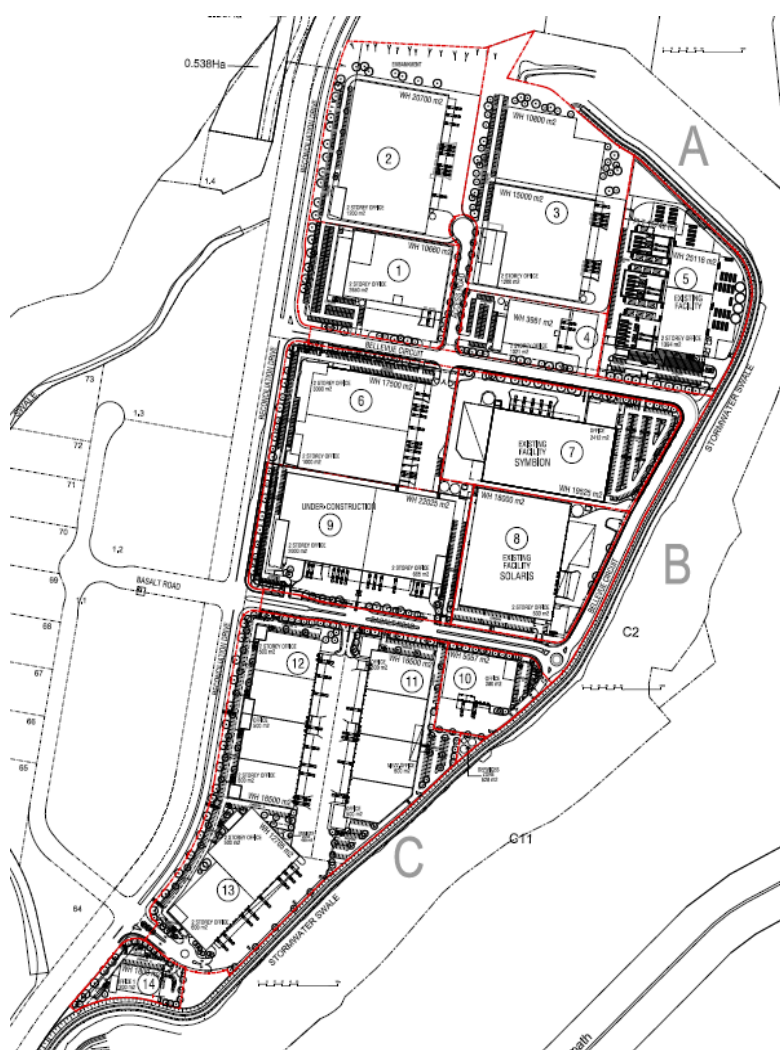


**Section 75W Modification Request:  
DEXUS Estate Industrial Park  
Greystanes Southern Employment Lands,  
Holroyd Local Government Area  
08 0259 MOD 3**



Director-General's  
Environmental Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

May 2012

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## 1.0 BACKGROUND

On 8 November 2009, the then Minister for Planning approved a proposal from DEXUS Funds Management Limited (the proponent) under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the DEXUS Estate Industrial Park Project (the Estate) within the Greystanes Southern Employment Lands (SEL) at Greystanes, in the Holroyd local government area. The site locality plan is shown at **Figure 1**.



**Figure 1: Locality Plan**

Approval of the Estate provided for the construction and operation of a range of warehouse and distribution facilities throughout three 'Superlots' within the Estate. The Estate layout as approved is shown at **Figure 2**.



**Figure 2: Approved DEXUS Estate Masterplan**

In accordance with the Minister's approval, the proponent is required to obtain the Director-General's approval prior to the construction of individual warehouses or distribution buildings within the Estate. To date, seven end-user facilities have been granted approval, with five of these having either been constructed or are currently under construction. These facilities include:

- the Fujitsu Data Centre on Lot 3 of Superlot A;
- the Symbion Health Facility on Lots 4 and 5 of Superlot B;
- the Solaris Paper Facility on Lots 8 and 9 of Superlot B;
- Warehouse A on Lots 10 and 11 of Superlot B;
- Warehouse B on Lots 6 and 7 of Superlot B; and
- Warehouses 8 and 9 in Superlot C.

**Figure 3** below shows the layout of the Estate's three superlots and location of approved end-user facilities to date.





- On 20 August 2010, the Executive Director – Major Projects Assessment approved a modification request to allow for the manufacturing of paper products within the Solaris Paper Facility on Lots 8 and 9 (now combined to form Lot 7) of Superlot B, and
- On 14 March 2012, the Director – Metropolitan and Regional Projects North approved a modification request involving amendments to the layout of Superlot C, including deletion of the southern portion of Bellevue Circuit on the eastern side of the lot.

## 2.0 PROPOSED MODIFICATION

On 16 February 2012, PJEP Environmental Planning (on behalf of the proponent) submitted to the Director-General a request for modification of Major Project 08\_0259. The modification request specifically involves:

- subdividing the two residual development lots within Superlot A into four development lots,
- inclusion of an estate road,
- amending the masterplan building layout to reflect the proposed Brady Australia Pty Ltd (Brady) and Voith Turbo Pty Ltd (Voith Turbo) facilities and the revised lot layout, and
- allowing industrial/manufacturing use of the proposed Brady and Voith Turbo facilities.

## 3.0 STATUTORY CONTEXT

The approval for Major Project 08\_0259 was granted in accordance with Part 3A of the EP&A Act under Section 75J. Section 75W of the EP&A Act provides for the modification of the Minister's approval.

Pursuant to section 75W(2) of the EP&A Act, the proponent may request the Minister to modify approval of a project. Any request is to be lodged with the Director-General. A copy of the proponent's modification request is included at **Appendix B**.

Section 75W(3) of the EP&A Act provides that the Director-General may notify the proponent of environmental assessment requirements (DGRs) with respect to the proposed modification. Following an assessment of the modification request, it is considered that DGRs are not required.

Under section 75W(4) of the EP&A Act, the Minister may modify the approval (with or without conditions) or disapprove the modification. The following report outlines the department's assessment of the modification request.

### 3.1 Delegated Authority

Under the Instrument of Delegation dated 14 September 2011, the Minister for Planning and Infrastructure has delegated his functions to determine s75W modification requests to Directors within the Major Projects Assessment Division where:

- the relevant local council has not made an objection, and
- a political disclosure statement has not been made, and
- there are less than 10 public submissions in the nature of objections.

Holroyd City Council (council) has made a submission recommending conditions of approval and has not made an objection to the proposal. No political disclosure statement is provided for this application. There have been no public submissions received in relation to the proposal. The Director – Metropolitan and Regional Projects North may therefore determine the modification request under delegated authority.

## 4.0 CONSULTATION AND SUBMISSIONS

Under section 75W of the EP&A Act, it is at the department's discretion as to whether a modification request is required to be publicly exhibited. Given the relatively minor nature of the proposed modification, and the fact that it is considered to be consistent with the project approval for the Estate, public exhibition was not undertaken. Notwithstanding, under section 75X(2)(f) of the EP&A Act, the Director-General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with clause 8G of the Environmental Planning and Assessment Regulation 2000, the request for modification was made publicly available on the department's website.

### Holroyd City Council Referral

The modification request was referred to council for comment. Council advised in a letter dated 21 March 2012 that the proposal is required to consider the height limits, subdivision layout, building envelopes, setbacks, and road layout as approved as part of the Estate masterplan. A copy of council's correspondence is provided at **Appendix C**.

## 5.0 ASSESSMENT

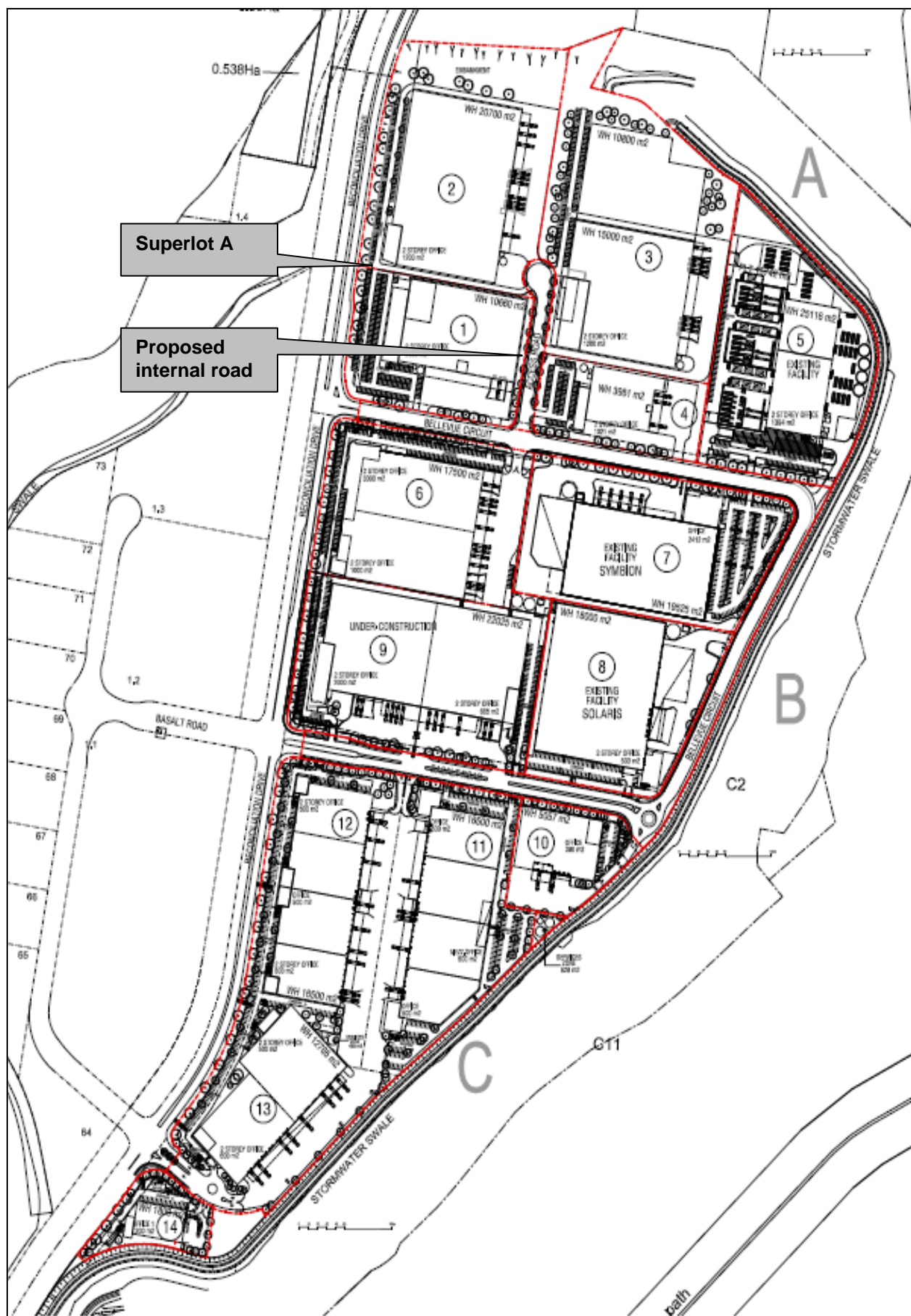
The department has reviewed the proposed modification and considers the key issues to be the subdivision of two existing residual lots into four and inclusion of an internal access road within Superlot A; and the proposal for industrial/manufacturing use of the proposed Brady and Voith Turbo facilities. These issues are discussed further below.

### Subdivision of Existing Residual Lots and Internal Access Road

The approved Estate masterplan gives approval for three lots within Superlot A, as shown at **Figure 3** above. As part of the modification request, the proponent seeks to subdivide residual lots 1 and 2 into four separate lots. This will increase the number of lots within Superlot A from three to five; and the overall number of lots within the Estate from 12 to 14. The Brady facility is proposed to occupy Lot 1, and the Voith Turbo facility is proposed to occupy Lot 4. **Figure 4** below shows the layout of Superlot A as proposed to be modified.

The proposed modification also includes an internal access road off Bellevue Circuit to service proposed Lots 2 and 3 within Superlot A. Lot 4 would also gain light vehicle access from this road. The road has been designed in a manner that is consistent with the Local Road design of the Greystanes SEL Urban Design Plan (UDP), and is proposed to be constructed in accordance with council and AUSTROADS standards for heavy vehicles, as required as part of the project approval. The intersection of the access road with Bellevue Circuit will comprise a priority controlled (unsignalised) intersection. Buildings will be set back a minimum of 7.5m from the new access road, in accordance with the UDP standards. **Figure 4** below shows the location of the proposed internal access road.

A total of 611 car parking spaces will be provided within Superlot A as part of the modification. This is above the 563 car parking spaces required as part of the project approval, based on a rate of 1 space per 300m<sup>2</sup> of warehouse space; 1 space per 77m<sup>2</sup> of industrial/workshop space; and 1 space per 40m<sup>2</sup> of office space.



**Figure 4:** Estate Masterplan as Proposed to be Modified



### Department's Consideration

The department raises no concern with the proposal to subdivide the approved two residual lots into four smaller lots; or the inclusion of an internal access road to service these lots, provided the road is constructed in accordance with the Greystanes SEL UDP and standards required in accordance with the project approval.

Council raised no concern with regards to the revised layout of Superlot A. It was advised, however, that the proposed internal access road is to be constructed for private access only to service Lots 1 and 4, and that a 'right of carriageway' should be created for easement for services and easement for drainage to burden and benefit each lot. Council also requested a heavy duty vehicular crossing be conditioned at the entry point of Bellevue Circuit and the proposed internal access road to Superlot A. These requirements have been included as new recommended conditions as part of the modification approval.

### Industrial/Manufacturing Use of Proposed Facilities

Both the Brady and Voith Turbo Facilities (Lots 1 and 4 respectively) will be used for warehousing and distribution with ancillary office space. Both facilities propose an industrial component as part of the modification.

The Brady facility will include product assembly, digital printing, label conversion and screen printing. The production area comprises approximately 1,116m<sup>2</sup> of the total warehouse area of 10,660m<sup>2</sup>.

The Voith Turbo facility will be used for warehousing and distribution of machinery parts, as well as dis-assembly, assembly, repair and spray painting of drive systems and other components. The workshop area comprises approximately 2,933m<sup>2</sup> and the warehouse comprises an area of 1,028m<sup>2</sup>. The proponent has advised that proposed spray painting activities will generate some fugitive emissions. To manage these emissions, a 32m<sup>2</sup> spray painting booth, including an appropriate exhaust air ventilation system is proposed to be constructed in accordance with Australia Standard AS 4114.1:2003 – *Spray painting booths, designated spray painting areas and paint mixing rooms*. This has been included as a new condition of approval.

The site is zoned IN2 Light Industrial (IN2 zone) within the Greystanes SEL, a state significant site under schedule 3 of the State Environmental Planning Policy (Major Development) 2005. Objectives of the IN2 zone include the provision of a wide range of light industrial, warehouse and related land uses. The department considers the proposed Brady and Voith Turbo facilities to be generally consistent with the objectives of the IN2 Light Industrial zone and does not raise any issues regarding the proposed light industrial components within either facility. Council raised no concern in relation to the proposed ancillary industrial uses, provided these uses are permissible within the zone.

### Developer Contributions

The department notes that developer contributions for the entire Greystanes SEL were resolved as part of the concept plan approval. As contributions for the site have already been resolved, no amendments to the contributions is required as part of the modification.

## 5.1 Modifications to Conditions of Approval

The proposed modification will require amendments to the conditions of project approval. The modified conditions have been described below and are detailed in the attached modifying instrument (**Appendix A**).

- Condition 2 of schedule 2 – Terms of Approval: to update the approved drawings and EA documentation, and remove references to super-seeded plans,
- Condition 1 of schedule 3 – Subdivision: to update the identified subdivision plan (to DX\_G\_MP08.01 Rev. J),
- Appendix 1 – Site Plan: to update the site plan (to DX\_G\_MP08.01 Rev. J), and
- Appendix 2 – Subdivision Plan: to update the subdivision plan (to MP08.06 Rev. H).

add:

- Condition 9A of Schedule 3 – Design of Internal Roads: to ensure a right of carriageway under section 88B of the *Conveyancing Act 1919* is created for the proposed internal access road within Superlot A,
- Condition 9B of Schedule 3 – Design of Internal Roads: to ensure a heavy duty vehicular crossing is provided in accordance with council's standards at the entry point of Bellevue Circuit and the proposed internal access road to Superlot A, and
- Condition 23A of Schedule 3 – Emissions: the proponent shall comply with Australia Standard AS 4114.1:2003 – *Spray painting booths, designated spray painting areas and paint mixing rooms* in order to appropriately manage any fugitive emissions released during operational activities at the site.

## 6.0 CONCLUSION

It is considered that the proposal, as modified, achieves the same objectives as assessed under the original approval. The modifications do not alter the overall nature of the approved project, nor does it introduce any detrimental environmental, social or economic impacts upon the site or surrounding locality. The department therefore recommends the modification application be approved, subject to conditions.

## 7.0 RECOMMENDATION

It is recommended that the Director – Metropolitan and Regional Projects North, as delegate for the Minister for Planning and Infrastructure (under delegation executed on 14 September 2011), under section 75W of the EP&A Act, approve the proposed modifications to the project approval for MP 08\_0259, as detailed in **Section 2** of this report; and vary the conditions of approval as set out in the modifying instrument contained at **Appendix A**.

Prepared by:



Brent Devine  
**Environmental Planner**  
**Metropolitan and Regional Projects North**

Endorsed by:



Stuart Withington  
**A/Team Leader**  
**Metropolitan and Regional Projects North**

Approved by:



Heather Warton  
**Director**  
**Metropolitan and Regional Projects North**

4.5.12