

SCOPING REPORT FOR UPDATED SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS OAKDALE WEST ESTATE MOD 2

29 OCTOBER 2019
PREPARED FOR GOODMAN

URBIS

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1. INTRODUCTION & REASON FOR SEARS REQUEST

This report represents a formal request to the Secretary of the NSW Department of Planning, Infrastructure and Environment (**DPIE**) to confirm environmental assessment requirements (**SEARs**) in respect of a proposed modification to the Concept Plan and Stage 1 Development Approval of State Significant Development Application (**SSDA**) 7348.

On 13 September 2019 approval was granted for SSD 7348, comprising a site wide Concept Proposal as well as Stage 1 works relating to development of the OWE including the establishment of road layouts, site levels, subdivision and infrastructure delivery. This SSDA responded to SEARs issued in respect to that project in October 2015 as well as the revised set of SEARs issued in October 2017.

Modification 1 has been lodged with the DPIE and seeks approval for minor amendments to Precinct 2, bioretention basins and other minor layout changes within the approved Master Plan and is herein referred to as MOD 1.

Design development for the future tenant of Precinct 1 has resulted in the need for minor amendments to the approved site layout of Precinct 1 and necessitates the modifications to the Concept Approval and Stage 1 Approval comprising SSD 7348 (as modified), herein referred to as MOD 2.

Changes proposed by MOD 2 are contained to the area of the Estate comprising Precinct 1 only (except for the extended noise wall at the western boundary of Precinct 2). These design modifications will require alterations to Concept and Stage 1 Conditions to SSD 7348. Where updates to conditions are required, these conditions along with proposed wording amendments will be included in the assessment report to be submitted as part of the formal modification application. It is noted that the proposed modifications meet all Condition B10 design requirements, except for building height.

Our review of the 2015 and updated 2017 SEARs for SSD 7348, in light of the proposed modifications, has identified that the issues and matters for consideration listed in those SEARs are still relevant to the proposed modification and that no additional issues need to be considered or addressed in the application. Goodman therefore requests that the DPIE confirm that, except for the updating of legislation and policy references which have changed since 2017, the October 2017 SEARs are still relevant for the MOD 2 EIS preparation and do not need to be comprehensively re-cast to inform preparation of an EIS for MOD 2.

2. PROPOSED CHANGES

The purpose of the proposed MOD 2 is to facilitate changes to Warehouse Buildings 1A-1C to meet the operational needs of the future tenant.

The layout of Precinct 1 is proposed to be reconfigured. Three warehouses still remain. Four tenancies will now exist. These are known as Warehouse 1A, and Warehouse 1B1, 1B2, and 1B3. The warehouses will continue to operate as a 'warehouse and distribution centre', with no additional land uses proposed as part of the modification.

Changes proposed will result in amendments to conditions specific to both the concept approval, and the Stage 1 approval. While both condition sets are intrinsically related, an overview of the key changes relating to each condition set is provided below.

Concept Approval

Changes proposed include:

- Development controls, including:
 - Increase in the maximum height of a portion of Building 1A from 13.7m to 36m (top of ridge line), and 39m (top of plant) to provide a 'high bay' to facilitate internal operations.
 - Amendments to the estate layout, specifically removing Estate Road 2 and addition of a new car park access driveway (left in left out) located off the Western North South Link Road.
 - Amendments to the building configuration of Precinct 1.
- Acoustic controls
 - Update the $L_{A1(1 \text{ minute})}$ dBA limits at nearby sensitive receivers to reflect current industry standards.
 - Provide a new condition which requires:
 - Extension of the previously approved noise wall along the western side of Precinct 2, and its construction prior to the operation of Precinct 1 to manage acoustic impact from Precinct 1 until the Precinct 2 warehouse is constructed.
- Approved Plans, including:
 - Update Architectural Masterplan drawing set in Appendix 1 to reflect the changed Precinct 1 configuration and building locations.
 - Update Civils Masterplan drawing set in Appendix 1 detailing changes in pad levels and Precinct 1 configuration.
 - Update Landscape Masterplan drawing set in Appendix 1 detailing changes resulting from the Precinct 1 configuration.
 - Remove reference to Appendix 2 (which contains Stage 1 Plans only).

Stage 1 Approval

A specific breakdown of the proposed amendments relating to Stage 1 are provided below:

- Updated architectural plans to detail:
 - Construction of three warehouse buildings (Building 1A, 1B and 1C) containing four tenancies.
 - An area of future warehouse expansion for Building 1A only.
 - Reduction in combined GLA from 116,359 sqm to 89,680 sqm for Precinct 1 only.
 - Commensurate decrease in total GLA across the Estate from 476,000 sqm to 448,590 sqm (1.06% decrease).

- Increase in the GFA from 116,359 sqm to 122,082 sqm within Precinct 1 only, resulting from additional mezzanines in Building 1A.
- Commensurate increase in total GFA across the Estate from 476,000 sqm to 480,992 sqm (0.9% increase).
- Increase in the maximum height of a portion of Building 1A from 13.7m to 36m (top of ridge line), and 39m (top of plant) to provide a 'high bay' to facilitate internal operations.
- Fit out of all three buildings (four tenancies) including racking and mezzanine, automation equipment in Building 1A, and ancillary office space.
- Removal of internal Estate Road 2 and addition of a new car park access driveway (left in left out) located on the Western North South Link Road.
- Reduction in parking numbers.
- Updated Signage within Precinct 1 only, including:
 - Goodman Light Box (Type 1 and Type 2)
 - New customer Signage (Type 3)
 - Inclusion of Sculpture Artwork
 - Inclusion of signage zones for future building name signage on building elevations
- Construction of an additional portion of noise wall at the western side of Precinct 2.
- Updated Civil Plans detailing
 - Changes in earth works design levels for part of Precinct 1, specifically for Lot 1B. Pad levels increase from a height of 70m (+/- 1m tolerance), to 74.8m (+/- 1m tolerance). Additional retaining walls to reflect the change in pad height.
 - Change in Estate road design.
 - Change in stormwater management details.
- Updated landscape plans to reflect the changed Precinct design and building locations.

Further details on the key elements are provided below.

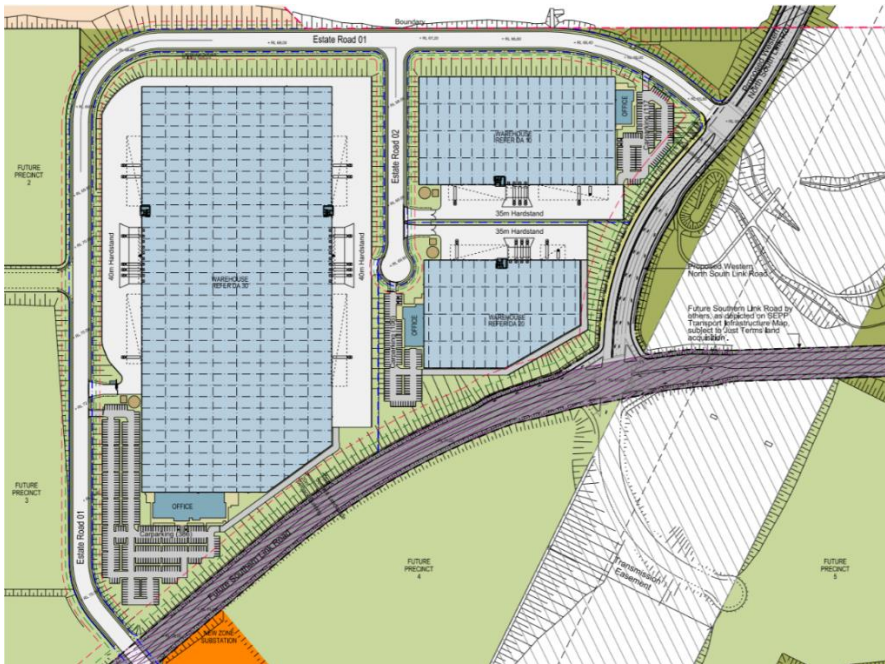
2.1. SITE LAYOUT

The following images demonstrate the amendments to the site layout. The number of buildings remain the same, with the key changes relating to the physical orientation of the buildings, and the building height. Tenancy numbers will increase from three to four.

The approved Estate Road 2 will be removed, allowing for reorientation and reconfiguration of buildings on the site.

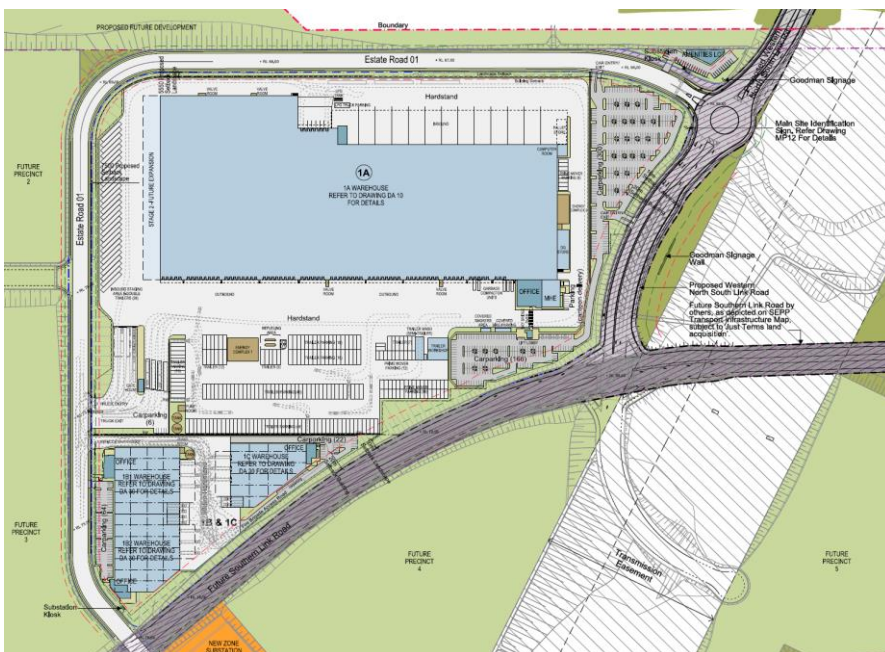
A new car park access will be provided from the Western North South Link Road serving the Building 1 car park, with heavy vehicles accessing the Precinct 1 buildings from two separate crossings at western Precinct boundary off Estate Road 1.

Figure 1 – Precinct 1 Approved Layout



Source: SBA Architects

Figure 2 – Precinct 1 Proposed Layout



Source: SBA Architects

2.2. BUILDING HEIGHT

Two of the three buildings proposed within Precinct 1 remain consistent with the approved building ridgeline height of 13.7m. Building 1A is proposed to be increased to a maximum height of 36m (excluding solar panels, roof plant and screening).

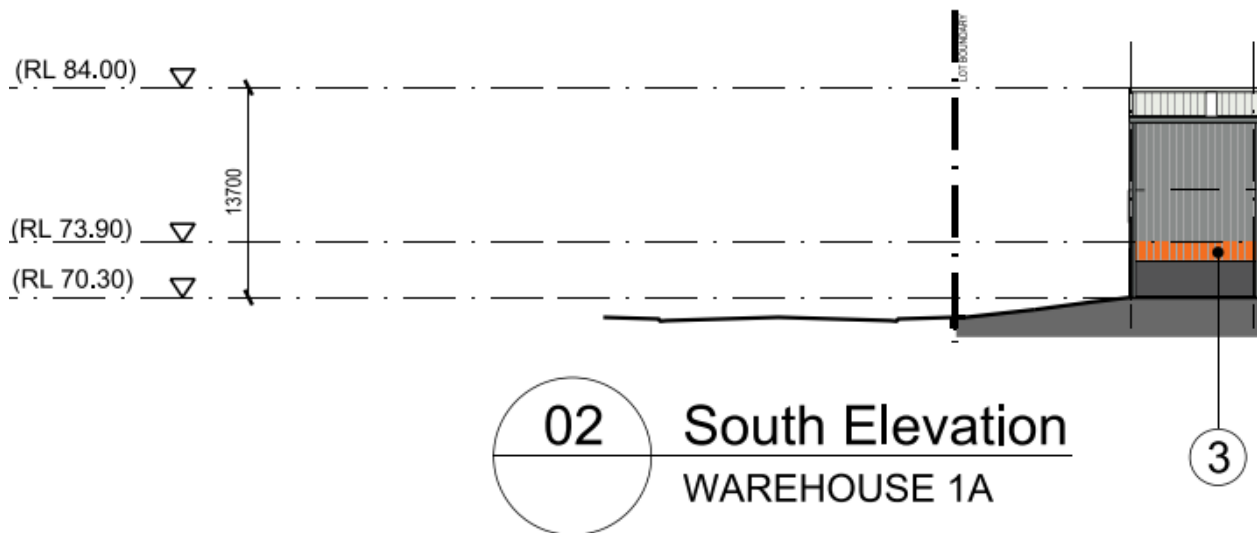
The height details of the building are as follows:

- 27.4m for the 'low bay' portion of the building; and
- 36m for the 'high bay' portion of the building, with a maximum height of 36m to top of ridge line, and 39m to top of plant.

The high bay portion of the building constitutes approximately 40% of the total building area for Building 1A. The increase of building height for the high bay portion of the site is shown in Figures 3 and 4 below.

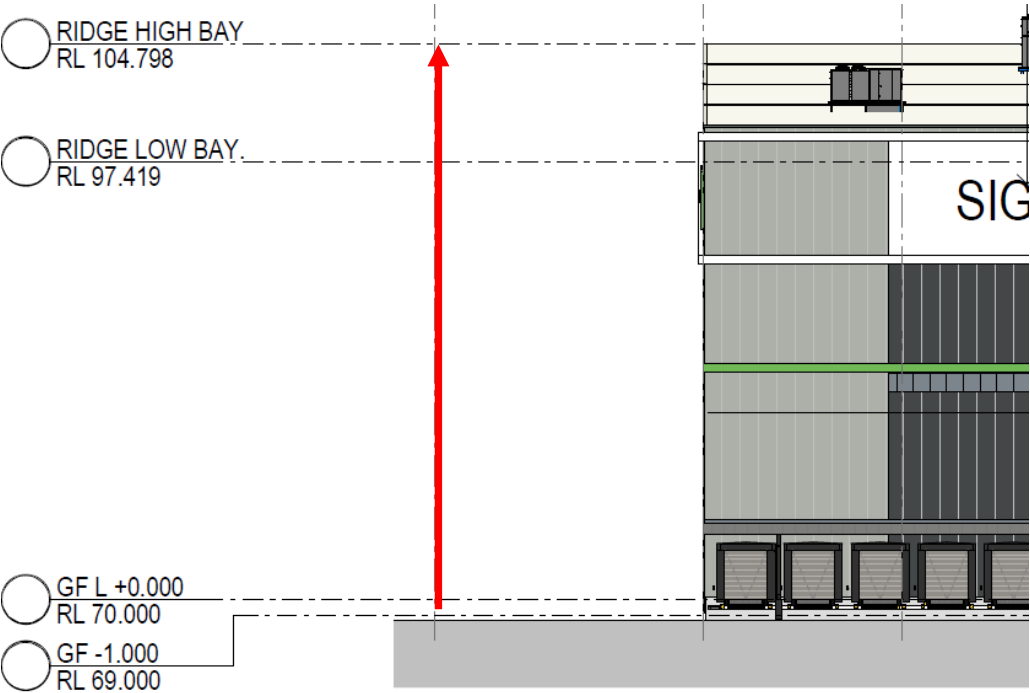
Further, the high bay portion of the warehouse is constructed 1m below the pad level for the low bay level at RL69.

Figure 3 - Approved 13.7m Building Height Warehouse 1A South Elevation



Source: SBA Architects

Figure 4 – Proposed High Bay



Source: SBA Architects

2.3. LANDSCAPE DESIGN

As a result of the warehouse relocation and reconfiguration, the landscape design within Precinct 1 will need to be updated. The proposed landscape design will be consistent in principle with the approved landscape scheme for Precinct 1. Landscaping will be provided along the site boundaries with the Estate Roads. There will be, however, increased tree coverage of the car parking hardstand, and increased landscaping density to the building setbacks, which will result in an improved landscaping outcome.

Figure 5 – Approved Landscape Layout – Precinct 1



Source: Site Image Landscape Architects

Figure 6 - Proposed Landscape Layout – Precinct 1



Source: Site Image Landscape Architects

2.4. SIGNAGE STRATEGY FOR PRECINCT 1 AND BUILDING SIGNAGE

Minor amendments are proposed to the approved signage strategy for Precinct 1. These amendments include the site wide relocation of signage to suit the revised layout while still serving the purpose of directional information. The inclusion of a Sculpture Artwork at the main entrance to Building 1A has resulted from further investment into the visual appeal of the development by the applicant. Signage will remain at a consistent design level with that previously approved.

In addition, building naming and building identification signage is proposed on the building elevations. Generic signage content will be sought to enable ease of content change following issuance of development consent. In summary, the proposed quantum of signage is as follows.

Building 1A

- Three future tenant building naming signs, with content reading 'signage' on Building 1A.
- Three signs containing 'Goodman' corporate branding and content are proposed on Building 1A north.
- Two signage zones on the skybridge, one on each of the East and West elevation.
- Building reference signage for future street numbering.

Building 1B and 1C

- Goodman corporate branding.
- Tenant building signage.
- Building reference signage for future street numbering.
- Directional signage.

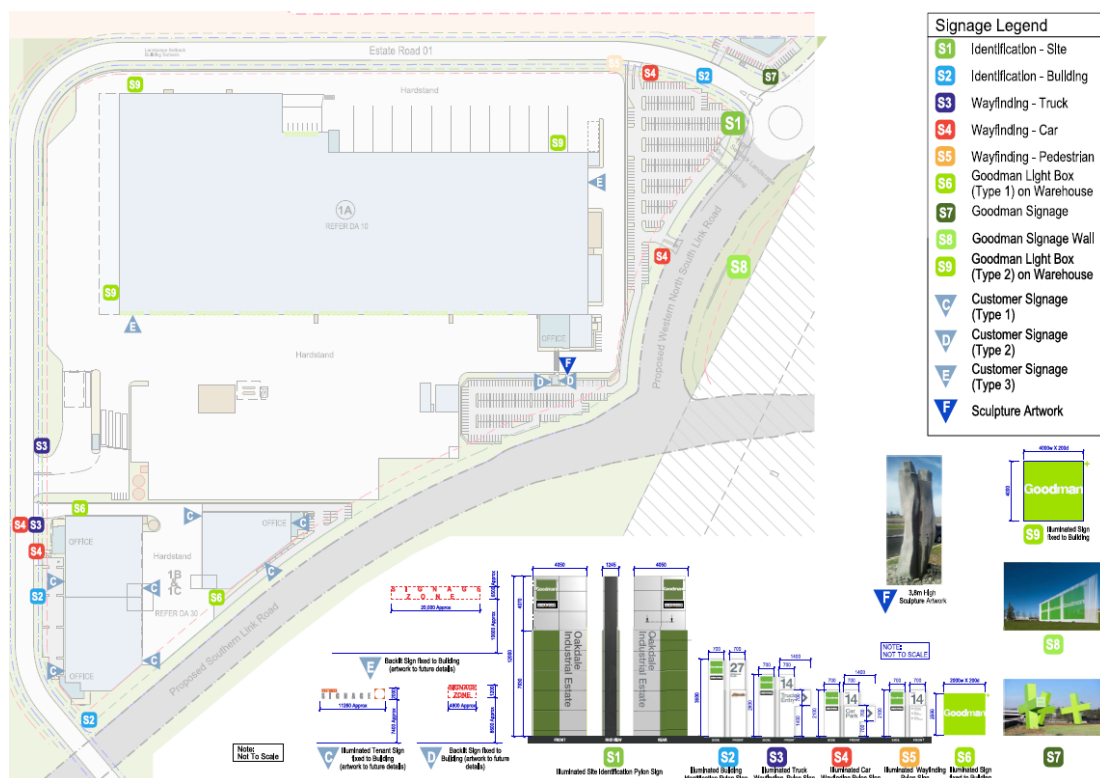
Figures 7 and 8 below show the approved and proposed wayfinding signage locations across the Precinct.

Figure 7 - Approved Signage for Precinct 1



Source: SBA Architects

Figure 8 – Proposed Signage for Precinct 1



Source: SBA Architects

2.5. FITOUT

Buildings 1B and 1C will continue to operate as warehouse and distribution centres as envisaged for the site under the original consent. Approval is sought for the detailed office fitout plans provided.

Building 1A is intended to house an automated warehouse and distribution centre featuring the latest warehousing and supply chain technology. This new automated high-bay warehouse will incorporate multiple mezzanine levels which will be able to store and distribute more than double the volume of products from a building area approximately half the size of current operating facilities. The facility will deliver significant productivity improvements, including higher standards of safety for staff at the facility, a reduction in distance travelled by supplier and store transport fleets, and will lead to improvements for end users of products.

The intended future Dangerous Goods storage will be assessed as part of the MOD 2 report.

The technology incorporated in the centre will utilise high bay cranes for safe and efficient storage of pallets, automatic de-palletisers, and automatic pallet stacking machines which will automatically stack cartons of goods onto pallets in a safe and efficient manner.

The specific height dimensions of the automated warehouse seek to result in a more sustainable supply chain, as they require a smaller built form footprint, reduce waste as less shrink wrap is required on pallets, and reduce energy use as automated areas of the facility can operate at reduced lighting levels.

Use of the warehouse will be for 24 hour operation, seven days a week in accordance with the Stage 1 consent.

2.6. EARTHWORKS AND PAD LEVELS

Changes in earth works design levels will be refined within Precinct 1, specifically for Lot 1B.

Pad levels for Lot 1B are proposed to increase from a height of RL70 (+/- 1000mm tolerance), to RL74.8 (+/- 1000mm tolerance).

The pad level for Lot 1A remains consistent with the approved height of 70m (1m tolerance).

Batters and other civil works within and around the perimeter of the site have been updated and designed to interface with the modified road levels sought via MOD 1.

2.7. CHANGES TO CONDITIONS

Minor condition changes are required to facilitate the updates representative of changes to the Concept and Stage 1 consents stemming from the proposed changes to Precinct 1. These changes include:

Concept Approval

- Update Condition B10 to reflect increased maximum building height of Building 1A of 39m.
- Update Condition B11 to reflect maximum ridge height of Building 1A of 36m (excluding roof mounted mechanical plant and solar panels).
- Update criteria listed in acoustic Condition B18 to reflect current industry standards for the $L_{A1(1 \text{ minute})}$ criteria.
- Provide additional Condition B18(A) to allow for minor (2dBA) exceedances for the $L_{Aeq(15 \text{ minute})}$ criteria whilst Precinct 1 is in operation in isolation of other buildings being completed.
- Provide additional Condition B18(B) to require extension of the approved noise wall to enable acoustic compliance.
- Update plan references to reflect updated Architectural, Civil and Landscape masterplan drawings.

Stage 1 Approval

- Update Architectural, Civil, and Landscaping plans to reflect the proposed design changes.

3. PLANNING PATHWAY

Section 4.55 of the Environmental Planning & Assessment Act 1979 (the **EP&A Act 1979**) provides a mechanism for the modification of development consents. This section of the Act sets out the statutory requirements and heads of consideration for the assessment of such a modification application, depending on whether the application is made under section 4.55(1), 4.55(1A) or 4.55(2).

As is relevant to this application, pursuant to section 4.55(2), a consent authority may, subject to and in accordance with the Regulations, modify a development consent if:

- (a) *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), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with:*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1) and (1A) do not apply to such a modification.

Further, subsection (3) requires that the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application, and the reasons given by the consent authority for the grant of the consent that is sought to be modified.

These heads of consideration are addressed below.

3.1. SUBSTANTIALLY THE SAME

Our assessment of the proposed changes will demonstrate that the modified proposal will be substantially the same as the development as originally approved.

The site will continue to be used for warehouse and distribution activities as the primary purpose, with some changes to the built form to better service the future operation and use of the site. While some visual elements along with operational requirements of the proposal will result in a change from that approved, the general appearance and functionality of the site will remain the same as approved.

The quantitative elements of the approval, including gross floor area, setbacks, spatial arrangement, quantum of car and bicycle parking, pedestrian and vehicle access will not be substantially altered by the proposed modifications.

An assessment of the proposal against the requirements of section 4.55(2) of the EP&A Act 1979 will be undertaken and supported by various technical studies prepared in support of the modification application.

3.2. SECTION 4.15 CONSIDERATIONS

Any modification application will need to address the heads of consideration under section 4.15 of the EP&A Act 1979. These heads of consideration have not changed since the issuance of SEARs in October 2017.

The following environmental planning instruments, polices and guidelines will be considered in the assessment of the modification proposal.

- Environmental Planning and Assessment Act 1979.
- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Western Sydney Employment Area) 2009.
- State Environmental Planning Policy (Infrastructure) 2007.
- State Environmental Planning Policy No.55 (Remediation of Land).
- State Environmental Planning Policy No 64 (Advertising and Signage).

In its determination of the SSD, the Minister provided the reasons for the granting of consent. A detailed analysis of these reasons along with demonstration as to how the proposed changes do not impact on the justification will be provided in the environmental assessment report.

An initial assessment of the proposed modifications has determined the proposal, as modified, will continue to align with aims and objectives of relevant State and local planning instruments, and planning guidelines.

Any proposed changes to the Stage 1 consent will need to demonstrate that it remains consistent with the Concept Approval. Where conditions of the concept approval are to be modified, this will need to be justified.

4. ISSUES IDENTIFICATION

The proposal is not anticipated to require assessment against any new issues or policy considerations than those listed in the October 2017 SEARs, rather assessment will be undertaken in relation to known and understood considerations. It is however acknowledged that referenced policies and legislation may need to be updated to reflect any naming changes since 2017.

The primary environmental considerations against which assessment will be required as part of the MOD 2 application are highlighted below:

- **Planning Policy and relevant legislation** – Planning policy and relevant legislation has not changed significantly since October 2017; however consideration will need to be given to updating cited references in the SEARs. Updates may include
 - Removing reference to A Plan for Growing Sydney and replace with A Metropolis of Three Cities – The Greater Sydney Region Plan.
 - Removing reference to Draft West Central & South West Subregional Strategy and replace with the Western City District Plan.
 - Update reference to the currently applicable biodiversity legislation.
 - Update reference to the currently applicable noise policy.
- **Built Form** - The buildings on the site are proposed to be reconfigured and re-oriented from that approved under the Stage 1 consent. The layout changes from three larger buildings to one large building and two smaller buildings. The layout will continue to provide for onsite truck movement and circulation, deliveries, and car parking. The number of building tenancies will increase from three to four. The reconfiguration of the buildings will result in an overall Precinct 1 site coverage of 58% (Lot 1A) and 47% (Lot 1B) (excluding awnings). An assessment of built form impacts will be detailed in the EIS.
- **Building Height** – The 13.7m building height informing the anticipated Stage 1 consent is maintained for the majority of the building form. 40% of Building 1A increases in height to a maximum of 36m excluding roof top plant, solar panels and screening. The rest of Building 1A is has a maximum height of 28m excluding roof top plant, solar panels and screening. The maximum building height location to Building 1A will be 39m to accommodate rooftop plant, solar panels and screening. While this is a numerical departure from the approved development, the impacts of this height change will need to be assessed.
- **Floor Space** – The proposal will result in an increased GFA across Precinct 1 resulting from an increase in internal mezzanines to support the automated operations of the future tenant of Building 1A in the estate. This will however result in a reduced GLA of the Estate and Precinct 1.
- **Setbacks** - Setbacks to all frontages and roads will alter as a result of the proposed modifications. The setbacks remain consistent with the Concept Approval Condition B10 requirements and are increased in some instances to provide greater landscaping buffers to the site.
- **Traffic and Car Parking** – The proposal will reduce onsite parking spaces and vehicle trips generated from Precinct 1 during normal operating conditions as a result of the proposed amendments. It is noted that during the end of year peak, traffic volumes will increase slightly above the quantum assessed and informing the original SSD 7348 consent. The impact of this traffic generation from Precinct 1, and the parking demand from the proposed use will need to be addressed.

Construction traffic generation will also need to be addressed in the Traffic Impact Assessment to reflect the changed quantum of fill importation within Precinct 1 for the revised pad levels.

- **Air Quality** – Modifications to the vehicle generation rates and on site operations of the future tenant may result in changes to the air quality impacts resulting from the proposal. These will need to be addressed.
- **Acoustic** – Due to the site layout and operational changes proposed, the resulting acoustic impacts are likely to differ from the original approval and will need to be addressed. These will need to have regard to noise generation from Precinct 1 operating in isolation, and also as part of the completed OWE development, in the proposed building configuration.

- **Visual Impact** – The visual impact resulting from the changes to the layout and built form will change. This will need consideration in line with the visual impact assessment prepared for the Concept and Stage 1 SSDA.
- **Landscape** - The proposed modification includes a reconfigured layout and built form within Precinct 1. As a result, the landscape concept will require updating to reflect the changes to the built form and arrangement of Precinct 1.
- **Stormwater Impacts** – The hydraulic operations of the site will need to be redesigned to suit the new design layout.
- **Hazardous Material Storage** – Potential impact from any hazardous materials stored on site will require assessment.
- **Civils** – Changes to the approved pad height levels within Precinct 1, specifically for 1B. Pad levels for Lot 1B are proposed to increase from a height of RL70 (+/- 1000mm tolerance), to RL74.8 (+/- 1000mm tolerance). The pad level for Lot 1A remains consistent with the approved height of 70m (1m tolerance). Batters and other civil works within and around the perimeter of the site have been updated and designed to interface with the modified road levels sought via MOD 1. An additional passenger vehicle entrance to the car park for Warehouse 1A is provided from the Proposed Western North South link road.

5. CONCLUSION

This report represents a formal request to the Secretary of DPIE to confirm the SEARs in respect of a proposed modification to SSDA 7348. The consent approved a Concept Proposal and detailed Stage 1 works relating to the overall development of the OWE including the establishment of road layouts, site levels, subdivision and infrastructure delivery.

Design development from the future tenant of Building 1A has resulted in the need for minor amendments to the approved site layout of Precinct 1 and necessitates modifications to SSD 7348 (as modified).

It is our view that the issues contained in the original SEARs are still relevant for the proposal, with no new issues required to be addressed. In this regard, Goodman seeks confirmation from the DPIE that the original SEARs do not need to be comprehensively re-drafted. It is acknowledged that minor updates may be required to the original SEARs issued (as revised) in relation to policy and legislation references which have changed since 2017.

It is therefore requested that the Secretary or delegate confirm that the original SEARs are relevant to the proposal, enabling the EIS to be progressed.

DISCLAIMER

This report is dated 29 October 2019 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Goodman (**Instructing Party**) for the purpose of Professional Planning Services (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

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 MOD 2 PLANS



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