>			
Site Area	34,493 m2	25,403 m2	25,403 m2
Site Efficiency	52.8%	41.9%	41.9%
Warehouse	16,460 m2	10,145 m2	10,145 m2
Office	1,100 m2	506 m2	506 m2
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



Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Building Height	13.7m	13.7m	13.7m
Pad Levels	BEL 39.50 (+/- 500mm)	BEL 39.50 (+/- 500mm)	BEL 39.50 (+/- 500mm)

### 3.3. CHANGE IN CONFIGURATION OF ACCESS ROAD

MOD 3 originally proposed a one-way cul-de-sac road off Bakers Lane, with one-way circulation, to serve Lots 1-4. This design and location of the access road was not supported by TfNSW. The amended MOD 3 site layout plan seeks to reconfigure this as a private access road. The road will be:

- 10m wide
- 184.3m long
- 16.5m turning head radius

It will facilitate access to and egress from the Lot 2 and Lot 3 access driveways at the northern end of the turning head.

The road will not be dedicated to Council and will be retained in private ownership. A change to this road alignment and design may occur in conjunction with the future application for detailed building design and access configurations to Lot 1 and 4. At that time, if the road is designed to public access standards, its dedication to Council as a public road may be considered.

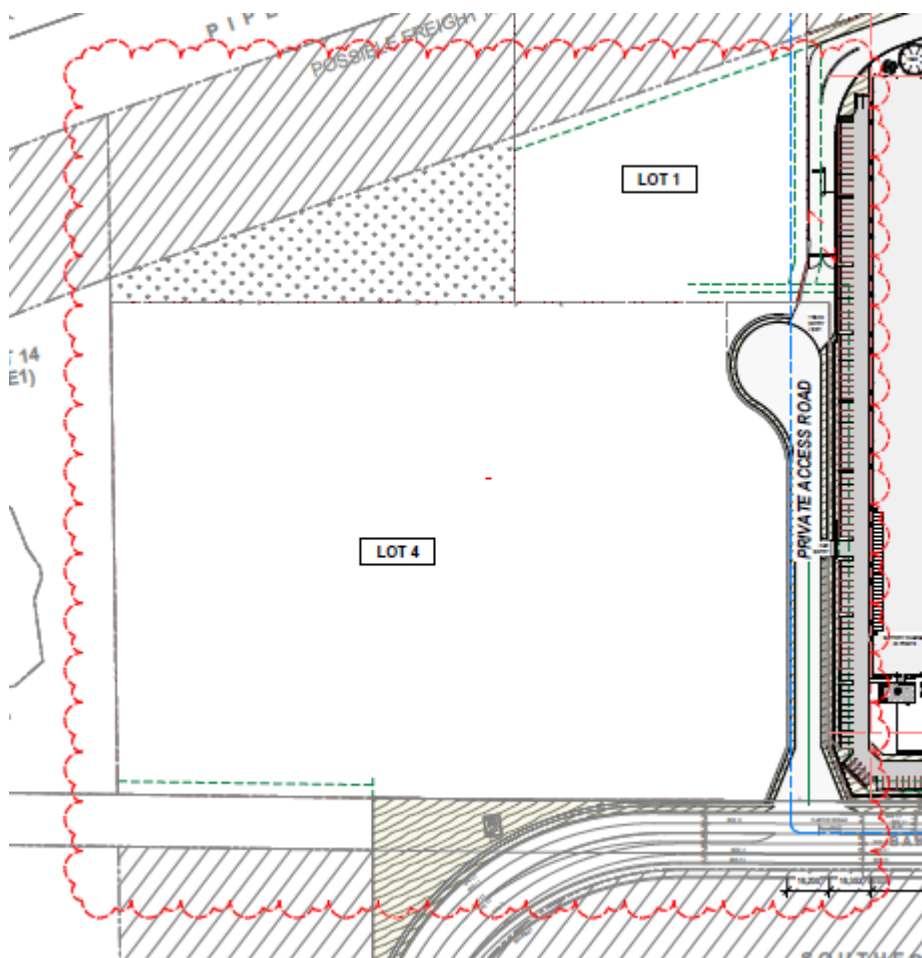
Table 3 Numeric Changes to the access road proposed under MOD 3

Element	Exhibited MOD 3 – Access Road	Proposed amendment to MOD 3 – Private Access Road
Carriageway Width	19.0m	16.2 (within access easement)
Road Width	15m	10m
Length	183.8m	184.3m
Turning head radius	19.0m	16.5m
Driveways	6	2

### 3.4. REMOVAL OF ON LOT WORKS AND BUILT FORM WITHIN LOTS 1 AND 4

The amended MOD 3 proposal retains the lot alignment and bulk earthworks levels for Lot 1 and 4 as originally proposed, however removes all building works from these Lots 1 and 4. This results in a site layout plan for Lot 1 and 4 as shown at Figure 7.

Figure 7 Warehouse 3 Site Plan



Source: HLA Architects

Table 4 Numeric Changes to Lot 1 and warehouse 1 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
<b>Lot 3</b>			
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
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



Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
Building Height	13.7m	13.7m	0m
Pad Levels	BEL 38.80 (+/- 500mm)	BEL 38.50 (+/- 500mm)	BEL 38.50 (+/- 500mm)

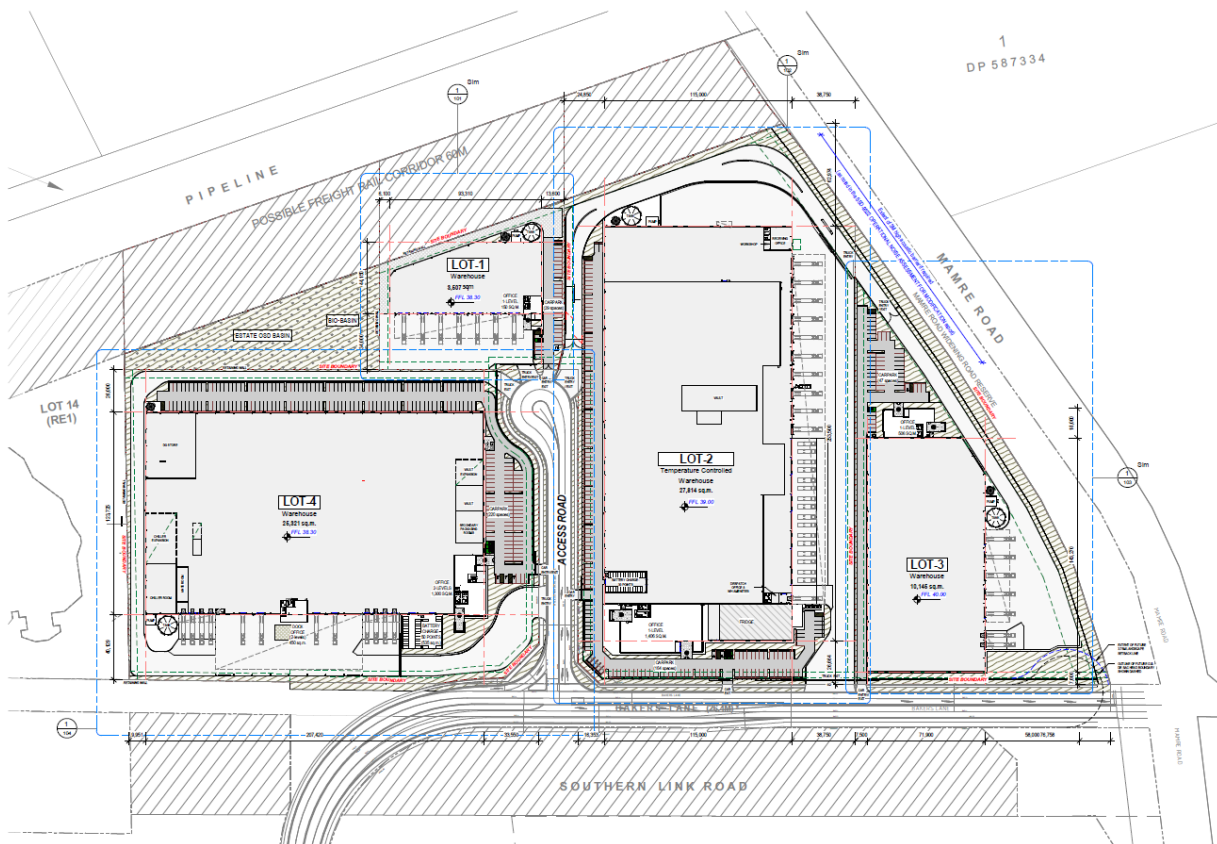
Table 5 Numeric Changes to Lot 4 and warehouse 4 proposed under MOD 3

Element	Approved SSDA	Exhibited MOD 3	Proposed amendment to MOD 3
<b>Lot 3</b>			
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
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)

### 3.5. PROPOSED CHANGES 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 8 Previously exhibited layout for SSD-9522 MOD 3 – Site Layout Plan



Source: HLA Architects

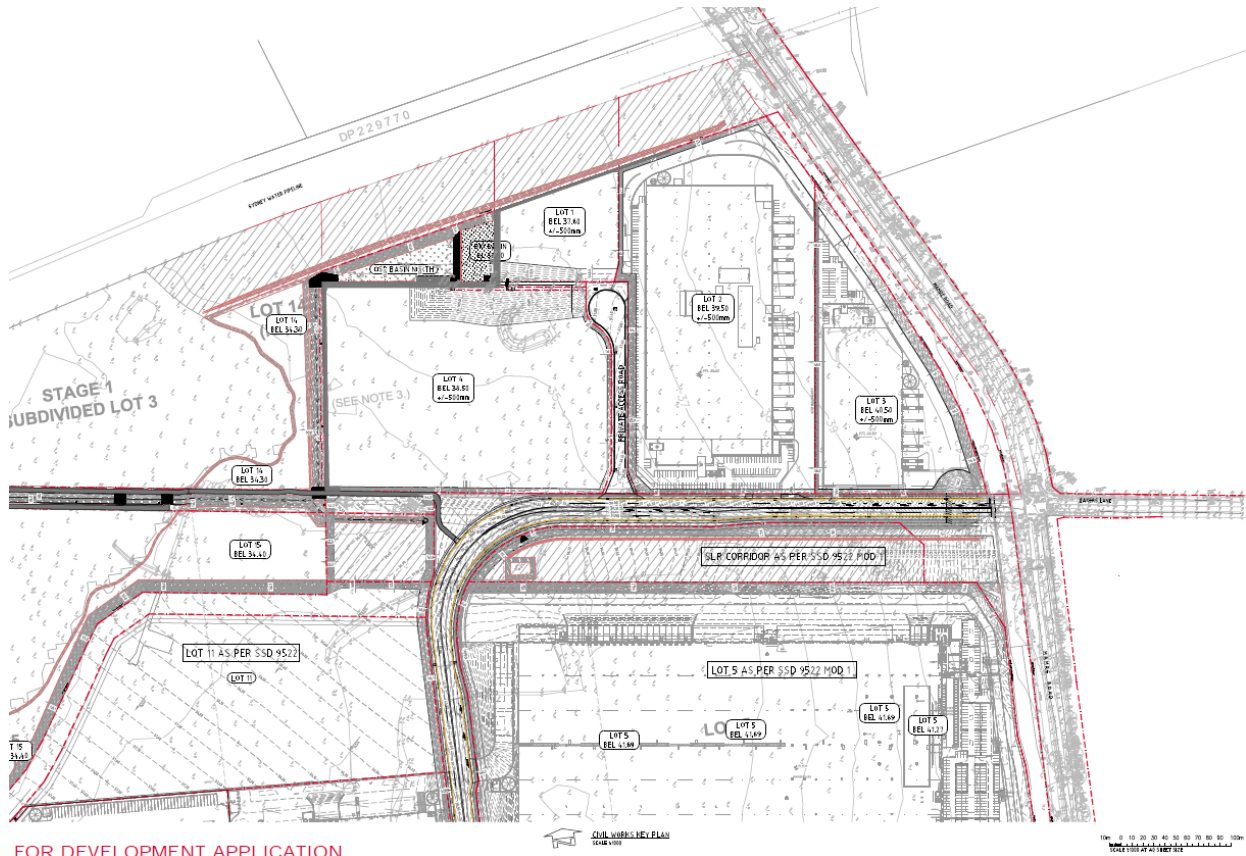
The amendment to SSD-9522 MOD 3 is for the withdrawal of on lot construction works on Lots 1 and 4 from the application, with only Lots 2 and 3 and the associated works for warehouses 2 and warehouse 3 to remain. The amendment also includes the removal of the access road off Bakers Lane and replacement 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 9).
- 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.

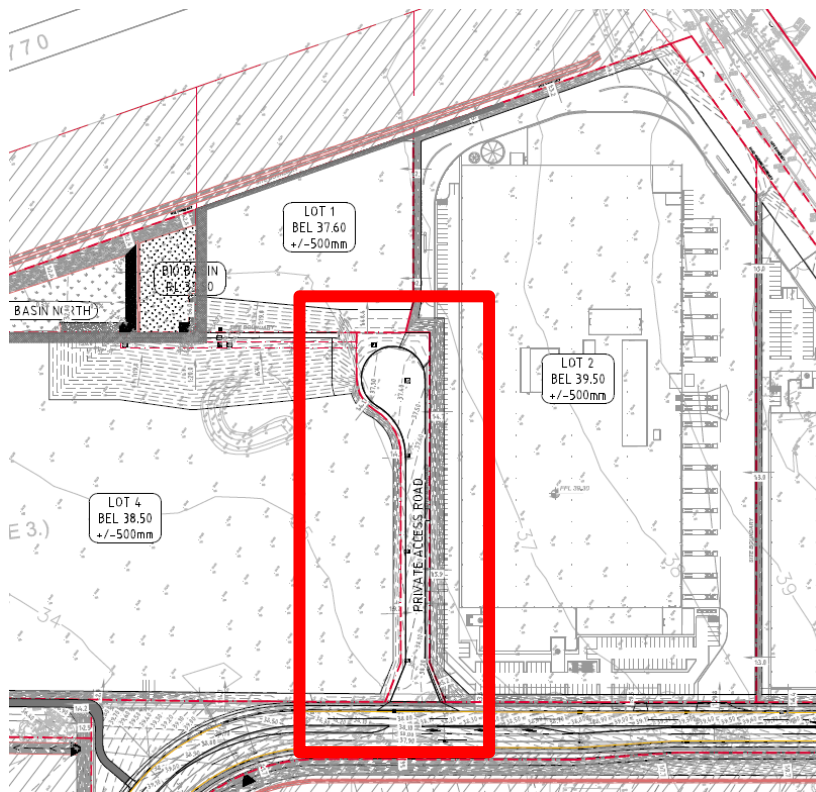
Figure 9 Updated Bulk Earthworks Plan for Lots 1-4 under MOD 3



FOR DEVELOPMENT APPLICATION

Source: Costin Roe

Figure 10 Private Access Road arrangement proposed under the revised MOD 3 (outlined in red)



Source: Costin Roe

## 4. COMMUNITY ENGAGEMENT

### 4.1. OVERVIEW

The Frasers and Altis Kemps Creek JV has established extensive and ongoing dialogue with key government agencies and authorities including DPE, Penrith City Council (PCC) and TfNSW in relation to the development of Kemps Creek Estate. A summary of key consultation undertaken since the RFI Response lodged to DPE on 19 April 2022 is outlined in **Table 5**.

### 4.2. AUTHORITY CONSULTATION

The following table outlines a high-level summary of consultation with each key government agencies and authorities following the April 2022 RFI Response.

Table 6 Summary of consultation following RTS

Element	Key consultation activities
Department of Planning and Environment (DPE)	Various meetings with the DPE Industrial Assessments team to discuss key matters raised in the second RFI and submissions from Penrith City Council and TfNSW. A key matter which was the subject to several meetings was in relation to issues raised by TfNSW.
Penrith City Council (PCC)	<p>Consultation with PCC was conducted by DPE, on behalf of the proponent, to seek further clarity on comments raised by Council. PCC was also consulted by DPE to review the amended Site Layout Plan for MOD 3 and to provide comment. It is understood PCC were satisfied with the amended plan and the location of the private access road.</p> <p>A detailed response to each of the issues raised by PCC, as part of the May 2022 RFI letter from DPE, has been provided at <b>Appendix Q</b> of this ADR.</p>
Transport for NSW (TfNSW)	<p>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.</p> <p>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 original imposition of Condition B18. TfNSW has raised the following issues in their submission to SSD-9522 MOD.</p> <p>Consultation with TfNSW was conducted by DPE on several occasions to seek feedback on the amended Site Layout Plan and the replacement of the access road with a private access road, with the potential for a condition of consent from DPE. It is understood TfNSW were interested in how cars would access the site from Mamre Road.</p> <p>A detailed response to each of the issues raised by TfNSW, as part of the May 2022 RFI letter from DPE, has been provided at <b>Appendix Q</b> of this ADR.</p>

## 5. REVISED PLANNING ASSESSMENT

### 5.1. ASSESSMENT OF ENVIRONMENTAL PLANNING INSTRUMENTS

The Kemps Creek Estate MOD 3 is a modification application under Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to a State Significant Development (SSD) approval, SSD-9522, which was granted development consent on 21 December 2020.

Table 7 Statutory Planning Assessment

Schedule/ Clause	Provision	Consistency
<b>State Environmental Planning Policy (Planning Systems) 2021</b>		
Schedule 1	<p>Schedule 1, Group 12 of the Planning Systems SEPP identifies development for the purposes of 'warehouses or distribution centres' to be SSD if it:</p> <p><i>'has a capital investment value of more than \$50 million for the purpose of warehouse or distribution centres (including container storage facilities) at one location and related to the same operation.'</i></p> <p>The original Lot 1-4 works had a calculated CIV of \$90,466,873. The overall Kemps Creek Estate CIV is approximately \$189,270,000.</p>	<p>The original application was assessed and declared as SSD. The revised layout for Lots 1-4 has a total CIV of \$44,293,064 (<b>Appendix P</b>)</p> <p>As the project has been declared SSD its assessment for the purpose of modifications remains under the SSD pathway.</p>
<b>State Environmental Planning Policy (Industry and Employment) 2021</b>		
Chapter 2 Western Sydney Employment Area  Clause 2.1 - Aims	Aims to protect and enhance the land to which the Policy applies (the WSEA) for employment purposes.	The proposal seeks built form changes that continue to support employment uses on the site consistent with the overarching aims of the Industry and Employment SEPP.
Clause 2.10 – Land Use Zoning	The Kemps Creek Estate is zoned IN1 – General Industry pursuant to this clause.	No change in use is proposed from that originally approved, being warehouse and distribution.
Clause 2.17 – Development Control Plans	Requires that a DCP be in place before consent can be granted for development within the WSEA.	The Mamre South – Land Investigation Area Development Control Plan March 2016 applies to the subject site. The DCP was prepared in accordance with Schedule 4 of the SEPP. Whilst the provisions of a DCP are not a consideration for SSD DAs, Clause 18 of the WSEA SEPP is however satisfied.

Schedule/ Clause	Provision	Consistency
Clause 2.19 – Ecologically Sustainable Development	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:</p> <ul style="list-style-type: none"> <li>▪ The consumption of potable water, and</li> <li>▪ Greenhouse gas emissions.</li> </ul>	The proposed modification will maintain principles of sustainable design as detailed in Building Code of Australia Assessment Report prepared for the proposal, included at <b>Appendix L</b> .
Clause 2.20 – Height of Buildings	<p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <ul style="list-style-type: none"> <li>▪ Building heights will not adversely impact on the amenity of adjacent residential areas, and</li> <li>▪ Site topography has been taken into consideration.</li> </ul>	The proposed lot reconfiguration under MOD 3 will result in an overall decrease of maximum building height by 4.35m across Lots 1-4, reducing from 26m to 21.65m. A detailed analysis of the proposed built form with regard for the potential for impact on surrounding residential development has been undertaken as part of the Visual Impact Assessment ( <b>VIA</b> ) discussed in <b>Section 6.1</b> and included in full at <b>Appendix B</b> . The VIA finds that the proposed modifications will result in little to no impacts upon view corridors and surrounding visual receptors.
Clause 2.21 – Rainwater Harvesting	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as approved by the Director-General.	No changes are proposed to the provisions for rainwater harvesting.
Clause 2.24 – Public Utility Infrastructure	The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	All necessary public utility infrastructure and services are being provided to the Kemps Creek Estate in accordance with SSD-9522. No augmentation of these services is proposed as part of this application.
Clause 2.28 – Industrial Release Area	Despite any other provision of this Policy, the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been	The requirement for regional infrastructure contributions for Kemps Creek Estate are satisfied via a Voluntary Planning Agreement ( <b>VPA</b> ) as per Clause 2.28 of the WSEA SEPP have been obtained.



Schedule/ Clause	Provision	Consistency
	made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies.	As such Clause 2.28 has been addressed.
Clause 2.30 – Design Principles	<p>In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:</p> <ul style="list-style-type: none"> <li>the development is of a high-quality design,</li> <li>a variety of materials and external finishes for the external facades are incorporated,</li> <li>high quality landscaping is provided, and</li> <li>the scale and character of the development is compatible with other employment-generating development in the precinct concerned.</li> </ul>	<p>The proposal was subject to a robust and iterative design process, underpinned by carefully considered design principles related to bulk and scale, accessibility and permeability, landscaping and public domain, materials and finishes and integration with the surrounding land use character and context.</p> <p>The proposed modification has been designed to maintain consistency with the approved materiality and character. The proposed landscaping under the MOD 3 follows the same landscape principles, project outcomes and revegetation strategy as the original consent which is demonstrated in the Landscape Concept Plan (refer <b>Appendix E</b>). The Landscape Concept Plan responds to the reconfiguration of Lots 1-4 and the inclusion a private access road through the same landscape principles.</p> <p>The MOD 3 Landscape Plan increases the tree canopy cover on Lots 2 and 3 by 2,348m<sup>2</sup> (from 17,154m<sup>2</sup> to 19,502m<sup>2</sup>) and an increased landscape area of 374m<sup>2</sup> (from 9,846m<sup>2</sup> to 10,220m<sup>2</sup>).</p> <p>The withdrawal of built form on Lots 1 and 4 means the overall tree canopy cover and landscape area reduces from the original SSD-9522 consent to MOD 3, however when comparing Lots 2 and 3 only, there is an improvement in the landscape outcome. The water infiltration and quality are maintained through the increase in tree canopy cover which</p>

Schedule/ Clause	Provision	Consistency
		<p>meets the stormwater management criteria.</p> <p>The Landscape Concept Plan (refer <b>Figure 19</b>) maintains the same landscape principles and revegetation strategy as approved under SSD-9522.</p>
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>		
Schedule 3 – Traffic Generating Development	<p>The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by providing a consistent planning regime for infrastructure and the provision of services.</p> <p>The SEPP deals with traffic generating development and requires referral and concurrence of the NSW RMS for certain development which is expected to generate significant traffic.</p>	<p>Schedule 3 of the Infrastructure SEPP identifies 'traffic generating development' which must be referred to TfNSW for concurrence. The modification reduces the overall building GFA within Lots 1-4, including the withdrawal of built form on Lots 1 and 4, and hence will not adversely impact the intensity of traffic generating uses, which is supported by the Transport Assessment (refer <b>Appendix C</b>). As such, referral to TfNSW for MOD 3 is not required. Notwithstanding, the project was previously referred to TfNSW as part of the SSDA process.</p>
<b>State Environmental Planning Policy (Resilience and Hazards)</b>		
<p>Chapter 3 Hazardous and offensive development</p> <p>Part 3 – Potentially hazardous or potentially offensive development</p>	<p>Chapter 3 of the Resilience and Hazards SEPP requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry. In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA).</p>	<p>The overall proposal was originally assessed as not being potentially hazardous or potentially offensive development. The proposed modification will see some DGs stored at Lots 2 and 3. The SEPP 33 Assessment report (refer <b>Appendix J</b>) concluded that SEPP 33 does not apply to the proposed modification as it does not exceed the storage and transport thresholds.</p>
<p>Chapter 4 Remediation of Land</p> <p>Clause 4.6 – Contamination and remediation to be</p>	<p>Chapter 4 of the Resilience and Hazards SEPP seeks to provide a State-wide planning approach to the remediation of contaminated land. Clause 4.6 (1)(a) of the SEPP requires that the consent authority, when assessing a development application,</p>	<p>Updated investigations have found no evidence of widespread contamination and ACM sheeting found at the site can be appropriately removed. Further details are</p>

Schedule/ Clause	Provision	Consistency
considered in determining development application	<p>consider whether the land is contaminated and whether it is suitable for the proposed use.</p> <p>It also requires that consent authority review a report specifying the findings of a preliminary contamination investigation of the land concerned when considering an application which involves a change of use of the land.</p>	provided in the Site Suitability Assessment (refer <b>Appendix N</b> ).

## 5.2. MAMRE SOUTH – LAND INVESTIGATION AREA DCP

Development Control Plan: Mamre South – Land Investigation Area March 2019 applies to the subject site. Clause 18(6) of the WSEA SEPP recognises the provisions of this DCP for the purposes of the clause. It is noted that DCPs do not apply in the assessment of SSD DAs. Notwithstanding this, consideration will be given to the relevant controls and objectives of the DCP.

Table 8 Mamre South – Land Investigation Area DCP – Compliance Table

Provision	MOD 3 Proposal	Compliance
<p><b>Part 3.1 Subdivision</b></p> <ul style="list-style-type: none"> <li>Minimum Lot Size – 10,000sqm</li> <li>Minimum Frontage – 60m</li> <li>Lots are to be designed to enable retention of natural features of the site</li> <li>The intersection with Mamre Road and the internal road network is to be designed to accommodate all traffic with no direct vehicle access to individual lots from Mamre Road</li> <li>Suitable water quantity and quality control measures</li> <li>Details of retaining walls to be submitted</li> </ul>	<p>The minimum lot size within MOD 3 is Lot 1 which has a site area of 16,654 m<sup>2</sup>.</p> <p>The minimum frontage within MOD 3 is greater than 60m.</p> <p>The minimum frontage and maximum GFA controls are consistent with the requirements of the Mamre South Land Investigation Area DCP and the requirements of Condition A6 of the SSD-9522 development consent.</p> <p>Access to Lots 1-4 is provided off the private access road off Bakers Lane which does not impact Mamre Road and is provided at a suitable distance from the future Southern Link Road intersection with Bakers Lane.</p> <p>The proposed water quality and quantity management measures will be consistent with the approved WCMS and will ensure the appropriate water quantity and quality is maintained.</p> <p>The retaining wall (Retaining Wall 2A, 2B &amp; 2C) along the northern and western boundary is consistent with the</p>	Yes

Provision	MOD 3 Proposal	Compliance
	early works design under the existing consent for SSD-9522 and hence is not included for approval as part of this MOD 3.	
<b>Part 3.2 Utility Services</b> <ul style="list-style-type: none"> <li>Development to accommodate and be supported by the relevant water/sewer, electricity, gas and telecommunication services</li> </ul>	MOD 3 can be adequately catered for in terms of Utility Services which is confirmed in the Service Infrastructure Assessment (refer <b>Appendix F</b> ).	Yes
<b>Site Coverage and Building Setbacks</b> <ul style="list-style-type: none"> <li>Mamre Road – 20m</li> <li>Subdivision Road – 7.5m</li> <li>Rear/side setback – 5m</li> <li>Water supply pipeline corridor boundary – 5m</li> <li>Listed development types are not permissible in the portions of the setbacks. Notably, car parking is permissible within the first 10m of the Mamre Road setback and is prohibited at any other setback.</li> </ul>	<p>Lot 2 Setbacks:</p> <ul style="list-style-type: none"> <li>North – 24m rear/side to site boundary</li> <li>West – 25m to subdivision road</li> <li>South – 20m to subdivision road</li> <li>East – 39m to Mamre Road</li> </ul> <p>Lot 3 Setbacks</p> <ul style="list-style-type: none"> <li>North – 20m to subdivision road</li> <li>West – 8m to rear/side boundary</li> <li>South – 8m to subdivision road</li> <li>East – 25m to Mamre Road</li> </ul> <p>The site coverage and building setbacks controls within the Mamre South – Land Investigation Area DCP are reflected within Condition A7 of the SSD-9522 development consent.</p>	Generally compliant across Lot 2 and 3.
<b>3.3.2 Building Height</b> <p>Buildings to be designed to minimise visual impacts. Vegetation plantings are to be designed with regard to the building height and opportunities to screen the buildings.</p>	<p>The overall building heights proposed in MOD 3 will be reduced from what was previously approved for SSD-9522. The Landscape Concept Plan (refer <b>Appendix E</b>) provides adequate screening around the periphery of lots through landscaping and vegetation. This is also shown in the Visual Impact Assessment (<b>VIA</b>) (refer <b>Appendix B</b>) from a range of surrounding visual receptors.</p> <p>The building height controls within the Mamre South – Land Investigation Area DCP are consistent with the requirements of Condition A7 of the SSD-9522 development consent. Condition A7 which stipulates a</p>	Yes

Provision	MOD 3 Proposal	Compliance
	maximum building height across the Estate of 26.37m.	
<b>3.3.3 Materials and Finishes</b>  Buildings are to be designed with a high standard of architectural design and to minimise the perceived bulk and scale of industrial buildings. <ul style="list-style-type: none"> <li>Loading and outdoor storage areas should be screened from public view by walls or screens that are compatible with the wider site design.</li> </ul>	MOD 3 retains the same materials and finishes as what was previously approved for SSD-9522, which was compliant with the DCP.	Yes
<b>3.4 Landscape Design</b>  To provide a landscape character and amenity that is appropriate to the scale and nature of the development that also provides the appropriate visual buffers and respects the scenic, cultural and historic use of the site.	The MOD 3 Landscape Concept Plan (refer <b>Appendix E</b> ) provides adequate screening around the periphery of lots through landscaping and vegetation. This is also shown in the Visual Impact Assessment ( <b>VIA</b> ) (refer <b>Appendix B</b> ) from a range of surrounding visual receptors.	Yes
<b>4 Transport, Access and Car Parking</b>  Primary access to the precinct to be provided via a new western connection to the existing signalised T-intersection of Mamre Road with Bakers Lane. Land within the Precinct can obtain access to the primary access intersection where direct access is not currently available.  No direct vehicle access will be permitted to and from individual industrial lots via Mamre Road. All access will be provided by way of the internal industrial subdivision road.  Industrial developments to accommodate the largest type of vehicle expected to access the Site, with adequate manoeuvring areas that enable all entry and exit movements in a forward direction.  On-site car parking is to be provided in accordance with the following rates: <ul style="list-style-type: none"> <li>One space per 300 m<sup>2</sup> of warehouse GFA</li> <li>One space per 40 m<sup>2</sup> of ancillary office GFA</li> </ul>	MOD 3 will result in no material change to traffic or parking requirements from that assessed as acceptable under SSD-9522, based on the Transport Assessment (refer <b>Appendix C</b> ). MOD 3 is deemed supportable on traffic and transport planning grounds and will not result in any adverse impacts on the surrounding road network.  The parking provisions under MOD3 are consistent with the previous approval and the requirements under the DCP.  The car parking rates from the DCP are consistent with the requirements of Condition A8 to SSD-9522.	Yes

Provision	MOD 3 Proposal	Compliance
<ul style="list-style-type: none"> <li>One space per 200 m2 of industrial/manufacturing GFA</li> </ul>		
<p><b>5 Stormwater and Flooding</b></p> <p>The development is to avoid significant adverse flooding impacts and minimise the potential impact of development on flood affected land.</p> <p>The development is to safeguard the environment with consideration of stormwater quality management. This includes the achievement of the following:</p> <ul style="list-style-type: none"> <li>Pollution load reductions</li> <li>WSUD prepared in accordance with council guidelines, including minimisation of impervious areas</li> <li>Assessment of potential impacts of groundwater and groundwater dependent ecosystems</li> <li>The appropriate on-site stormwater management systems are to be established</li> <li>The appropriate rainwater harvesting and re-use strategies are to be established</li> </ul>	<p>MOD 3 will update the drainage layouts to facilitate the revised lot configuration and private access roads. Otherwise, the modification will not adjust the approved water quantity and quality management measures across the site as approved under SSD-9522 and SSD-9522 MOD1.</p> <p>It is determined that the modification will maintain achievement of the DCP pollutant load reduction targets as well as the appropriate on-site stormwater management storage/discharge. The modified lots will be able to accommodate the appropriate rainwater tanks once the development layout and reuse demands for the facilities are known. The modification will maintain consistency with the previous assessments of potential groundwater impacts. This is further detailed in Civil Engineering Report and Water Cycle Management Strategy (refer <b>Appendix G</b>).</p>	Yes
<p><b>6 Environmental Management</b></p> <p>Appropriate assessment to be made for items and sites of Aboriginal archaeological significance. This includes the establishment of the appropriate archaeological finds procedures.</p> <p>Any evidence of European archaeological relics is to be subject to the relevant finds procedure, including the cease of works and contact of the Office of Environment and Heritage.</p>	<p>It is identified that the proposed modifications will not exceed the boundaries of the areas already approved for works to be undertaken under the SSD-9522 and SSD-9522 MOD1.</p> <p>The modifications will maintain the conditions for long term management, care agreement for the Aboriginal objects and the details of a temporary storage location established by the original SSD. This includes the appropriate.</p> <p>Refer letter from Austral Archaeology at Appendix M of the MOD 3 report.</p>	Yes

## 6. REVISED ENVIRONMENTAL IMPACT ASSESSMENT

### 6.1. VISUAL IMPACT

Geoscapes have prepared an updated Visual Impact Assessment in response to the proposed amendments to Lots 1-4 and the withdrawal of built form from Lots 1 and 4.

The key views which experience change as a result of the proposed amendments include Viewpoints 22 and 23, both of which are situated to the west of Lots 1-4, with a direct view towards Lots 1 and 4. Lots 1 and 4 also have a direct interface with the open space corridor which forms the western periphery of the Kemps Creek Estate.

The withdrawal of built form from Lots 1 and 4 has significantly improved the visual outlook from Viewpoint 22 (**Figure 12**) and Viewpoint 23 (**Figure 14**). These views have been significantly improved in comparison to the original approval under SSD-9522, as shown in **Figure 11** for Viewpoint 22 and **Figure 13** for Viewpoint 23.

Figure 11 View from Viewpoint 22 – MOD 1 View (Existing & Yr 15)



Source: Geoscapes



Figure 12 View from Viewpoint 22 – updated MOD 3 View (Existing, Yr10 and Yr 15)



Source: Geoscapes

Figure 13 View from Viewpoint 23 – MOD 1 View (Existing & Yr 15)



Source: Geoscapes



Figure 14 View from Viewpoint 23 – updated MOD 3 View (Existing, Yr10 and Yr 15)



Source: Geoscapes

## Summary

Geoscapes concludes that the general decrease proposed in the footprint and height of warehouse buildings north of Bakers Lane and the Southern Link Road and the withdrawal of built form from Lots 1 and 4 is beneficial to visual amenity which as generally reduced visual impacts from the current approval.

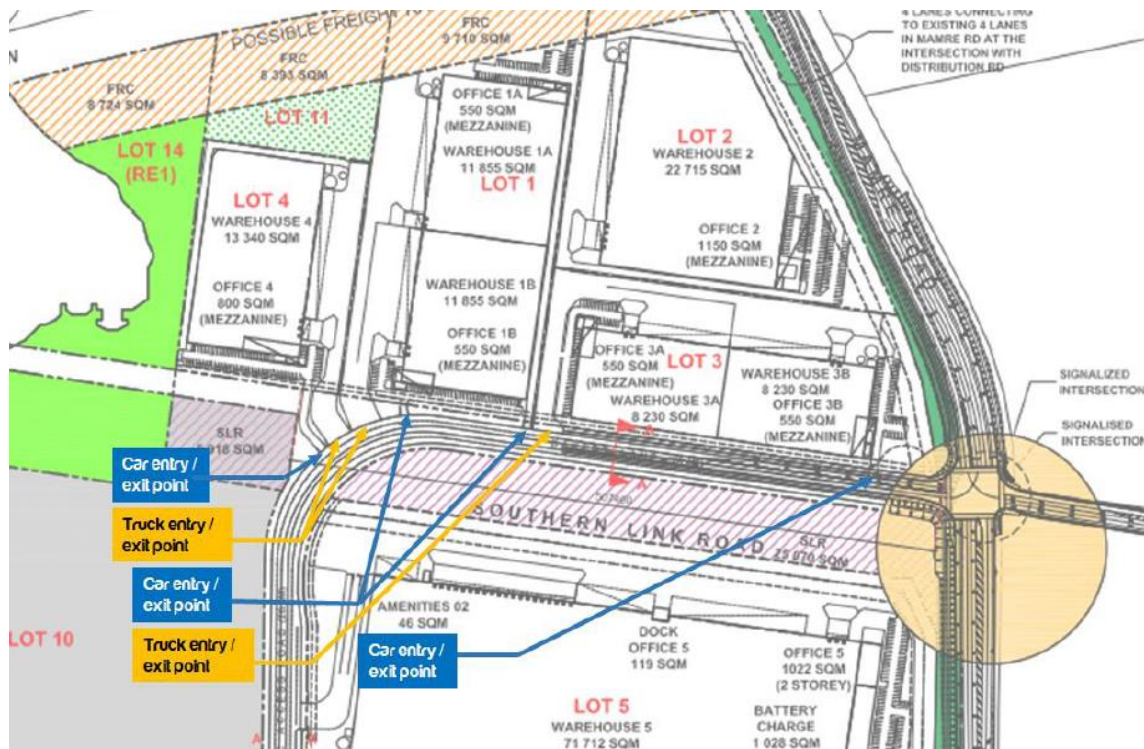
## 6.2. TRANSPORT AND ACCESS

An updated Transport Assessment has been prepared by Ason Group (**Appendix C**) in response to the revised site layout plan for Lots 1-4. The Frasers and Altis Kemps Creek JV has consulted DPE and TfNSW through DPE to ensure the comments from the latest RFI have been met. The Frasers and Altis Kemps Creek JV believe all concerns raised by TfNSW have now been resolved, which have been discussed with DPE.

The amended MOD 3 layout reduces the vehicular access points along Bakers Lane from what was originally approved under SSD-0522. The new north-south private access road terminates into a turning circle, and has a one-way directional flow, providing safety for vehicle access and egress.

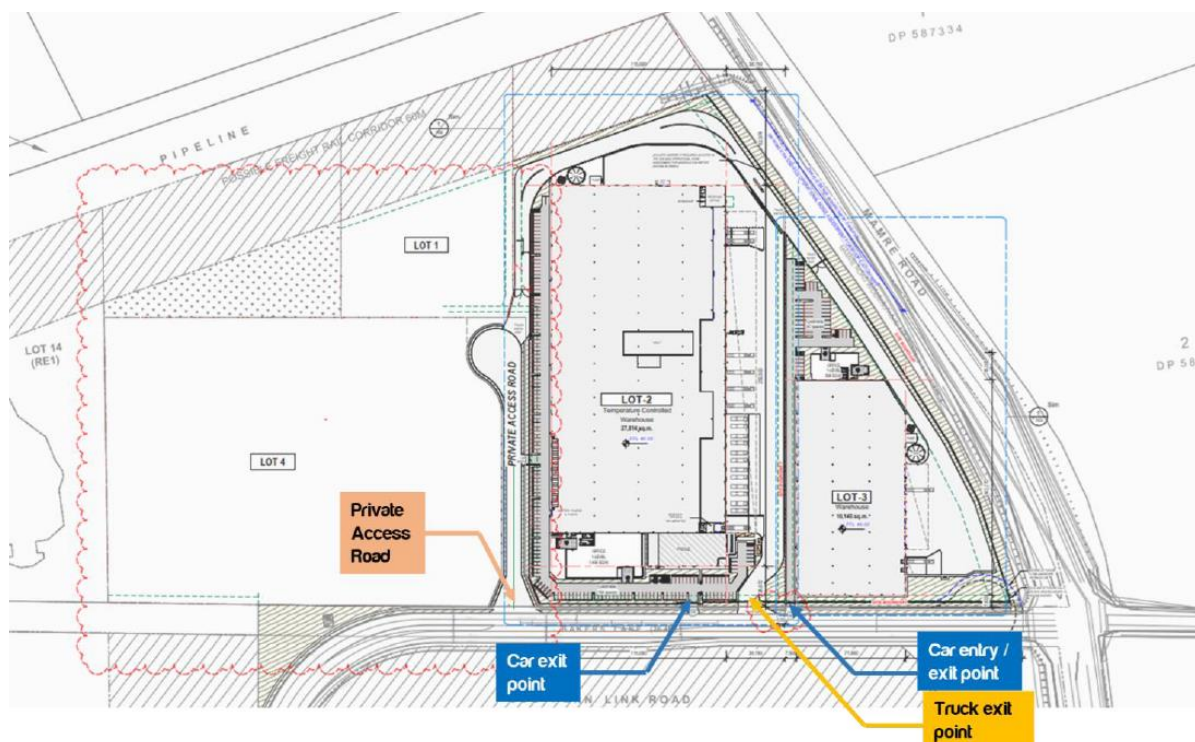
The inclusion of an access road off Bakers Lane provides access to Lots 1-4, reducing the access points along Bakers Lane from seven (7) to four (4) (refer **Figure 15** and **Figure 16**). The proposed modification also removes driveway access previously proposed adjacent to the Southern Link Road which directly impacted on the future signalised intersection with Bakers Lane. The access road enables the reduction in access points and provides the internal road network to Lots 1-4 in response to Condition B18. The private access road is proposed at a suitable distance from the future intersection at 140m, which meets the minimum requirement of 100m separation from TfNSW.

Figure 15 MOD 1 - 7 access points off Bakers Lane as part of SSD-9522



Source: Ason Group

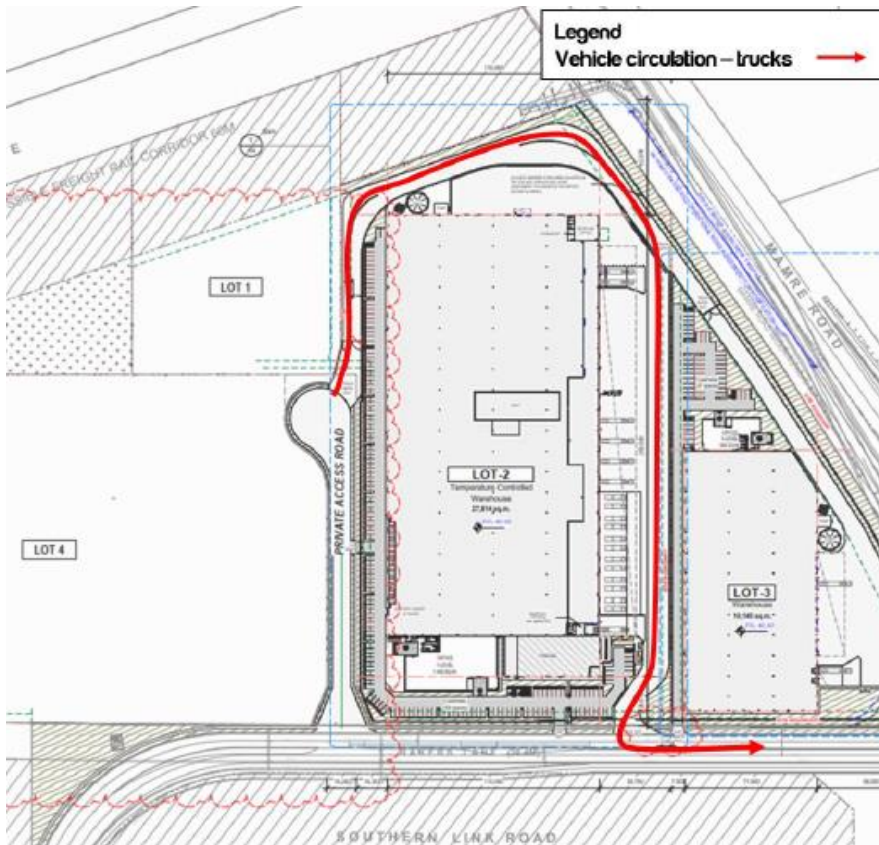
Figure 16 Proposed external vehicular access



Source: Ason Group

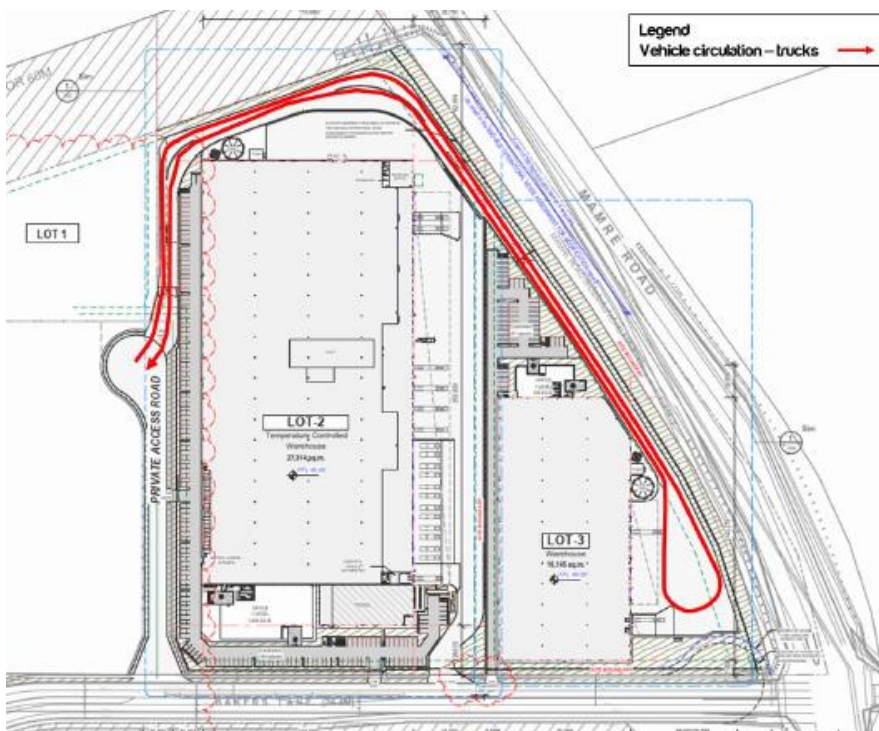


Figure 17 Heavy vehicle circulation within Lot 2



Source: Ason Group

Figure 18 Heavy vehicle circulation within Lot 3



Source: Ason Group

The indicative traffic generation predicts fewer trips than what was previously approved as part of the SSD-9522 and MOD1. It is concluded that the proposed MOD 3 will not have any additional traffic impacts beyond what was previously approved under SSD-9522.

The traffic generation associated with the proposed MOD 3 has been captured by the updated SIDRA modelling for the approved Sequence 1A, as part of the original consent for SSD-9522. The SIDRA modelling for MOD 1 for the approved Sequence 1A indicates that the traffic associated with the updated plans for Lots 1-4 will not result in any material impacts in the surrounding road network operation.

Table 9 Traffic generation comparison (based on the SSD-9522 rates)

<b>Approval/Proposal</b>	<b>Development Yield for Lots 2 &amp; 3 (m2)</b>	<b>AM Peak (vehicle/hr)</b>	<b>PM Peak (vehicle/hr)</b>	<b>Daily (vehicle/day)</b>
Approved SSD-9522	41,425	102	75	1,094
Approved SSD-9522 MOD 1	41,425	102	75	1,094
Approved SSD-9522 MOD 3	39,871	98	73	1,053
<b>Difference</b>	<b>-1,554</b>	<b>-4</b>	<b>-2</b>	<b>-41</b>

## Summary

In summary, the proposed amendment to the MOD 3 will not have an adverse impact on operational traffic implications or car parking demand. The total amount of vehicles generated and accessing Lots 1-4 will be significantly reduced, due to the reduction in warehouse building GFA with the withdrawal of built form from Lots 1 and 4.

## 6.3. NOISE AND VIBRATION

An updated Operational Noise Assessment has been prepared by Renzo Tonin (**Appendix D**) in response to the revised site layout plan for Lots 1-4.

### Operational Noise Limits

The withdrawal of built form on Lots 1 and 4 as part of the proposed development, with only Warehouse 2 and 3 to remain. It is anticipated that the development of Lots 1 and 4 will be occur at a later stage, creating an interim period where Lots 2 and 3 would be operational. During this interim period, surrounding receivers will be subject to a lower number of noise sources as there will be no industrial noise sources and vehicle noise associated with the vacant lots.

The provision of a private access road along the eastern side of Lot 4, as opposed to a public access road, will provide private access to Lots 2 and 3 only. The noise generated along this private access road would subsequently contribute to the operational noise level of the development, rather than being assessed as traffic generated by the development on the public road network.

[illegible]

Table 10 Predicated operational noise levels

Notes: 1. Project specific noise limits only applicable when in use.

REVISÉD ENVIRONMENTAL IMPACT ASSESSMENT 31

The acoustic assessment of noise emission from the development during the interim period (ie. Without buildings on Lots 1 and 4) reveal noise emission levels that are less than or equal to the cumulative operation of all seven industrial lots.

### Sleep Disturbance Assessment

An assessment of the potential sleep disturbance caused by the proposed modification (refer **Table 13**) identifies that some maximum noise levels are predicted to be above the NPfI LAF<sub>max</sub> sleep disturbance screening level (highlighted orange) and above the trigger level for awakening reactions (highlighted in blue).

As such, noise mitigation and management measures are identified to address the predicted sleep disturbance impacts including the installation of a 160m long and 3m high noise wall along the eastern boundary of the site along the Mamre Road frontage. Provision is to be made for installation of the barrier as shown in **Figure 20** in order to successfully mitigate sleep disturbance impacts for receiver R2. The noise barrier is not required in order to meet the sleep disturbance criteria for all other receivers.

Installation of the noise wall is only required should the residence at the R2 receiver be occupied at the commencement of operations in Lot 2. If the dwelling at R2 is not occupied at the time of operation for Lot 2, and/or is not planned to be occupied for residential purposes in the future, the barrier is not required as there will be no sleep disturbance impact to an unoccupied dwelling.

An update to condition B54 is proposed to this effect.

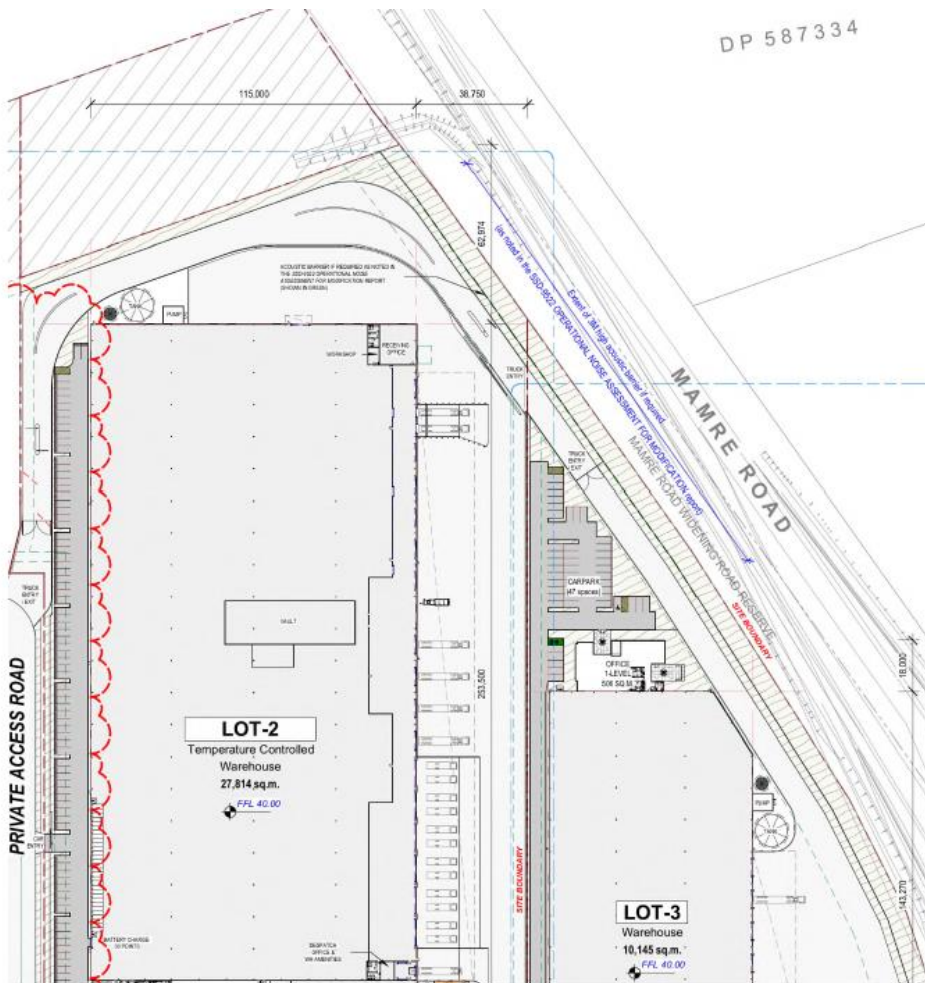
Table 11 Updated sleep disturbance assessment

Receiver ID	Criteria LAF <sub>max</sub> , dB(A)		Predicted noise level, LAF <sub>max</sub> , dB(A)			
	Screening level	Awakening reaction	Door slam	Forklift	Truck reverse	Truck airbrake
R1.1	52	65	4	27	4	22
R1.2	52	65	9	30	9	26
R1.3	52	65	8	30	9	26
R1.4	52	65	8	30	9	26
R2	52	65	18 – 45	30 - 66	11 - 60	26 - 71
R3	52	65	11 – 37	41 - 62	21 - 57	36 - 63
R4	52	65	6 - 36	37 - 57	23 - 50	33 - 60
R7	52	65	11	28	27	19

Source: Renzo Tonin



Figure 20 Extent of acoustic barrier to mitigate potential sleep disturbance impacts at receiver R2



Source: HLA Architects

## Summary

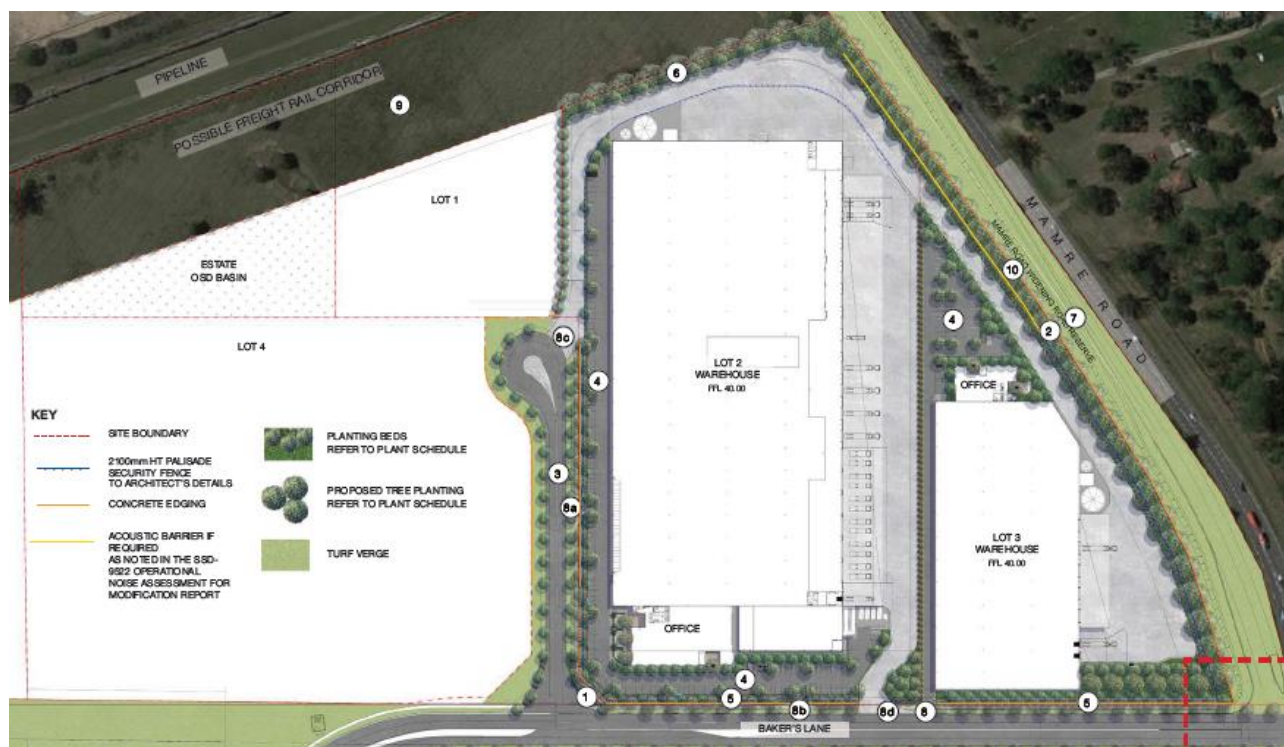
In summary, the proposed amendment to the MOD 3 will not have an adverse impact on operational noise impacts and sleep disturbance. The total amount of warehouse operations and vehicles accessing Lots 1 and 4 has been significantly reduced with the withdrawal of built form from Lots 1 and 4.

## 6.4. LANDSCAPING

Habitat8 have prepared an updated Landscape Plan in response to the updated site layout plan. The Landscape Plan (refer **Figure 21**) maintains the same landscape principles and revegetation strategy as approved under SSD-9522.

The reconfiguration of Lots 1-4 has resulted in a reduction in the overall landscape area and tree canopy cover, due to the withdrawal of built form on Lots 1 and 4. The landscape outcome in MOD 3 for the remaining areas of the site in Lots 2 and 3 has improved with additional landscape and tree canopy areas proposed in comparison to the original SSD-9522 consent. The MOD 3 Landscape Plan increases the tree canopy cover on Lots 2 and 3 by 2,348m<sup>2</sup> (from 17,154m<sup>2</sup> to 19,502m<sup>2</sup>) and an increased landscape area of 374m<sup>2</sup> (from 9,846m<sup>2</sup> to 10,220m<sup>2</sup>).

Figure 21 Proposed amendment to SSD-9522 MOD 3 – Landscape Plan



Source: Habitat8

## 6.5. OTHER

### 6.5.1. Service Infrastructure

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the service infrastructure assessment undertaken and submitted with the original MOD 3 application.

### 6.5.2. BCA

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the BCA assessment undertaken and submitted with the original MOD 3 application.

### 6.5.3. Aeronautical Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the aeronautical impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.4. Hazards and Risk

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the hazard and risks impact assessment undertaken and submitted with the original MOD 3 application. The assumed quantities of Dangerous Goods (DGs) for Warehouses 2 and 3 remains the same the original MOD 3 application, whilst the DGs in Warehouses 1 and 4 no longer apply.

### 6.5.5. Bushfire Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the bushfire impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.6. Air Quality

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the air quality impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.7. Archaeology Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the archaeology impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.8. Water Cycle Management

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the water cycle management impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.9. Biodiversity Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the biodiversity impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.10. Site Suitability Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the site suitability assessment undertaken and submitted with the original MOD 3 application.

### 6.5.11. Geotechnical Assessment

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the geotechnical impact assessment undertaken and submitted with the original MOD 3 application.

### 6.5.12. Waste Management

The amended Site Layout Plan and reconfiguration of Lots 1-4 do not result in any change to the waste management impact assessment undertaken and submitted with the original MOD 3 application.

## 6.6. SUMMARY OF ADDITIONAL MITIGATION MEASURES RECOMMENDED

In response to the updated Environmental Assessment for the revised site layout plan for Lots 1-4, the following mitigation measures are recommended for incorporation into the final consent conditions for MOD 3. The mitigation measures identified for incorporation into the modification development are grouped by environmental impacts below:

#### ▪ Traffic Mitigation Measures:

- Traffic control would be required to manage and regulate traffic movements into and out of the site during construction. The bulk of haulage routes is to be via Mamre Road to align with the overarching CTMP previously prepared by Ason Group. This is to function as an interim measure for construction vehicles until the signalised Sequence 1A is operational.
- Disruption to road users to be minimised by scheduling deliveries to occur outside of peak road network periods. Some construction works may be undertaken at night to minimise disruption or for oversized deliveries under a special permit.

#### ▪ Noise and Vibration:

- If, the parameters of the internal activities within the warehouses change, specifically the internal noise levels are expected to be greater than assumed in Section 4.3.4 (of the updated Operational Noise Assessment at **Appendix D**), the design of the warehouse facade shall be reviewed and if necessary modified so that any noise break-out from internal activities would result in a negligible increase in overall noise emissions from the facility at the nearest sensitive receivers to achieve the project trigger noise levels.
- When not in use, external roller doors are to be kept closed during the night periods (10:00pm to 7:00am) except as required for ingress/egress. Doors for the temperature controlled Warehouse 2 will generally remain closed to maintain the internal temperature.
- Ensure that for all non-enclosed areas of the facility with line-of-sight to the nearest sensitive receivers, the following design elements are incorporated:
  - All pavement is smooth (i.e. no speed bumps)

- Transitions from the external public road to the site are smooth, as to not result in jolting, or unnecessary accelerating of the truck the truck is required.
  - Drainage grates are designed to not result in noise events.
  - Ensure that trucks do not have to stop/brake and then accelerate (i.e. pedestrian crossing points, security gates).
- **Building services**, mechanical plant and plantroom spaces are to be designed to not increase total site noise emissions. This may include:
- Selection of quiet plant/equipment.
  - Strategic positioning of plant away from sensitive neighbouring premises to maximise intervening acoustic shielding between the plant and sensitive neighbouring premises.
  - Acoustic absorption, acoustically lined and lagged ductwork.
  - Acoustic barriers between plant and sensitive neighbouring premises.
  - Partial or complete acoustic enclosures over plant.
  - The use of acoustic louvres and attenuators as part of the design

Further to the mitigation measures identified above, the best management practice is to be included where feasible and reasonable. Additionally, 'best available technology economically achievable' (BATEA) are recommended to be implemented where suitable which includes equipment and plant that incorporate the most advanced and affordable technology to minimise noise output.

Otherwise, noise compliance measurements are recommended to be conducted once operations commence. As part of the site's Operational Noise Management Plan, it is recommended that there be regular reviews of on-site noise mitigation and management practices to ensure the mitigation measures achieve the intended performance specifications and BMP and BATEA are to be integrated where suitable.

In order to mitigate for sleep disturbance impact on receiver R2, a condition of consent is recommended which requires the installation of the 160m long x 3m high noise barrier along the eastern boundary of Lot 2 and Lot3, should receiver R2 be occupied for residential purposes or be intended to be occupied for residential purposes, at the time of operation commencing on warehouse Lot 2. This is reflected in the proposed Condition B54.

▪ **Hazard and Risk:**

- A review of SEPP 33 and a Preliminary Hazard Analysis study is to be performed in the instance a tenant is required to store more DGs than those assumed.

▪ **Bushfire:**

- Proposed Lots 1-4 are to be maintained to achieve the performance requirement of an Inner Protection Area (IPA) as described by Appendix A4.1.1 of PBP at Appendix H of the original MOD 3 report. The following landscaping specifications have been designed to achieve the IPA at this site:
  - a. Trees: i. Trees at maturity should not touch or overhang the building; ii. Tree crowns should not provide a connected canopy between the identified hazard and the building when at maturity.
  - b. Shrubs: i. Ensure gaps in the vegetation, such as between garden beds, to prevent the spread of fire towards the building; ii. Clumps of shrubs should be separated from glazing and doors by a distance of at least twice the height of the vegetation.
  - c. Groundcovers: i. Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); ii. Leaves and vegetation debris should be regularly removed; iii. Organic mulch is not to be used within 1 m of a building.

Fire Hydrant Installation: installation to comply with AS 2419.1 – 2005 Fire Hydrant Installations – System Design, Installation and Commissioning (AS2419).

- Gas Service Installation: installation to comply with AS/NZS 1592-2014 The storage and handling of LP gas.
- Hazardous or combustible materials are not to be stored externally.
- **Air Quality:**
  - Installation and operation of kitchen ventilation systems and points of emission to be performed in accordance with relevant Australian Standards.
- **Archaeology:**
  - No additional mitigation measures required beyond those adopted for SSD-9522 and MOD 1.
- **Waste Management:**
  - The detail contained in the Waste Management Plan will inform the location and specifications for a dedicated waste storage area across the lots, to be detailed for Construction Certificate stage. Additional waste management measures, including waste servicing, waste avoidance, re-use and recycling monitoring, and reporting are discussed in the WMP and should be implemented in the operational phase of the development.
  - It is recommended that a building specific waste management plan be prepared for each warehouse, prior to its occupation. The waste management plan for each warehouse will need to detail the day-to-day operational waste management procedures whilst also ensuring the requirements and recommendations of the LG Consult WMP are met.
- **Water Cycle Management:**
  - Flooding: No additional mitigation measures required beyond those adopted for SSD-9522.
  - Soil and Water: Permanent and temporary batter slopes will be established as well as standard soil and erosion measures (sediment basins, sediment fences, stabilised site access). Further management measures include minimisation of the extent of disturbed area at any one-time, progressive stabilisation of areas and monitoring and implementation of remedial works.
  - Water quantity and quality management: new drainage layout to be established in accordance with the lot and building realignment. The proposed warehouse buildings are to be supported by the appropriate rainwater tanks. Otherwise, stormwater drainage to be directed to the approved Estate Basin 2. No additional stormwater quantity management measures are necessary for individual development lots (including OSD and drainage discharge measures).

## 7. JUSTIFICATION OF THE AMENDED PROJECT

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) have considered 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 Section 4.55 (1A) modification and designed in accordance with the Mamre South Land Investigation Area Development Control Plan 2019 (Mamre South DCP) requirements.

In summary, the updated environmental assessment as part of this ADR has identified that the proposed amendment to the MOD 3 and reconfiguration of Lots 1-4 will not have adverse environmental impacts in comparison to the original development consent under SSD-9522. Subject to incorporation of the recommended mitigation measures included in section 6.6 of this report, the proposal will have negligible detrimental impacts on the site conditions or surrounding environment.

## 8. CONCLUSION

This Amended Development Report has been prepared by Urbis on behalf of the Frasers and Altis Kemps Creek JV to address the matters raised by government agencies in relation to the Kemps Creek Estate SSD-9522 MOD 3 and to provide an updated scope of works proposed and the associated assessment of the revised proposal.

To address the matters raised and ongoing design development, the proposal has been subject to design refinements, testing, and ongoing reviews. Overall, the responses within this Amended Development Report along with those detailed within the RFI response and MOD 3 report submitted to DPE demonstrate that the proposed is considered appropriate for the site and warrants approval by the Minister of Planning.

The amended development is appropriate to the site and surrounding context and results in a reduced environmental impact within the site and the WSEA precinct. The proposed development meets the objectives of the WSEA, Western Sydney Aerotropolis and Western Parkland City, and addresses all strategic and statutory planning framework. Overall, the proposal is in the public interest and should be approved by the NSW DPE, subject to conditions of consent.



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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## **APPENDIX A**

## **ADR ARCHITECTURAL DRAWINGS**

## **APPENDIX B**

## **ADR VISUAL IMPACT ASSESSMENT**

## **APPENDIX C**

## **ADR TRANSPORT ASSESSMENT**

## **APPENDIX D**

## **ADR NOISE IMPACT ASSESSMENT**

## **APPENDIX E**

## **ADR LANDSCAPE CONCEPT PLAN**

## **APPENDIX F**

## **ADR SERVICE INFRASTRUCTURE ASSESSMENT**



## **APPENDIX G**

# **ADR CIVIL ENGINEERING REPORT AND WATER CYCLE MANAGEMENT STRATEGY**

## **APPENDIX H**

## **ADR GEOTECHNICAL ASSESSMENT**

## **APPENDIX I**

## **ADR WASTE MANAGEMENT PLAN**

## **APPENDIX J**

## **ADR HAZARD AND RISK ASSESSMENT**

## **APPENDIX K**

## **ADR AIR QUALITY IMPACT ASSESSMENT**

## **APPENDIX L**

## **ADR BCA ASSESSMENT**

## **APPENDIX M**

## **ADR BIODIVERSITY ASSESSMENT**



## **APPENDIX N**

## **ADR SITE SUITABILITY ASSESSMENT**

## **APPENDIX O**

## **ADR AERONAUTICAL IMPACT ASSESSMENT**

## **APPENDIX P**

## **ADR CIV REPORT**

**APPENDIX Q**

**RFI RESPONSE TABLE (JUNE 2022)**

