



Our reference: ECM Ref: 9822625
Contact: Kathryn Saunders
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1 December 2021

Department of Planning, Industry and Environment
Attn: Bruce Zhang
Email: Bruce.Zhang@planning.nsw.gov.au.

Dear Mr Zhang,

**Request for Advice – Oakdale West Estate MOD 9 – Amendment to
Approved Concept Plan and Increase of Building Height for Building 2C
SSD-7348-Mod-9**

I refer to the Department's request to provide comments in relation to the above application. Thank you for providing Council with the opportunity to comment.

The following comments are provided for the Department's consideration in the assessment of the proposal.

1. Planning Considerations

State Significant Development application SSD 7348 approved in September 2019, a Concept and Stage 1 development which included estate-wide earthworks, infrastructure, services and the construction and operation of warehouses in Precinct 1.

It is noted that the SSD established development controls for all warehouses in the estate.

Keylan Consulting have provided a summary of relevant consents issued for development within the estate (and their ridge heights), in cover letter dated 22 November 2021, which include:

- SSD 10397 – Building 2B, Precinct 2 (approved ridge height of 28m or RL 101.2m), and
- SSD 22191322 – Building 4E, Precinct 4 (approved 13.7m or RL 89.25m),

Council notes that SSD 9794683 is under assessment by DPIE and relates to Buildings 2A, 2C and 2D, Precinct 2 (Stage 3). The SSD seeks approval for construction of warehouse 2A, 2C and 2D, fit out and use, associated earthworks and landscaping.

Council has provided previous advice in correspondence dated 12 and 18 November 2021, in relation to SSD-9794683.

The proposed modification to consent no. SSD 7348 includes alterations to the height of warehouses 2C and 2D which will bring the proposal into line with that being assessed under related application, SSD 9794683.

Condition B11 of SSD 7348 includes that 'Notwithstanding the controls listed in Table 2 in Condition B10, no warehouse building in the Concept Proposal, except Building 1A...2A and 2B shall exceed 13.7m, excluding roof mounted mechanical plant and solar panels'.

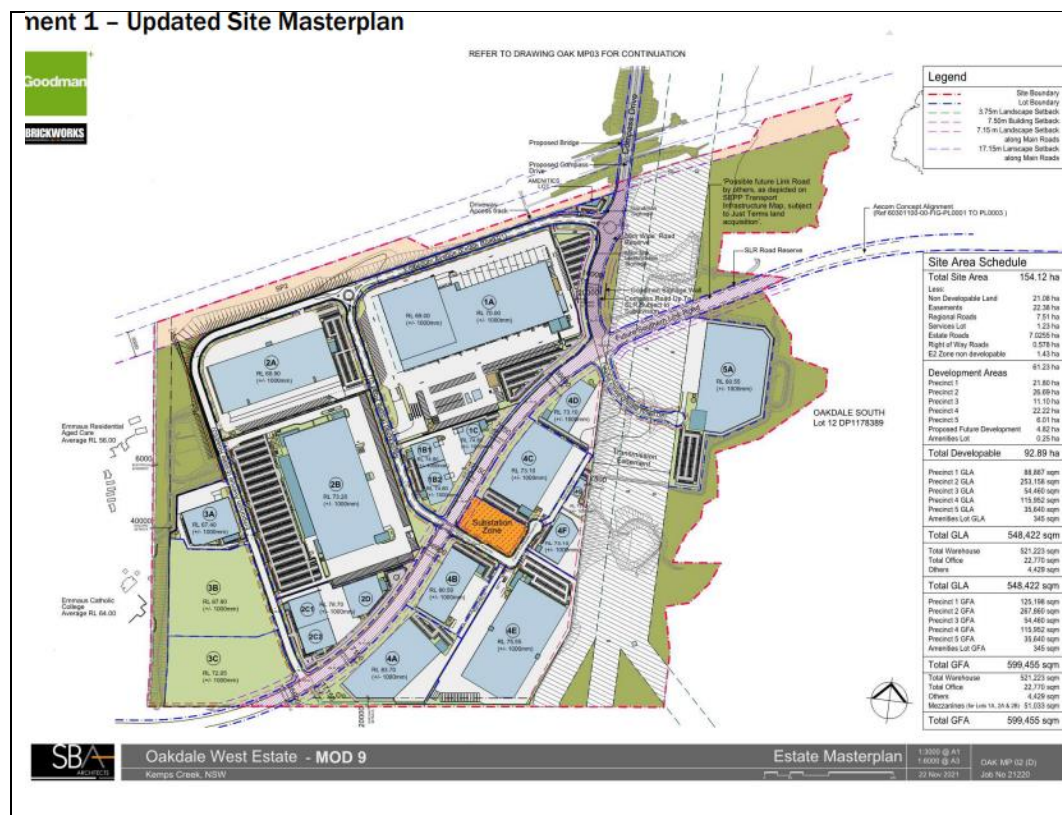
DPIE notes that the proposed effective height of Building 2C is approximately 22.2m, which exceeds the 15m height control provided by Part E6 Erskine Business Park of the Penrith Development Control Plan 2014, which applies to the site.

Whilst there are no major objections to the height increase, however it is raised for strong consideration, that buildings 2C and 2D are exceeding the expected maximum heights anticipated by the DCP, whilst at the same time, amendments are sought to the layouts for these buildings which increase hardstand areas within the frontage of the site.

The net effect will likely result in poor streetscape outcomes such as bulk and overbearing impacts, owing to high retaining walls and/or narrow steeply battered frontages, coupled with ineffectual landscaping.

In addition, DPIE should seek to clarify the definition of height under SSD 7348, (i.e., effective height – being height above finished levels, or height above natural ground level).

The proposed updated Site Masterplan (Excerpt from Keylan Consulting MOD 9 Cover Letter, 22 November 2021) is below.





Council's previously issued comments in correspondence dated 12 and 18 November 2021, in relation to SSD-979468 remain relevant and are to be considered, particularly those provided in relation to the new access road and carparking areas now proposed within the front setback of building 2C and 3D to Southern Link Road.

Should you wish to discuss any aspect of Council's comments further, please do not hesitate to contact me directly on (02) 4732 8567.

Yours sincerely

Kathryn Saunders
Principal Planner