



Prospect Logistics Estate Modification 2

Layout, built form and access arrangements for Warehouse 7
State Significant Development Modification Assessment
(SSD-10399-Mod-2)

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Cover image: Artist's Image of Office and Warehouse (Source: Mark Walker Digital – Environmental Impact Statement August 2020)

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Glossary

Abbreviation	Definition
BCC	Blacktown City Council
CCC	Cumberland City Council
Department	Department of Planning and Environment
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
LEP	Local Environmental Plan
Minister	Minister for Planning
NRAR	Natural Resources Access Regulator, DPE
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
WSEA SEPP	State Environmental Planning Policy (Western Sydney Employment Area) 2009

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1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State significant development (SSD) consent for the Prospect Logistics Estate (SSD-10399). The modification application seeks consent to amend the layout, built form and access arrangements for Warehouse 7.

The application was lodged on 15 November 2021 by ISPT Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The Applicant is constructing a warehouse and logistics estate in Prospect, within the Cumberland and Blacktown local government areas (LGAs). The site is located within the Greystanes Northern Employment Lands Precinct of the Western Sydney Employment Area (WSEA) (see **Figure 1**).

The development involves the construction and operation of seven warehouses, associated offices and supporting infrastructure on 18.6 hectares (ha) of industrial land in Prospect. The warehouses and offices would provide 95,150 square metres (m²) of Gross Floor Area (GFA). The Applicant has development consent to construct the whole estate but plans to deliver the development progressively as tenants are secured for each warehouse. The approved warehouse uses include cold storage, e-commerce, data centres, freight and logistics, food processing, pharmaceutical or automotive industries.

The development also requires some soil remediation works to prepare the site for construction and changes to a regional flood detention basin that borders the site.

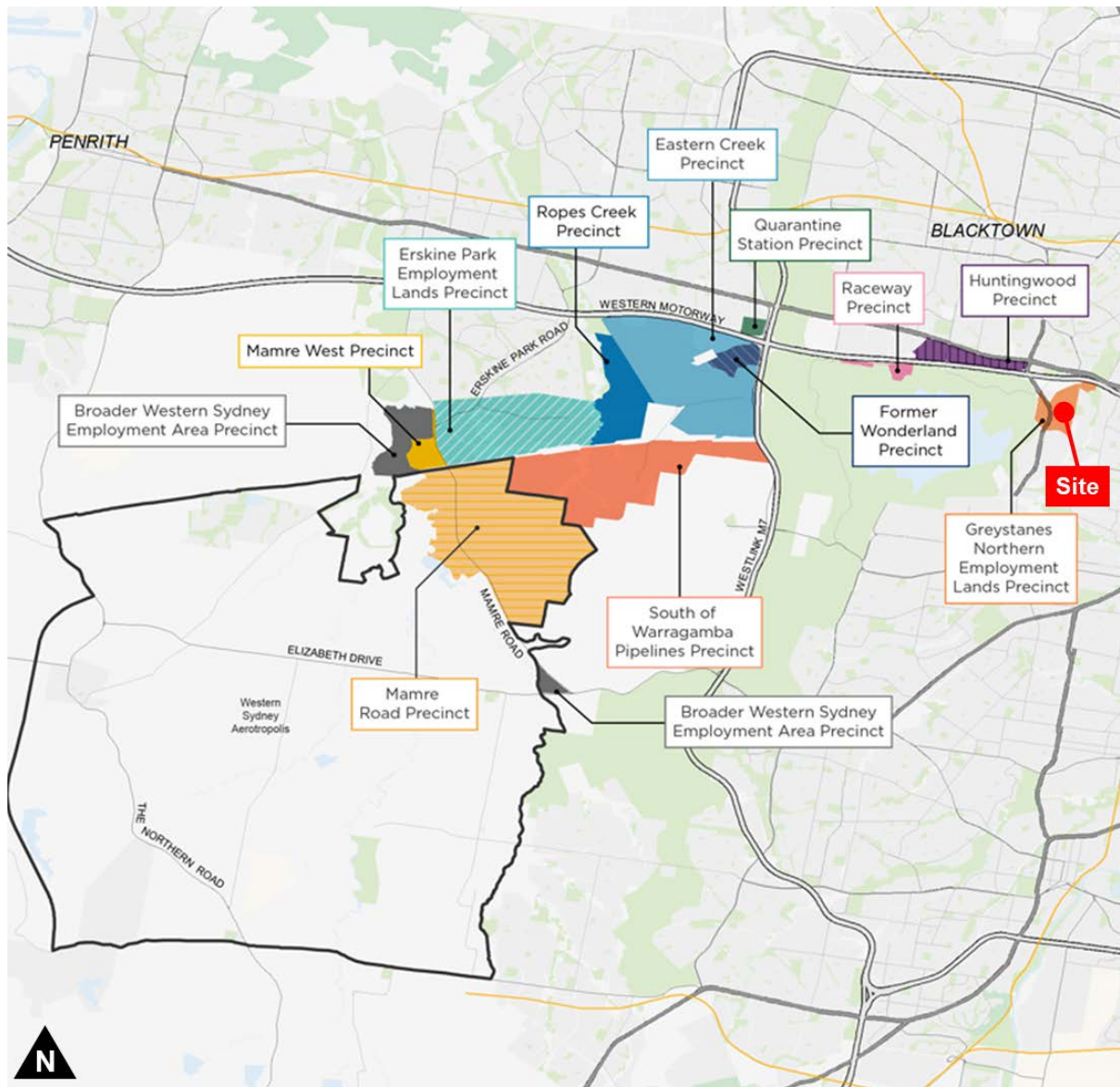


Figure 1 | Site Location within the Western Sydney Employment Area



Figure 2 | Local Context Map

1.2 Surrounding Land Uses

The site is located at the northern edge of the Greystanes industrial area, with neighbouring warehouses immediately to the west, south-west and north-east (see **Figure 2**). The warehouses include furniture and building supplies, stationary, automotive parts and food distributors.

The Pemulwuy residential suburb is located immediately to the east with the nearest residences located between 25 metres (m) and 40 m from the site boundary. Residential development in the area commenced around 10 years ago and houses are still being constructed adjacent to Clunies Ross Street. There is an existing noise wall (> 2 m in height) along Clunies Ross Street which extends for approximately 270 m along the rear of the residences, from just north of Burraga Way to Wombat Street.

A site listed on the State Heritage Register, Prospect Hill, is located to the south and south-east, sitting in an elevated position above the development site. Prospect Hill includes a curtilage (or boundary) that extends around the heritage site and is also protected as part of the State Heritage listing. Part of the heritage curtilage extends into the site and this area has been protected from development.

The main road access to the site is from Foundation Place on the western boundary and Clunies Ross Street along the eastern boundary. Foundation Place connects to the Prospect Highway and then the Western Motorway (M4) and Clunies Ross Street connects to the Great Western Highway.

To the north of the site is some vegetation and a regional flood detention basin in the Blacktown LGA that serves the Greystanes industrial area. Girraween Creek and the M4 are located further to the north.

The site slopes steeply, falling around 56 m from the south to the north. Retaining walls have been constructed on the site to create level areas for past industrial facilities.

1.3 Approval history

On 2 July 2021, development consent was granted by the Director, Industry Assessments, as delegate of the then Minister for Planning and Public Spaces, for the development of the Prospect Logistics Estate (SSD-10399). The development consent allows the construction, fit out and operation of a warehouse and logistics estate comprising seven warehouses, offices, a cafe and associated infrastructure with a combined GFA of 95,150 m².

This is the second modification application to the development consent. The modifications are summarised in **Table 1**.

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Increase storage of Dangerous Goods at Warehouse 2	Team Leader	s.4.55(1A)	Approved 21 December 2021
MOD 2	Layout, built form and access arrangements for Warehouse 7	Team Leader	s.4.55(1A)	Subject modification application

2 Proposed modification

2.1 Proposed Modification

The Applicant has lodged an application under section 4.55(1A) of the EP&A Act to modify the Prospect Logistics Estate development to amend the layout, built form and access arrangements for Warehouse 7. The approved and proposed site plans are shown in **Figure 3** and **Figure 4**, respectively. The proposed Warehouse 7 layout is shown in **Figure 5**.

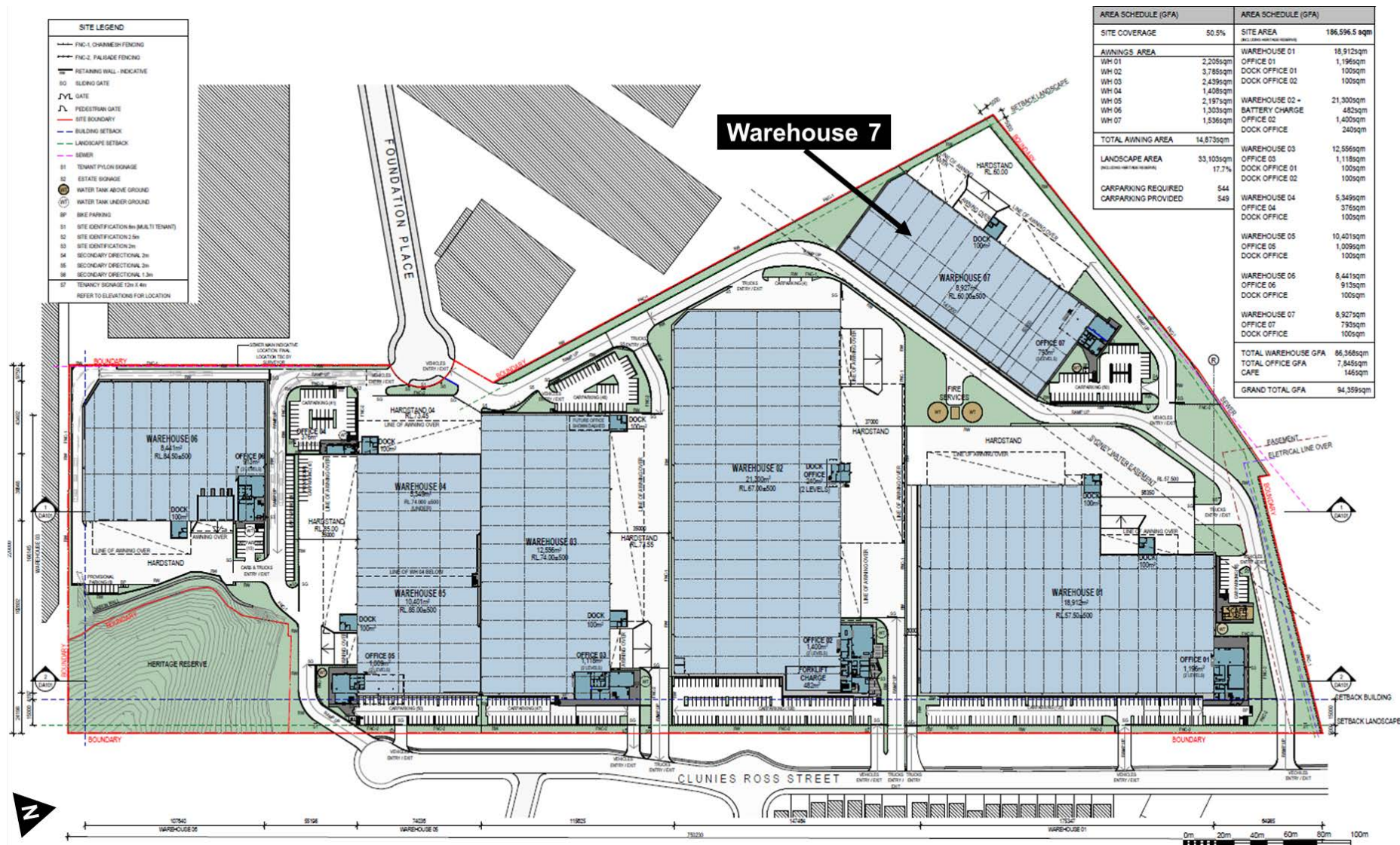
The proposed amendments include:

- an increase in Warehouse 7 GFA from 8,927 m² to 9,309 m² (+382 m²)
- a decrease in total office GFA from 893m² to 604m² (-289m²)
- an increase in site coverage from 50.5% to 50.7%
- the storage and use of refrigerant gases classified as Dangerous Goods (DGs) to support the use of Warehouse 7 for food preparation and dispatch
- changes to the Warehouse 7 elevations and external finishes
- changes to the internal layout of Warehouse 7, including new internal wall and an elevated catwalk
- an increase in parking from 50 spaces to 99 spaces (+49 spaces)
- the relocation of the car park access from the Lot 7 driveway to the estate road
- revised truck access arrangements comprising a second driveway to the estate road to facilitate one way access to and from the hardstand loading area
- construction of substation kiosks
- modification of Condition B31 to allow staging of the regional detention basin works (detailed in **section 4.4**)
- deletion of Condition B18 referring to the height and masonry construction of boundary retaining walls.

The modification is described in full in the Modification Report included in **Appendix A**.

2.2 Applicant's Justification for the Proposed Modification

During the assessment of the original development, the Applicant identified a prospective food processing tenant for Warehouse 7. As such, the Applicant made changes to the application in accordance with Clause 55 of the Environmental Planning & Assessment Regulation 2021 (EP&A Regulation) to allow for the use of Warehouse 7 for food processing involving the receipt of fresh produce, food preparation, packaging and dispatch. The subject modification application proposes changes to Warehouse 7 to meet the operational needs of the tenant.



AREA SCHEDULE (GFA)		AREA SCHEDULE (GFA)	
SITE COVERAGE	50.5%	SITE AREA	186,596.5 sqm
AWNING AREA		WAREHOUSE 01	
WH 01	2,205sqm	OFFICE 01	1,196sqm
WH 02	3,785sqm	DOCK OFFICE 01	100sqm
WH 03	2,439sqm	DOCK OFFICE 02	100sqm
WH 04	1,408sqm	WAREHOUSE 02 + BATTERY CHARGE	21,300sqm
WH 05	2,197sqm	OFFICE 02	1,400sqm
WH 06	1,303sqm	DOCK OFFICE	240sqm
WH 07	1,536sqm		
TOTAL AWNING AREA	14,873sqm	WAREHOUSE 03	12,586sqm
LANDSCAPE AREA		OFFICE 03	1,118sqm
LANDSCAPE AREA	33,103sqm	DOCK OFFICE 01	100sqm
	17.7%	DOCK OFFICE 02	100sqm
CARPARKING REQUIRED	544	WAREHOUSE 04	5,349sqm
CARPARKING PROVIDED	549	OFFICE 04	376sqm
		DOCK OFFICE	100sqm
		WAREHOUSE 05	10,401sqm
		OFFICE 05	1,009sqm
		DOCK OFFICE	100sqm
		WAREHOUSE 06	8,441sqm
		OFFICE 06	913sqm
		DOCK OFFICE	100sqm
		WAREHOUSE 07	8,927sqm
		OFFICE 07	793sqm
		DOCK OFFICE	100sqm
		TOTAL WAREHOUSE GFA	86,568sqm
		TOTAL OFFICE GFA	7,845sqm
		CAFE	146sqm
		GRAND TOTAL GFA	94,559sqm

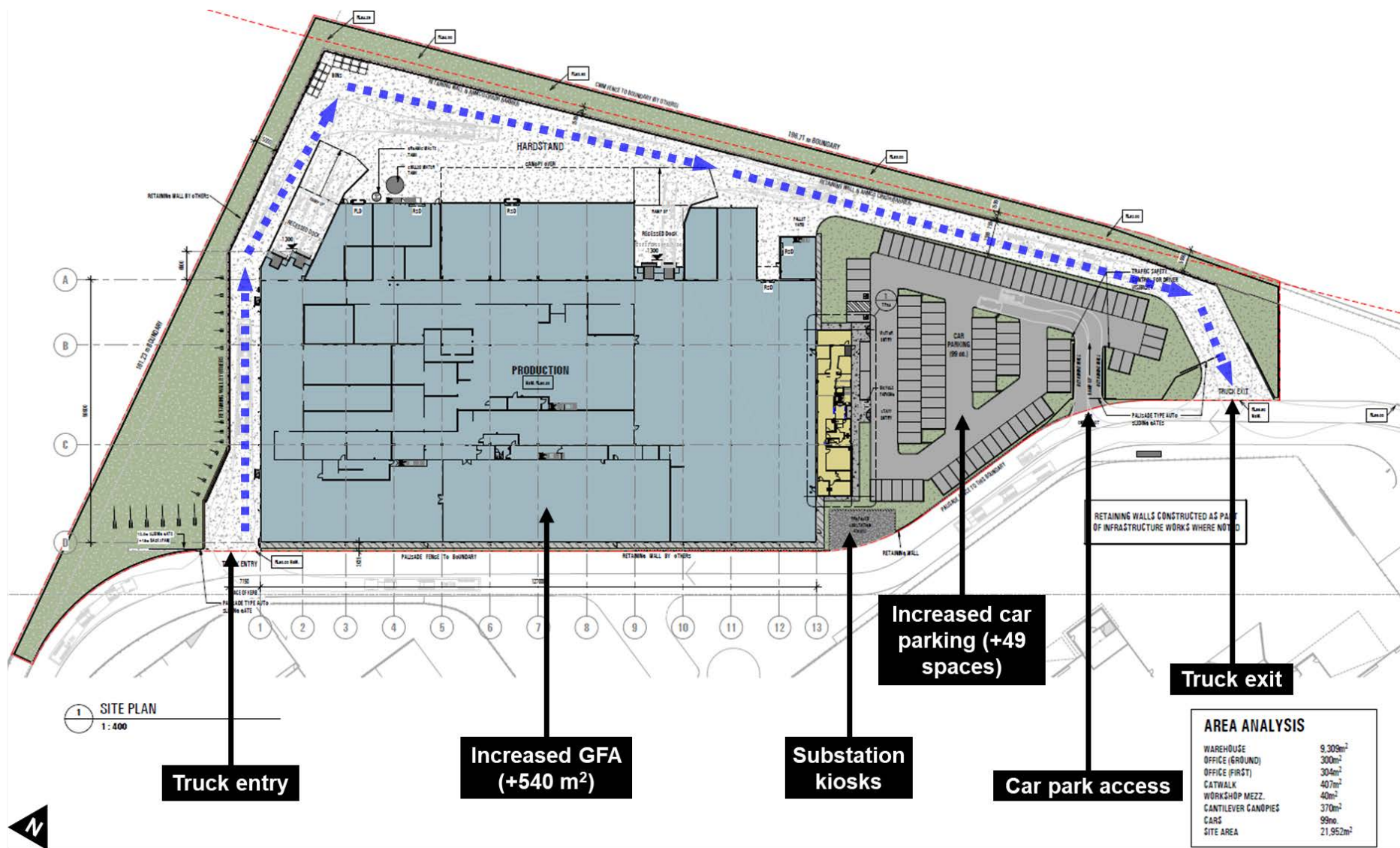


Figure 5 | Proposed Warehouse 7 Layout

3 Statutory context

3.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved
- would not change the primary function and purpose of the approved development
- is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- is substantially the same development as originally approved
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent Authority

The Minister for Planning (Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. Under the Minister's delegation of 26 April 2021, the Team Leader, Industry Assessments, may determine the application under delegation as:

- the application has not been made by a person who has disclosed a reportable political donation under section 10.4 of the EP&A Act
- there are no public submissions (other than a council) in the nature of objections, and
- Council has not made a submission by way of objection under the mandatory requirements for community participation listed under Schedule 1 of the EP&A Act.

3.3 Mandatory Matters for Consideration

The Department undertook a comprehensive assessment of the application against the mandatory matters for consideration as part of the original assessment of SSD-10399. This modification application does not result in significant changes that would alter the Department's consideration of the mandatory matters for consideration under section 4.15(1) of the EP&A Act and conclusions made as part of the original assessment.

3.4 Biodiversity Conservation Act 2016

Section 7.17 of the *Biodiversity Conservation Act 2016* (BC Act) specifies that if the determining authority is satisfied a modification will not increase the impact on biodiversity values, a biodiversity development assessment report (BDAR) is not required.

The Applicant prepared a BDAR for the original development which confirmed the development would not have a significant impact on any threatened species or ecological communities. The proposed modification would not involve any changes to the layout or operation of Warehouse 7 and therefore would not have an impact on biodiversity values.

For the reasons discussed above, the Department's assessment concludes a BDAR is not necessary for the proposed modification.

4 Engagement

4.1 Department's Engagement

Clause 117(4) of the EP&A Regulation requires a section 4.55(1A) modification application to be notified or advertised if specified by a community participation plan. The Department's Community Participation Plan notes the exhibition requirements for such modifications are discretionary, and based on the urgency, scale and nature of the proposal.

Given the proposed changes would result in minimal environmental impacts (see **Section 3**), the application was not notified or advertised. However, it was made publicly available on the Department's website on 8 November 2021, and was referred to Blacktown City Council (BCC), Cumberland City Council (CCC), Transport for NSW (TfNSW) and Sydney Water for comment.

4.2 Government Advice

Advice was received from two State government authorities and from two local councils. A summary of this advice is provided below.

BCC did not object to the modification, however requested the Applicant be required to implement the recommendations made in the Preliminary Hazard Analysis (PHA) and complete a Post Commissioning Acoustic Report.

CCC did not object to the modification, however also requested the Applicant be required to implement the recommendations made in the PHA. CCC also commented on compliance with relevant Australian Standards, carparking rates under its Development Control Plan (DCP) and implementation of the recommendations made in the Acoustic Assessment.

TfNSW noted the modification would increase the traffic generation potential of the proposed development. However, TfNSW raised no objection as the additional traffic would likely have no adverse impact on the classified road network.

Sydney Water did not object to the modification or raise any concerns as the revised design does not change the position of the warehouse building and structures relative to the Sydney Water easement.

4.3 Public Submissions

The Department received a letter of support from HS Fresh Food Pty Ltd, the future tenant of Warehouse 7.

4.4 Modification Application Amendment

Two basins are located within the site: a water quality control wetland in the Cumberland LGA and a regional detention basin in the Blacktown LGA. Both will be partially infilled as part of the construction of the building pad for Warehouse 7. As such, the development involves the provision of compensatory flood storage in the regional detention basin to offset the loss of storage in both basins.

During the assessment of the original SSD, the Applicant undertook hydrologic modelling of the basin changes to confirm the modified basins would have adequate capacity to control stormwater quality and quality from upstream catchments and the development. BBC requested the Applicant prepare a Dam Break Study to consider flood hazard and consequence should the embankment of the regional detention basin fail. As such, Condition B31 requires the Applicant to complete a Dam Break Study and complete the regional detention basin works to the satisfaction of BCC, prior to the commencement of earthworks or construction works for Warehouse 7.

Condition B31 reads as follows:

Regional Detention Basin

B31. Prior to the commencement of earthworks or construction works for warehouse 7, the Applicant must provide written evidence to the Planning Secretary, confirming:

- (a) the Applicant has entered into an access deed with BCC for carrying out works on the regional detention basin;***
- (b) the completion of a detailed Dam Break Study of the existing regional detention basin considering the proposed modifications for the development, completed to the satisfaction of BCC;***
- (c) the relevant recommendations of the Dam Break Study for the regional detention basin have been implemented at no cost to BCC and to the satisfaction of BCC; and***
- (d) the works to the regional detention basin, as described in the EIS, RTS and generally in accordance with the plans in Appendix 5, have been completed to the satisfaction of BCC.***

The Applicant met with BCC to discuss the staging of the works for Warehouse 7 to allow the commencing of works outside of the dam flood storage zone. While Condition A11 allows for the construction or operation of the development to be staged, Condition B31 restricts any works for Warehouse 7. The Department advised the Applicant that Condition B31 would have to be modified to allow the staged construction of Warehouse 7 and endorsement from BCC would be required.

On 2 December 2021, the Applicant provided a letter formally requesting an amendment to SSD-10399-Mod-2 under Clause 121B of the EP&A Regulation to modify Condition B31. The proposed modified condition seeks to permit earthworks or construction works for Warehouse 7 prior to Condition B31 being satisfied provided the works do not 'reduce the storage capacity of the regional detention basin'. The Applicant advises this would enable the transfer of excavated spoil from the embankment to the Warehouse 7 pad and reduce the double handling of spoil.

4.5 Response to Submissions

On 27 January 2022, the Applicant submitted a Response to Submissions (RtS) letter noting that none of the submissions object to the proposal and accepting the recommendations made in each submission.

The RtS also refers to the request to amended Condition B31 and includes evidence that BCC raised no objection to the proposed amendment.

5 Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- Modification Report provided to support the proposed modification
- submissions received from State government authorities and local councils
- RtS and a request to amend the modification application provided by the Applicant
- assessment report for the original development application
- existing conditions of consent
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of the modification application is provided in **Table 2** below.

Table 2 | Assessment of Issues

Assessment	Recommendation
Noise	
• The proposed modification has the potential to change the noise impacts from the development as a result of the amended layout and built form of Warehouse 7. • The Pemulwuy residential suburb is located immediately to the east with the nearest residences between 25 – 40 m from the site boundary. There is a 270 m long noise wall (> 2 m in height) along Clunies Ross Street, along the rear of the residences. • The modification application included an Acoustic Assessment, prepared by Acoustic Dynamics, which assessed the potential noise impacts of the proposed amendments to Warehouse 7. • The Acoustic Assessment utilised the background noise monitoring data previously conducted on site and predicted the noise emissions associated with the 24 hour food processing operations of Warehouse 7. The Acoustic Assessment considered noise from the maximum capacity operations against the most stringent assessment period (i.e. night time) to provide a conservative assessment and concluded the predicted noise emission levels from the modified development would comply with the Project Trigger Noise Levels established in accordance with the Environment Protection Authority's (EPA's) <i>Noise Policy for Industry 2017</i> (NPfI). • BCC requested the Applicant be required to complete a Post Commissioning Acoustic Report to confirm compliance with the recommendations outlined in the Acoustic Assessment have been implemented and met. CCC also requested the Applicant be	No additional conditions are recommended.

Assessment	Recommendation
required to implement the recommendations made in the Acoustic Assessment. • The Department has reviewed the Applicant's Acoustic Assessment and is satisfied that it provides a conservative assessment of the operational noise impacts associated with the modified design. Furthermore, the Department notes the modified design would not increase noise generating activities within the vicinity of residential receivers to the east. • The Applicant must submit a design noise validation report prior to the construction of each warehouse, in accordance with Condition B34, and undertake noise verification monitoring once each warehouse is operational, in accordance with Condition B36. If any exceedances occur, the Applicant must implement additional noise mitigation measures to ensure there is no exceedance of the criteria at residences. • The Department considers the modified development would result in minimal noise impacts beyond the impacts assessed under the original SSD and the Applicant has demonstrated the modified development would satisfy the noise criteria under the development consent. • The existing conditions require the Applicant to validate the noise emissions from Warehouse 7 both before construction and once operational to confirm compliance. No additional conditions are recommended as the existing conditions adequately address the request made from BCC.	
Traffic	
• The modification would increase the total GFA for Warehouse 7 which has the potential to increase the traffic generated from the development. • The modification application included a Transport Statement prepared by ASON Group to assess the potential traffic impacts associated with the proposed amendments. • The Transport Statement updated the traffic generation rates to take into account the increased GFA. The modification would result in an additional two additional trips per day (from 186 trips to 188 trips) from Warehouse 7. • BCC, TfNSW and CCC did not raise any concerns in relation to operational traffic impacts. • The Department has reviewed the Applicant's assessment and is satisfied the potential increase to operational traffic would be minor, noting only two additional trips per day are anticipated. The Department's assessment concludes the potential impacts of the	No additional conditions are recommended.

Assessment	Recommendation
proposed changes to traffic are acceptable and would continue to be appropriately managed through the existing conditions of consent. No additional conditions are recommended.	
Parking and access	
• The modification proposes to amend the car parking and access arrangements for Warehouse 7 which has the potential to impact its operation. • The Transport Statement prepared by ASON Group assessed the modified layout against the approved development, the BCC DCP and Australian Standards. • BCC and TfNSW did not raise any concerns in relation to parking or access. However, CCC noted the modified development should remain compliant with Australian Standards and CCC's DCP. • The parking requirements under the original SSD were based on the rates provided in the <i>RMS Guide to Traffic Generating Developments</i> (RMS Guide). BCC recommended additional parking in accordance with the rates detailed in its DCP. However, the Department was satisfied with the rates proposed by the Applicant, noting they were consistent with the RMS Guide and other warehouse developments in the WSEA. • The modification would increase the parking provision on Lot 7 from 50 spaces to 99 spaces (+49 spaces). The Transport Statement states the modification would bring the parking provision for Lot 7 closer to the requirements set out in the BCC DCP (141 spaces). • The modification also seeks to amend access arrangements for Warehouse 7, resulting in a relocation of the car park access and the provision of an additional driveway to the estate road for one way access to and from the truck loading area (refer to Figure 5). • The Transport Statement advises the revised layout would improve the efficiency of truck movements to and from Warehouse 7 while also reducing potential conflict between truck and car movements. • The Department has reviewed the Applicant's assessment and is satisfied the increase in car parking is more in consistent with the requirements of the BCC DCP. • Furthermore, the Department considers the amendments to the access arrangements would result in a better outcome for Warehouse 7 by improving vehicle manoeuvrability. The modified layout would allow for one-way truck movements while separating light and heavy vehicle access. • The Department's assessment concludes the potential impacts of the proposed changes to parking and access for Warehouse 7 are acceptable and would continue to be appropriately managed	No additional conditions are recommended.

Assessment	Recommendation
through the existing conditions of consent. No additional conditions are recommended.	
Visual impacts	
• The modification proposes to amend the built form of Warehouse 7 which includes an amended façade design. This has the potential to increase the visual impact of the development on receivers. • The Modification Report includes assessment of the visual impact of the proposed amendment. • Warehouse 7 was approved with a height of 13.7m in the original SSD. The modification does not propose any changes to the approved building height. • No concerns were raised regarding visual impact by the councils, government authorities or in the public submission. • The Applicant has proposed the deletion of Condition B18 which requires the Applicant to ensure that all boundary retaining walls are located fully within the site, are of masonry construction and have a maximum single height of 1.2 m. The applicant argues that Condition B18 <i>‘does not reflect the approved earthworks and civil designs for retaining walls on the site’</i>. This change has not been adequately justified and the removal of Condition B18 may lead to undesired visual or amenity impacts. • The Department considers the façade design to be generally consistent with that approved under the original SSD presenting no additional visual impact or loss of amenity. The Department notes Condition B17 requires the Applicant to develop façade designs in consultation with CCC and be approved by the Planning Secretary prior to construction. No additional recommendations are recommended.	No additional conditions are recommended.
Hazards and risk	
• The proposed modification includes the storage and use of refrigerant gases (classified as dangerous goods) to support the use of Warehouse 7 for food preparation and dispatch. This has the potential to pose risk to surrounding properties. The modification application included a SEPP 33 report prepared by Riskcon Engineering to determine whether the modified development would exceed the thresholds under SEPP 33, therefore requiring a Preliminary Hazard Analysis (PHA). • Both BCC and CCC raised no objection, however requested the Applicant be required to implement the recommendations made in the Preliminary Hazard Analysis.	No additional conditions are recommended.

Assessment	Recommendation
• The Department's Hazards Team reviewed the modification application, including the SEPP 33 report, and confirmed the Applicant's preliminary risk screening was undertaken in accordance with the Department's <i>Applying SEPP 33</i> guide. • The Department notes the DG quantities that would be stored and transported to and from Warehouse 7 do not exceed the screening thresholds and therefore the development is not potentially hazardous under SEPP 33 and a Preliminary Hazard Analysis is not required. • The existing conditions of consent (conditions B64 to B66) remain applicable, and no additional conditions are recommended.	
Stormwater and flooding	
• The Applicant's proposed construction program for Warehouse 7 and the extension to the regional detention basin involves the following activities occurring simultaneously: ◦ excavation of the soil within the extension of the regional detention basin (subject to approval from BCC and Dams NSW) ◦ filling of the Warehouse 7 pad with the cut material and installation of associated stormwater drainage structures. • Currently, Condition B31 requires the regional detention basin works to be completed prior to commencement of earthworks or construction for Warehouse 7. The Applicant argues this would result in the double handling of spoil required for the Warehouse 7 pad and potentially create issues relating to noise, air quality, erosion and sedimentation. • As discussed in section 4.4, the Applicant requested an amendment to the modification application which proposes to modify Condition B31 to allow works to occur on for Warehouse 7 in a staged manner without reducing the storage capacity of the regional detention basin. • In its RtS, the Applicant provided correspondence from BCC demonstrating it had no objection to the proposed amendment to Condition B31. • The Department acknowledges the regional detention basin was not raised as a concern in the advice provided by government authorities. Furthermore, BCC did not object to the amendment to Condition B31. • The Department is therefore satisfied the proposed modifications to the layout of Warehouse 7 and Condition B31 would not result in any additional impacts to stormwater or flooding, nor would it result in changes to the outcome of the regional detention basin works. • The Department recommends Condition B31 is modified to facilitate the proposed staging of works for Warehouse 7 and the regional detention basin.	Modify Condition B31 to allow works outside of the regional detention basin storage area.

6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department has reviewed the Modification Report, the RtS, a request to amend the modification application and all submissions. The Department also consulted with BCC, CCC, TfNSW and Sydney Water.

The Applicant is proposing to modify the consent to allow for amendments to the layout, built form and access arrangements for Warehouse 7. The Applicant also amended the modification application to incorporate changes to Condition B31 to allow the staged construction of Warehouse 7 and the regional detention basin works.

The Department considered noise, traffic, visual impacts, hazards and risk and stormwater and flooding in its assessment of the modification application. Given the extend of the proposed changes to the development are relatively minor, the level of impact is considered minimal. Furthermore, no major concerns were raised in the advice received by government authorities.

The Department considers the proposed modification is appropriate on the basis that:

- the Acoustic Assessment demonstrated that the development would continue to comply with the project specific noise criteria approved in the original SSDthe increased parking provision would achieve a greater level of consistency with the requirements of the BCC DCP and the amended access arrangements would allow for more efficient truck movements for Warehouse 7
- the visual impact would not significantly differ from the existing approval
- the quantities of DGs to be stored and transported to and from Warehouse 7 do not exceed screening thresholds under SEPP 33
- it would not result in any changes to the final outcome of the regional detention basin works
- it would not result in additional environmental impacts beyond those assessed under the original development application
- it would continue to generate an anticipated 780 operational jobs and continues to represent a capital investment value of \$182 million in the locality.

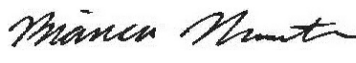
The Department is satisfied that the modification should be approved, subject to the recommended modifying conditions of consent.

7 Recommendation

It is recommended that the Team Leader, Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-10399-Mod-2 falls within the scope of section 4.55(1A) of the EP&A Act
- **forms the opinion** under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a BDAR is not required to be submitted with this application as the application will not increase the impact on biodiversity values on the site
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **agrees** with the key reasons for approval listed in the draft notice of decision
- **modify** the consent SSD-10399
- **signs** the approval of the modification (**Appendix B**).

Recommended by:

 2/3/22

Bianca Thornton
Environmental Assessment Officer
Industry Assessments

Recommended by:

 2/3/22

Giles Bloxham
Environmental Assessment Officer
Industry Assessments

8 Determination

The recommendation is **Adopted** by:



2/3/22

William Hodgkinson

Team Leader

Industry Assessments

as delegate of the Minister for Planning

Appendices

Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

- Modification Report titled 'Assessment Report, Section 4.55(1A) Modification, Elevation at Greystanes Estate, Clunies Ross Street, Pemulwuy, SSD 10399 Modification – Warehouse 7', prepared by Keylan Consulting Pty Ltd and dated 16 September 2021
- Advice from Blacktown City Council, Cumberland City Council, Transport for NSW and Sydney Water
- A request to amend the modification application titled 'Elevation at Greystanes Estate (SSD 10399) Modification 2 – Warehouse 7 Pad', prepared by Keylan Consulting Pty Ltd and dated 2 December 2021
- Response to Submissions titled 'Elevation at Greystanes Estate SSD 10399 – Warehouse 7 Modification (SSD 10399 Mod 2), Response to Agency submissions', prepared by Keylan Consulting Pty Ltd and dated 27 January 2022.

These documents may be found on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/43091>.

The Department also considered the assessment report for SSD-10399, which may be found on the Department's website at: <https://www.planningportal.nsw.gov.au/major-projects/project/25981>.

Appendix B – Notice of Modification

The modifying instrument for SSD-10399 may be found on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/43091>.

Appendix C – Consolidated Consent

The consolidated consent for SSD-10399 may be found on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/43091>.