



Statement of Environmental Effects

S.96(1A) Application to modify Project Approval 06/0191

Orica Southlands Remediation and Warehouse Project

Port Botany Industrial Estate, McPherson Street, Botany

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1 Introduction

This report seeks approval for a modification to Project Approval 06_0191, “*Orica Southlands Remediation and Warehouse Project*”, which concerned the remediation and redevelopment of land at 26A McPherson Street, Botany (see Figure 1), Port Botany Industrial Estate (the site). The approved development at the site includes two warehouses (Warehouse A & B), including associated office space, car parking and landscaping.



Figure 1 - Subject Site

This S.96(1A) application seeks consent for the following minor changes to the approved 06_0191 Mod 2 design:

- 1) Modification to **Warehouse A**:
 - + Introduction of a turning head for fire brigade purposes in the North Eastern portion of the site;
 - + Minor reduction of two car parking spaces, resulting from the turning head (remains compliant with Council parking provision requirements);
 - + Removal of mezzanine storage area from the office;
 - + Movement of dock office to the south east corner of the warehouse; and
 - + Additional drainage outlet provided along eastern side of Warehouse A.

- 2) Modification to **Warehouse B**, including:

- + Reduction of two car parking spaces (remains compliant with Council parking provision requirements);
- + Change in layout and increase to the size of the Dock Office from 58sqm to 111sqm;
- + Change to the location of the truck wash area and rainwater tank; and
- + Addition of a 6m X 3m awning been added to LPG gas storage area.

Due to the minor nature of the proposed modification, there are no proposed changes or updates required to the approved civil and landscape plans, and BCA, fire safety and traffic / parking assessment.

The Appendices accompanying this proposal include:

- + **Appendix A** -Updated architectural plans
- + **Appendix B** - Supplemental civil plans, showing proposed location of turning head and additional drainage line
- + **Appendix C** - Letter from civil engineers, Costin Roe, dated 5 August 2015

2 Approved Development (06/0191)

DA Approved Scheme

The latest scheme for DA 06_0191 MOD 2 was approved on 22 April 2015. This scheme included approval for:

- + Consolidation of the approved six warehouse buildings into two large warehouse buildings, titled Warehouse A and Warehouse B.
- + Warehouse A would be internally separated into four smaller units, Warehouse B is proposed to remain as one large warehouse space.
- + Reconfiguration of car parking layout with on site parking consolidated into two locations, along the front of Warehouse B (175 spaces) and at the rear of Warehouse A (127 spaces).
- + Reconfiguration of loading areas to provide four centrally located recessed loading docks to service Warehouse A and six recessed loading docks to service Warehouse B along the northern perimeter of the building. A further nine recessed docks are also provided for Warehouse B at the eastern end of warehouse building. Loading areas are accessed from Coal Pier Road or McPherson Street with a 55m wide hardstand area separating Warehouses A and B to allow for manoeuvring of heavy vehicles.
- + Truck ingress and egress via Coal Pier Road and McPherson Street. Separate light vehicle access is provided via Coal Pier Road for Warehouse A and McPherson Street for Warehouse B. B-Doubles are able to enter and exit Warehouse B via Coal Pier Road, and exit only onto McPherson Street.
- + Use of Warehouse B for a warehousing and distribution centre to be operated by Toll.
- + Internal fit out of Warehouse B to accommodate Toll's operations.
- + Landscaping across the site.

A breakdown of the Warehouse Units GFA are as follows:

Unit/ Warehouse	Warehouse GFA	Office GFA	Car Parking
1/A	3,300m ²	350m ²	127
2/A	3,300m ²	350m ²	

Unit/ Warehouse	Warehouse GFA	Office GFA	Car Parking
3/A	4,100m ²	350m ²	
4/A	4,400m ²	350m ²	
B	18,920m ²	2,130m ²	175
TOTAL	35,840m²	3,530m²	302

The approved site layout for DA06_0191 MOD 2 is as follows:

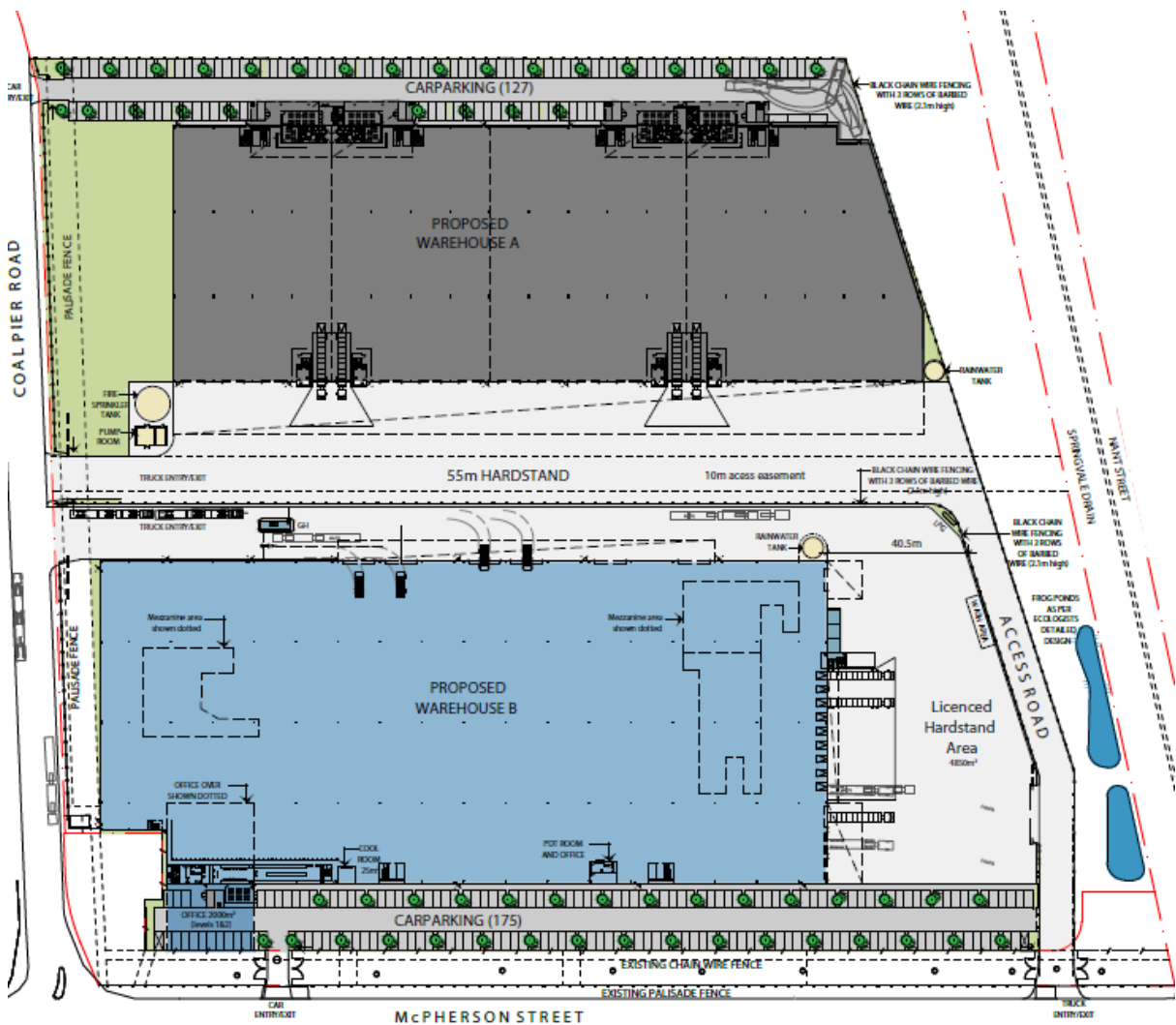


Figure 2 - Approved Site Layout

3 Proposed Modifications

The proposed S.96 modifications are minor and are shown clouded in red in the following plan:

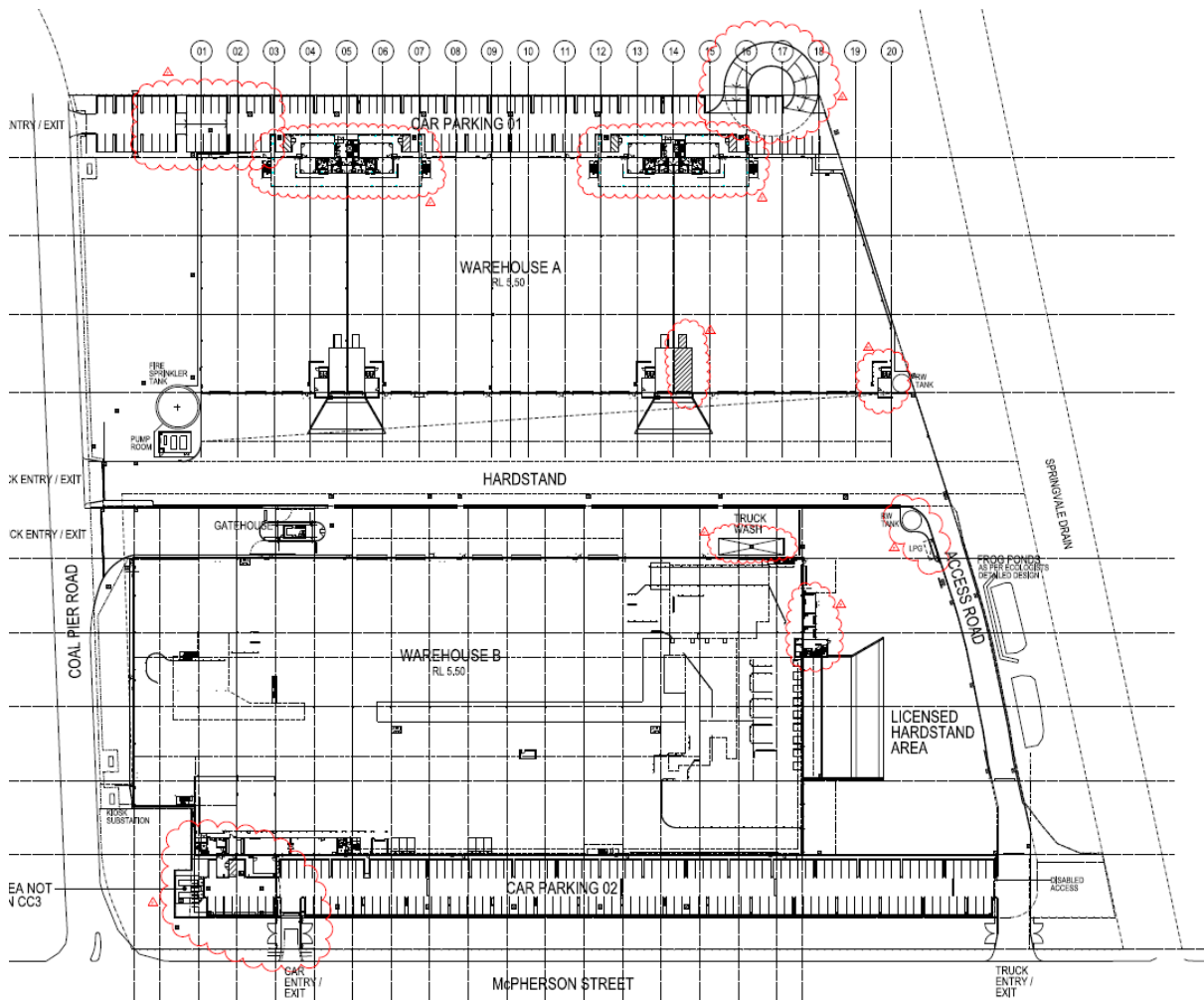


Figure 3 - Proposed Site Plan

This S.96 application seeks the following changes to the approved design of Warehouse A & B on the site:

3.1 Warehouse A – Proposed Modifications

3.1.1 Fire Brigade Access – Turning Head

- + The NSW Fire Brigade have confirmed a turning head is required in the North Eastern portion of Warehouse A's car park. This is required to enable fire trucks the ability to turnaround to exit the site in a forward direction (refer to Figure 4 & 5 below).
- + Civil Engineers, Costin Roe, have confirmed that the design of the turning head in the supplementary civil plans (**Appendix B**) which protrudes into the flood basin, will not have any impact on approved flood storage for the site (refer to **Appendix C**, and Section 4.3 below).
- + The turning head has a radius of 14.7m, adequate to accommodate emergency and garbage trucks.

3.1.2 Warehouse A - Car Parking

- + The car parking layout has been modified to make allowance for the proposed turning head, the provision of which will necessitate a reduction of two car spaces, from 127 to 125 spaces.
- + Despite this reduction in car spaces, Warehouse A continues to provide sufficient car spaces as required by tenants and in satisfaction of that required in accordance with City of Botany Council DCP 2013 (which requires a minimum of 91 car spaces (refer to **Section 4.4** below).

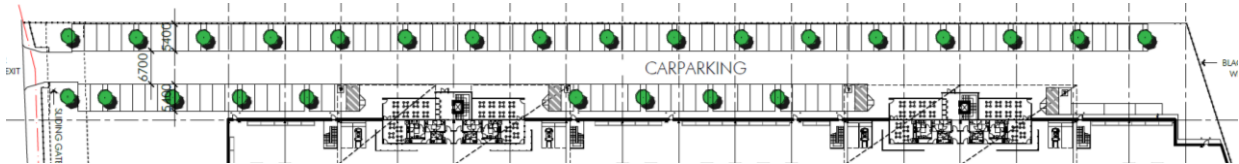


Figure 4 - Approved Warehouse A Parking

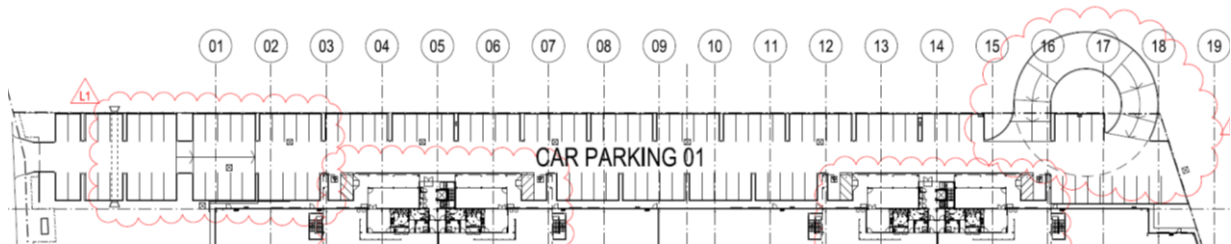


Figure 5 - Proposed Car Parking Layout and Turning Head for Warehouse A

3.1.3 Drainage

- + An adjustment to the approved drainage layout along the north eastern side of Warehouse A is proposed (refer to Figure 6 below). This includes the addition of a drainage outlet running in an easterly direction in the area of the turning head (refer to **Appendix B** for plans).
- + This proposed adjustment is necessary to limit works within the constructed Springvale Drain and associated floodway, reduce any impact of the turning head, and the extent of works required within contaminated land.
- + The adjusted design remains consistent with the approved stormwater management strategy defined in the approved documents (refer to **Appendix C** – Costin Roe letter, dated August 2015).

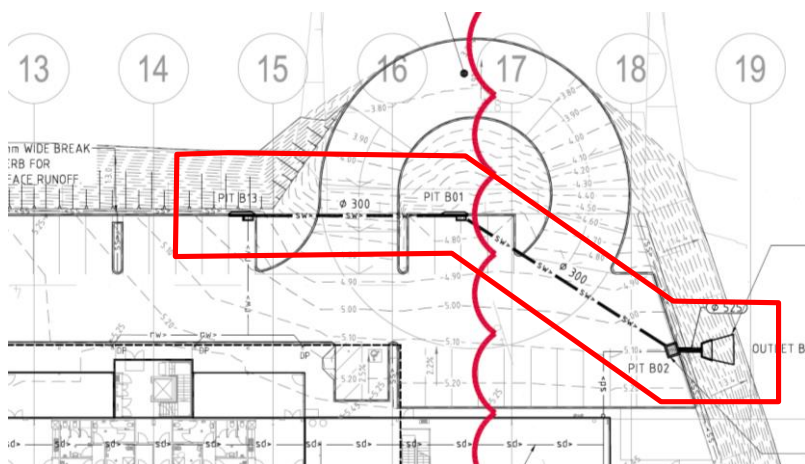


Figure 6 - Proposed additional drainage outlet

3.1.4 Office Mezzanine

- + The mezzanine storage areas above the first floor office (drawing 4244_DA-16 in the approved set), is proposed for removal, resulting in an aggregate reduction of 964 m² of gross floor area.
- + This storage area is proposed for removal as it is not required by the tenant.

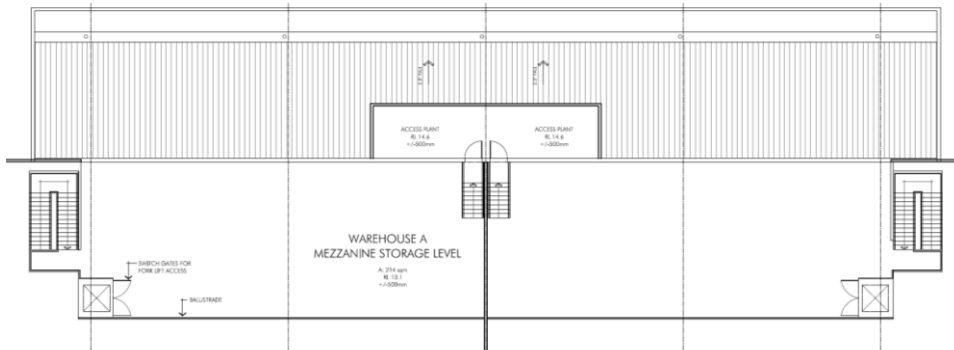


Figure 7 - Approved Warehouse A Office Mezzanine - Proposed for Removal

3.1.5 Dock Office movement

- + Movement of a dock office from the recessed dock to the south eastern corner of the warehouse building.
- + This will provide enhanced layout and enhanced access for staff at the corner of the building.

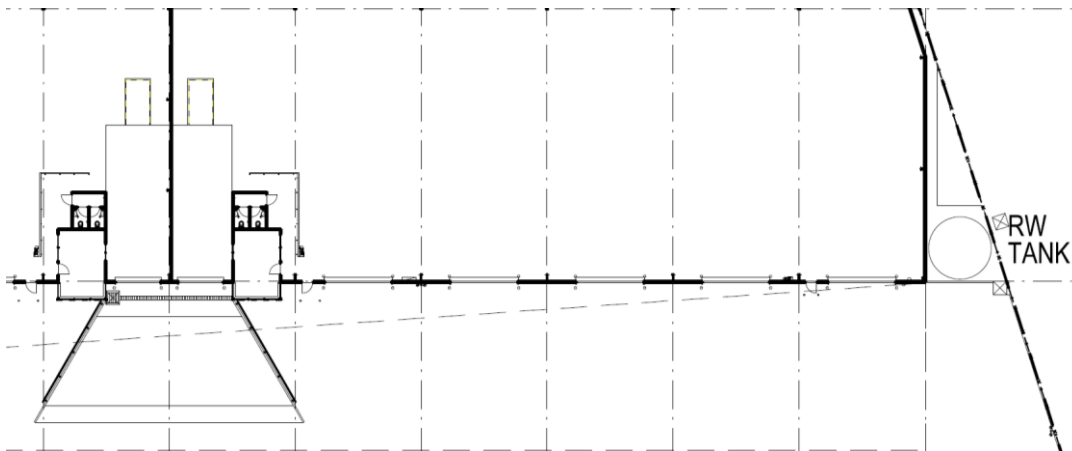


Figure 8 - Approved dock office layout

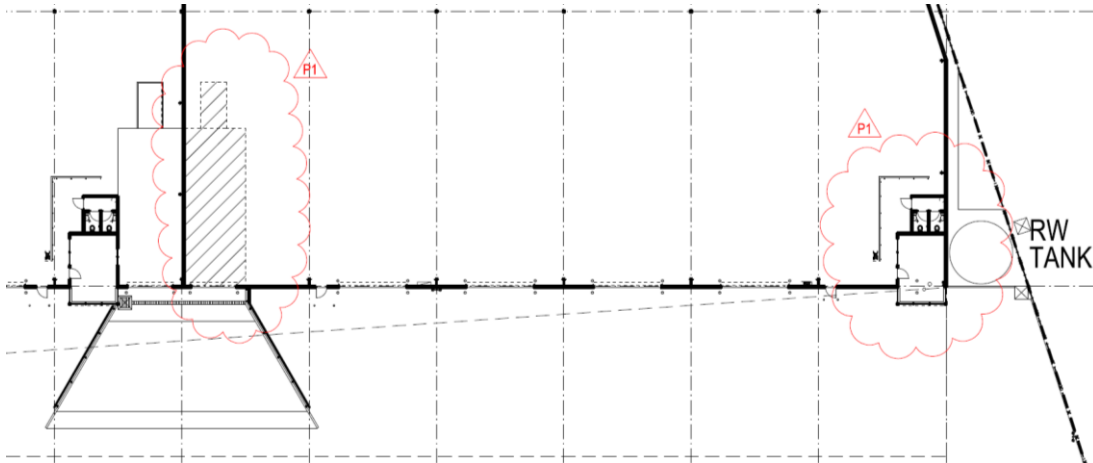


Figure 9 - Proposed new location for dock office in the south eastern corner of Warehouse A

3.2 Warehouse B - Proposed Modifications

3.2.1 Control Tower

- + The layout and area of Warehouse B's control tower, located in the northeast corner of Warehouse B, is proposed to be modified slightly.
- + The floor area of the control tower is to be increased by has been increased by 40m² from 58m² to 98 m². (Refer to **Appendix A**, drawings GA-302, 306 & 319).
- + The proposed modification to size and layout of the dock office will enhance the use to better suit the tenant's needs.

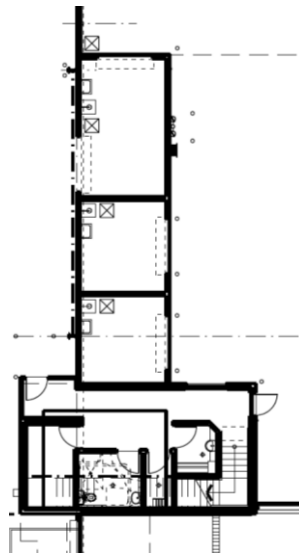
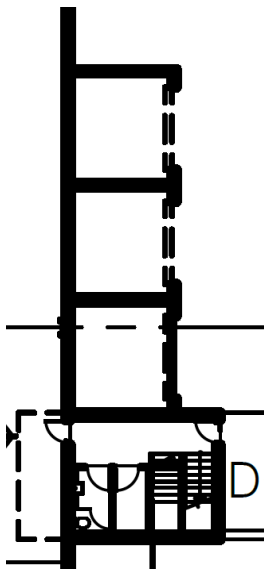


Figure 10 - Approved Warehouse B Dock Office layout

Proposed Warehouse B Dock Office layout

3.2.2 Warehouse B - Car Parking

- + A minor reduction of two car spaces is proposed, from 175 spaces to 173 spaces. These parking numbers will continue to be significantly in excess of the City of Botany Council DCP 2013 car parking requirements.

3.2.3 Rainwater Tank and LPG Gas Storage

- + Warehouse B's rainwater tank is proposed to be relocated from the North Eastern corner of the building to the North Eastern corner of the site (refer to Figure 9 below). This proposed relocation will provide for enhanced layout and better vehicular flow around the warehouse.
- + The LPG gas storage area is proposed to be moved slightly north to make allowance for the rainwater tank relocation. A 6m X 3m awning is proposed to the LPG gas storage area. (Refer to **Appendix A** - drawings GA-101, 102, 113 & 380.) This awning will provide weather protection for the gas storage area and will have no impact to the surrounds.

3.2.4 Truck Wash

- + The approved truck wash location is proposed to be relocated from the North Eastern corner of the site to along the North Eastern corner of Warehouse B.
- + The proposed relocation of the truck wash will allow for enhanced truck access and drainage arrangements for this wash area.

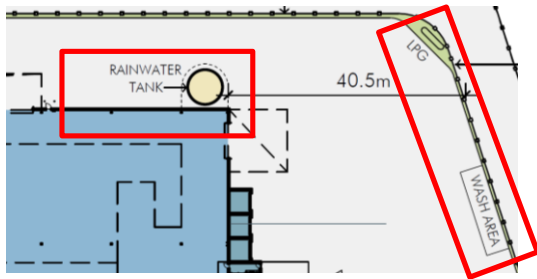
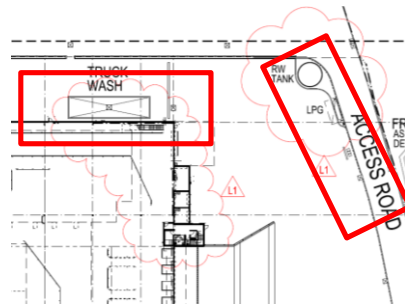


Figure 11 - Approved Truck Wash and Rainwater Tank Location



Proposed Truck Wash and Rainwater Tank Location

The proposal does not result in any changes to:

- + Bulk and scale of the development;
- + finishes and presentation;
- + BCA and fire safety compliance;
- + access to the site; and
- + approved landscaping.

3.3 Change to MP06_0191 MOD 2 Conditions of Consent

The following changes are proposed to the wording of the MP06_0191 MOD 2 consent, to reflect the proposed modification:

"4. Inserting the following definitions in alphabetical order:

MOD23 *The modification as described in Section 75W Modification. Port Botany Industrial Estate dated October 2014 and prepared by UAS and the Response to Referrals I Department of Planning Queries prepared by Goodman, including Port Botany Industrial Estate Proposed Civil Works Stage 1 prepared by AT&L dated 12/01/2015 and plans dated 11/08/15, CO9349.06-C42; CO9349.06-C48 , Architectural Plans Southlands Remediation and Development Project - Stage 1 prepared by ~~Nettletontribe~~ SBA Architects with the following plans dated 6/01/2015-25/03/2015 4244_DA_01, 4244_DA_02, 4244_DA_03, 4244_DA_11, 4244_DA_13, 4244_DA_18 and 4244_DA_19 and the following plans dated 1st121014*

~~4244_DA_12, 4244_DA_15, 4244_DA_16, 4244_DA_17, 4244_DA_20, 4244_DA_21, 4244_DA_22, 4244_DA_31, 4244_DA_41, 4244_DA_42, 4244_DA_43, 4244_DA_51 and 4244_DA_52,~~ 15113_GA_101; 15113_GA_102; 15113_GA_110; 15113_GA_201; 15113_GA_202; 15113_GA_203; 15113_GA_204; 15113_GA_210; 15113_GA_220; 15113_GA_220; 15113_GA_221; 15113_GA_222; 15113_GA_223; 15113_GA_301; 15113_GA_302; 15113_GA_303; 15113_GA_304; 15113_GA_305; 15113_GA_306; 15113_GA_310; 15113_GA_311; 15113_GA_312; 15113_GA_319; 15113_GA_320; 15113_GA_321; 15113_GA_322; 15113_GA_323; 15113_GA_324; 15113_GA_380; BCA Assessment Report prepared by Blackett Maguire and Goldsmith dated 18/12/2014, Fire Safety Strategy by Norman, Disney and Young dated 17/12/2015, Letter from Traffix titled Port Botany Industrial Estate, McPherson Street, Botany: Section 75W Submission and dated 08/01/2015 and Proposed Subdivision Plan 4244_SK078 prepared by Nettleontribe and dated 9 March 2015 and Landscape Plans titled Orica South/ands Landscape S. 75W prepared by Site Image Landscape Architects and dated 13/02/2015.

9. Replacing Condition 2 of Schedule 2 with the following:

2. The Proponent shall carry out the Project generally in accordance with the:

- a) EA;
- b) Preferred Project Report Plans, cover dated 1 August 2012;
- c) Submissions Report;
- d) Statement of Commitments (see Appendix 1);
- e) Modification application 06_0191 MOD 1 and supporting documents;
- f) Modification application 06_0191 MOD 2 and supporting documentation;
- g) Modification application 06_0191 MOD 3 and supporting documentation; and
- gh) Conditions of this approval.

If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.”

4 Key Issues

In considering the environmental impacts of the proposed development modification and determining that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted, the key issues to be addressed are as follows:

4.1 Land Use

The land use remains as approved, that of a warehouse with associated offices, parking and landscaping.

4.2 Built Form and Design

The proposed modification will result in substantially the same built form development across the site, including the same height, bulk / scale and finishes. The proposed modification will have only very minor impact on the built form presentation of the built form. The proposal has been designed to continue complimenting the materials, proportions and general industrial character of the existing building and the area in general.

4.3 Flood Storage

Costin Roe have confirmed that the proposed stormwater drainage modification proposed in this application will not have an impact on the approved stormwater treatment for the site. In particular, Costin Roe confirm (refer to **Appendix C**):

“... the adjusted design remains consistent with the approved stormwater management strategy defined in the approved documents. This includes matching the overall catchment breakdowns draining to the Springvale Drain and the Floodvale Drain and maintaining the required flood storage volumes within the two drains and associated flood storage area on the north of the property.”

4.4 Parking, Access and Traffic

There is no changes to the access to the site resulting from the proposed modifications. The proposal seeks only nominal reduction to car parking numbers, necessitated by the mandatory introduction of the turning head in the North Eastern portion of the site:

- + Warehouse A reduced from 127 car spaces to 125 car spaces;
- + Warehouse A reduced from 175 car spaces to 173 car spaces.

The proposed parking will continue to be significantly in excess as that required by the relevant controls, as follows:

Type Area	Area (sqm)	Council Parking Rates	Spaces Required	Spaces Provided
<u>WAREHOUSE A</u>	16,660			
Warehouse	15,100	1 space / 300m2	50	
Office	1,560	1 space / 40m2	39	
Total			89	125
<u>WAREHOUSE B</u>	22,923			
Warehouse	20,740	1 space / 300m2	69	
Office	2,183	1 space / 40m2	55	
Total	39,583		124	173
Total:			213	298

The proposal continues to provide 85 car spaces more than that required by the controls.

4.5 BCA & Fire Assessment

There are no changes to the BCA and fire assessment of the warehouses resulting from the proposed changes.

5 Statutory Requirements

As the modifications sought are of minor environmental impact, the provisions under Section 96(1A) of the Act apply. The following tests require consideration in this instance:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all),

Having regard to the above, the proposed Section 96(1A) modification to the approved scheme is considered to be of minimal environmental impact as there will be no material change to:

- + the approved built form;
- + bulk, scale and height;
- + finishes of the buildings; and
- + intensification of the approved development.

The proposal will remain as approved and the industrial nature of the locality will be maintained, consistent with the strategic objectives of the *State Environmental Planning Policy (Western Sydney Employment Area 2009)*, the planning document guiding development on the site. There is no proposed change to the use, bulk, scale, height and finishes of the warehouses on the site.

A thorough assessment of the proposed development as modified reveals no statutory or merit-based impediment to its approval.

Suitability of the Site for Development

No submissions are apparent at the time of writing in accordance with the Act.

Public Interest

The proposed modification will have no adverse impact on the public interests. The approved use of the buildings will remain as approved.

6 Conclusion

This S.96(1A) application seeks consent for the following minor changes to the approved 06_0191 Mod 2 design:

3) Modification to **Warehouse A**:

- + Introduction of a turning head for fire brigade purposes in the North Eastern portion of the site;
- + Minor reduction of two car parking spaces, resulting from the turning head (remains compliant with Council parking provision requirements);
- + Removal of mezzanine storage area from the office;
- + Movement of dock office to the south east corner of the warehouse; and
- + Additional drainage outlet provided along eastern side of Warehouse A.

4) Modification to **Warehouse B**, including:

- + Reduction of two car parking spaces (remains compliant with Council parking provision requirements);
- + Change in layout and increase to the size of the Dock Office from 58sqm to 111sqm;
- + Change to the location of the truck wash area and rainwater tank; and
- + Addition of a 6m X 3m awning been added to LPG gas storage area.

As the proposed modifications will have only minimal environmental impacts on the surrounds; is substantially the same development as the development for which the consent was originally granted; and does not result in statutory non-compliances or exacerbation of potential impacts, the Department of Planning and Environmental are requested to approve the S.96(1A) application.