



19 February 2018

Minister for Planning
Department of Planning
Level 22, 320 Pitt Street
Sydney NSW 2000

Attention: Nikki Matthews

Dear Minister

SSD 6917: OAKDALE SOUTH – S.96(1A) APPLICATION TO CONCEPT PLAN TO INCLUE E2 / IN1 ZONE UPDATE ON LOT 3A

I write on behalf of Goodman, the applicant to SSD 6917 (Oakdale South Industrial Estate (OSE)), to lodge an application under S.96(1A) of the Environmental Planning and Assessment Act 1979 (the Act), for a modification involving minimal environmental impact.

This S.96(1A) application seeks to update the approved concept plans to replace a corner landscape, E2 zone in Lot 3A, OSE with hardstand, IN1 zone. This update corresponds with:

- a submission made to Department of Planning under a planning proposal process for this minor corner rezoning in August 2017; and
- a S.96(1A) application lodged for SSD 7719 (Sigma Development) Lot 3A OSE, which includes replacing an approved north eastern landscape corner with that of hardstand (See plan – **Appendix C**).

The documents lodged with this S.96(1A) application include:

- **Appendix A** – SSD 6917: Updated concept architecture plans
- **Appendix B** – SSD 6917: Updated landscape plans
- **Appendix C** – SSD 7719: Updated Site plan, S.96(1A)
- **Appendix D** – Rezoning Planning Proposal, dated August 2018
- **Appendix E** – Email from Bruce Coleman, DoP, acknowledging rezoning application, dated, 6 December 2017

Goodman Group

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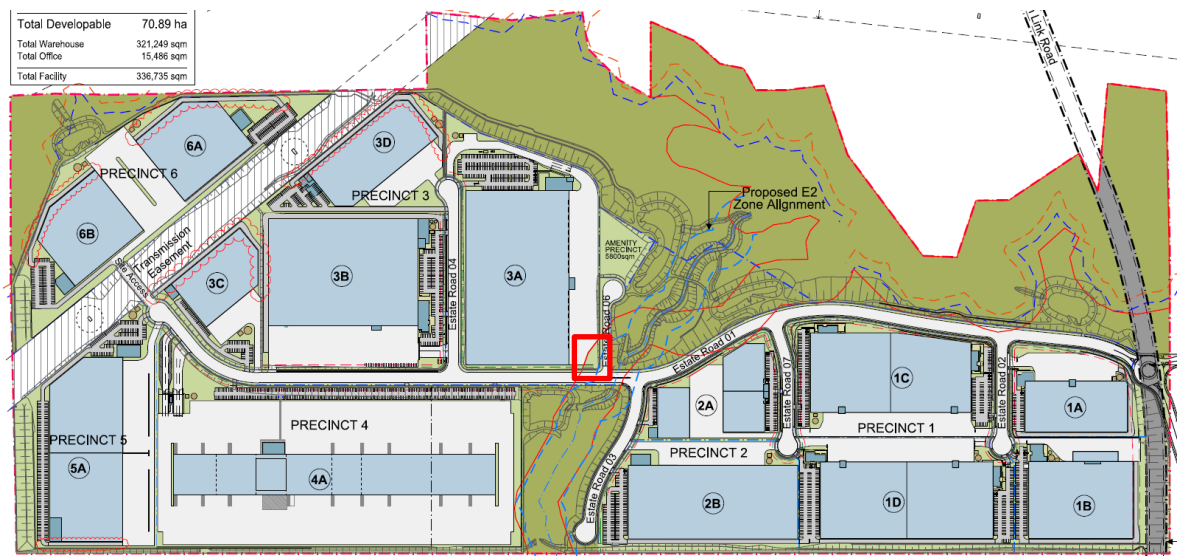


Figure 1 - Approved concept plans for OSE, including corner E2 zone for Lot 3A

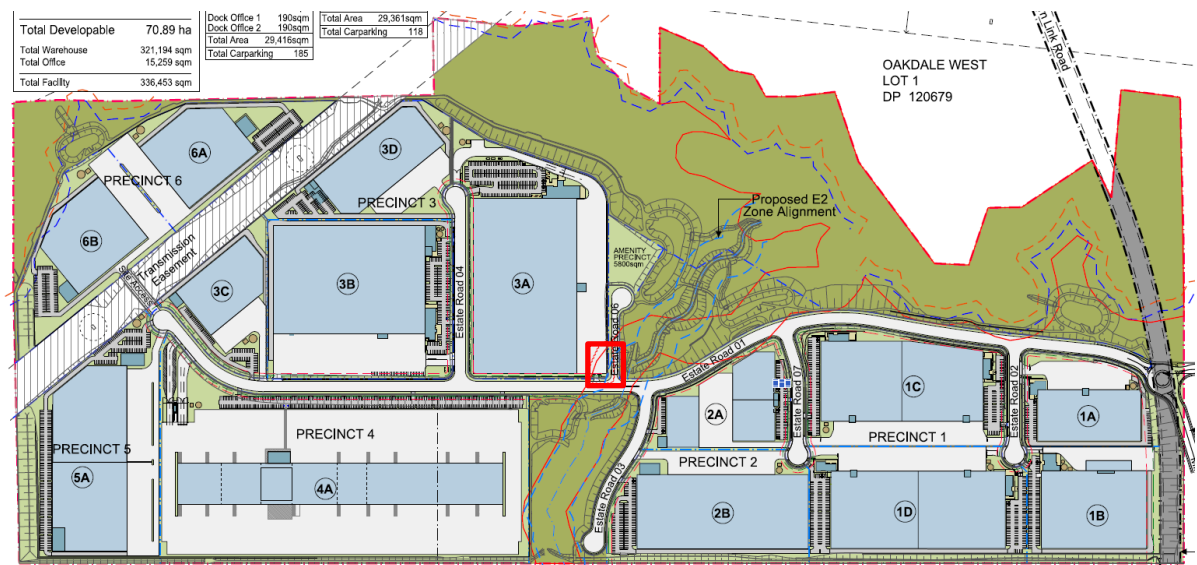


Figure 2 - Proposed updated concept plan with E2 landscape corner replaced with IN1 hardstand space

1) Background

The existing zoning at OSE include *IN1 - General Industrial*, and *E2 – Environmental Conservation*. SSD6917 was approved in SSD6917 MOD4 with a portion of lot 3A hardstand space shown as landscape area, to take account of the existing E2 zoning in this area. There has always been an intention to lodge a planning proposal to have the E2 zoning in this corner updated to IN1 zone, to enable consistent hardstand for the operator at Lot 3A, Sigma, instead of unnecessary landscaping.

E2 rezoning

A planning proposal was lodged to DoP for the rezoning of this E2 corner in August 2017 (**Appendix C**). Planners, Urbis, who lodged the rezoning application, spoke with Bruce Colman at DoP in October 2017 who advised that his team (WSEA SEPP) will undertake the housekeeping amendment to the WSEA SEPP for the rezoning update and prefer it be treated as a submission (rather than a

formal planning proposal application) (**Appendix E**). Bruce Coleman advised that the will undertake the work to consult with OEH and Council, and amend the Zoning Map of the WSEA SEPP. It is understood that DoP are underway with this process and that the update to the WSEA SEPP with the E2 corner of Lot 3A to be replaced with IN1 zone imminently.

SSD 7719 (Sigma) S.96(1A) application to update E2 zone

In addition to DoP's rezoning of the E2 corner, a S.96(1A) application has been lodged (February 2018) for SSD 7719 to update the approved plans for Lot 3A to reflect the updated corner rezoning from E2 to IN1, and to show hardstand space in this corenr instead of landscaping. In discussions with DoP on this application, DoP have indicated that they would also require the concept approval (SSD 6917) to also be updated to reflect this rezoning, hence the reason for this S.96(1A) application.

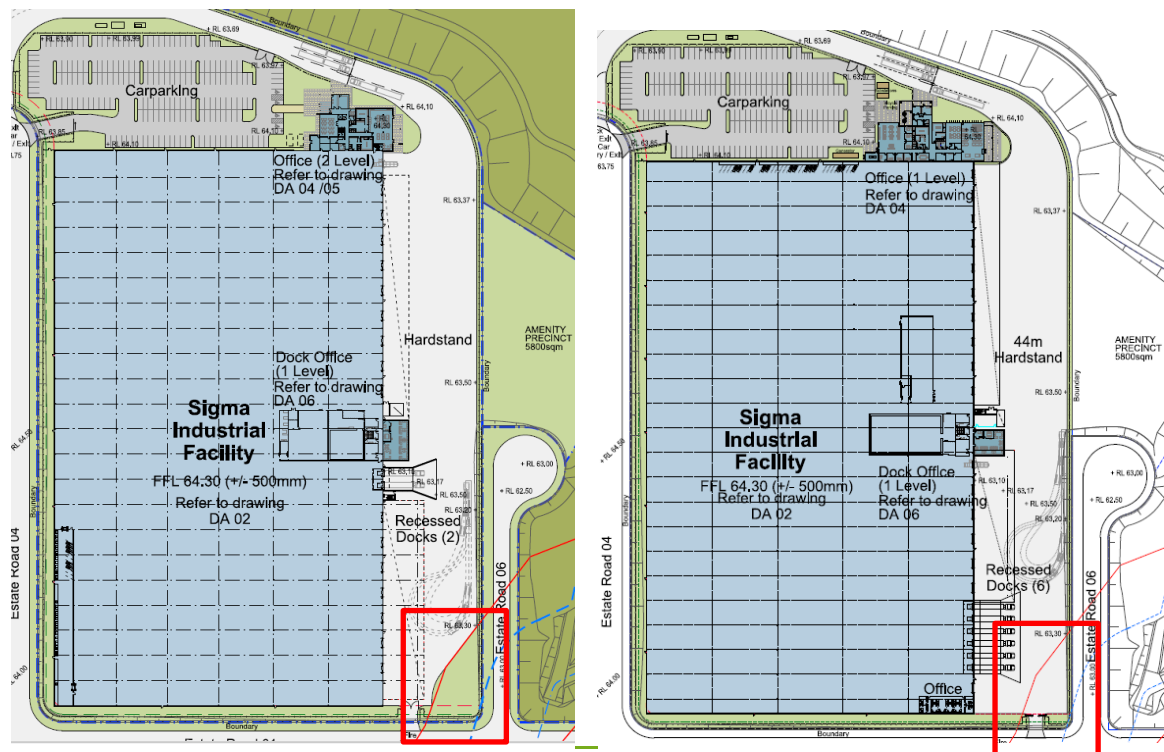


Figure 3 - Approved SSD 7719 site plans

Proposed SSD 7719 site plan

2) S.96(1) application

This application seeks to update relevant concept plans to remove E2 zone in the corner of the Lot 3A, replacing it with IN1 zoned land. This ensures consistency with that of the impending E2 / IN1 rezoning and SSD 7719 S.96(1A) plan update.

The updates will require update of the following architecture and landscape plans:

| Master Plan Drawings prepared by SBA Architects | | | |
|---|---------------------|--|--------------------------|
| Drawing No. | Rev. | Name of Plan | Date |
| OAK MP 01 | BB GG | Cover Sheet | 28/06/2017 09/02/2018 |
| OAK MP 02 | RR SS | SSDA Masterplan | 17/10/2017 09/02/2018 |
| OAK MP 08 | N P | Existing Zoning | 19/06/2017 09/02/2018 |
| OAK MP 16 | C D | SSDA Masterplan | 19/06/2017 09/02/2018 |
| Concept Landscape Plans prepared by Site Image Landscape Architects | | | |
| Drawing No. | Rev. | Name of Plan | Date |
| LR-003 | N O | Landscape Concept Master Plan | 27/09/2017 12/02/2018 |
| LR-005 | N O | Southern Boundary Landscape Section | 27/09/2017 12/02/2018 |
| LR-006 | N O | Eastern Boundary Landscape Section | 27/09/2017 12/02/2018 |
| LR-007 | N O | Vegetation Typologies | 27/09/2017 12/02/2018 |
| LR-009 | N O | Street Tree Master Plan | 27/09/2017 12/02/2018 |
| LR-012 | N O | Landscape Node 2 - Plan/Section | 27/09/2017 12/02/2018 |
| LR0013 | N O | Stage 1 Development - Landscape Scope of Works | 27/09/2017 12/02/2018 |
| Landscape Drawing - Prepared by Site Image | | | |
| Drawing No. | Rev. | Name of Plan | Date |
| ELW-001 | N O | Stage 1 Development Works - Landscape Plan | 27/09/2017 12/02/2018 |
| ELW-004 | N O | Estate Landscape Works - Landscape Plan | 27/09/2017 12/02/2018 |
| ELW-006 | N O | Estate Landscape Works - Landscape Plan | 27/09/2017 12/02/2018 |
| ELW-007 | N O | Estate Landscape Works - Landscape Plan | 27/09/2017 12/02/2018 |
| ELW-008 | N O | Estate Landscape Works - Landscape Plan | 27/09/2017 12/02/2018 |
| ELW-009 | N O | Estate Landscape Works - Landscape Plan | 27/09/2017 12/02/2018 |

3) Statutory Provision – S.96(1A)

Section 96(1) of the Act stipulates the following provisions:

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

The proposed rezoning of the Lot 3A corner from E2 to IN1 was anticipated during the initial SSD6917 application. The DoP have acknowledged this to be a relatively minor housekeep process and are currently underway with this. The area impacted is a small triangle of existing hard stand and will have minor and acceptable environmental impact. It is noted that the boundary of the Lot 3A site is proposed to be landscaped, as approved, and will therefore include sufficient landscaping for amenity and screening.

(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), and

The proposal remains substantially the same as that approved, with the use and built of the site remaining as approved.

(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***

Noted

(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.

Noted

4) Suitability of the Site for development

The proposed modifications will have no adverse impact on the public's interests, with the built for and use remaining as approved.

5) Conclusion

Pursuant to Section 96(1) of the Environmental Planning and Assessment Act 1979 (the Act), we hereby seek to amend the updated concept plans for SSD6917 to reflect that of the proposed E2 rezoning application for the site, and SSD 7719. The application seeks to remove the E2 zoned corner of Lot 3A to be replaced by IN1 zoned hardstand.

Yours sincerely

A handwritten signature in black ink, appearing to read "Guy Smith".

Guy Smith
Planning Manager