



ACN: 146 035 707 ABN: 54 146 035 707
Suite 4, Level 7, 100 Walker Street
North Sydney NSW 2060
P: 02 9929 6974
enquiries@willowtreeplanning.com.au
www.willowtreeplanning.com.au

NSW Department of Planning & Environment
320 Pitt Street
Sydney NSW 2000

Attention: Kelly McNicol

**Section 4.55(1A) Modification Application (SSD 7173 Proposed Warehouse and Logistics Hub)
Mamre Road, Orchard Hills
Modification 4 to SSD 7173**

Lot 2171 DP 1153854

Dear Kelly,

This Modification Application is submitted to the NSW Department of Planning & Environment (NSW DP&E) on behalf of Altis Property Partners and relates specifically to Lot 2171 DP 1153854 and Lots 1 & 2 DP 1233392.

Approval to State Significant Development (SSD) Application 7173 was granted by the Minister for Planning on 15 December 2016 for bulk earthworks and the construction and operation of a Warehouse and Logistics Hub.

Modification 1 to SSD 7173 was approved on 15 August 2017 which included changes to the layout and configuration of the approved warehouses on Lot 6, 8B1 and 8B2. Modification 2 to SSD 7173 was approved on 20 December 2017 which included amendments to the development description, amendments to the subdivision layout and configuration of the site and the proposed relocation of turning head within the estate road network. The initial modification application included the proposed realignment of a drainage channel on Lot 2 DP 1233392; however, due to owner's consent unobtainable at the time the proponent requested that this element be removed from the application until later advised (SSD 7173 MOD 3). The proposed development as modified (SSD 7173 MOD 2) presently includes:

Construction and operation of a Warehouse and Logistics Hub over four (4) stages, comprising the following:

- Subdivision of the site to create nine (9) industrial allotments ranging in size between 2.06 hectares and 7.9 hectares and to create a lot approximately 20 m wide along the site's frontage with Mamre Road (for the purpose of widening);
- Three (3) warehouse buildings ranging in size between 9,400 m² and 41,500 m², including office;
- 357 car parking spaces;
- Bulk earthworks, infrastructure and services;

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- An internal estate road from Mamre Road to the site's northern boundary; and
- Intersection works between Mamre Road and the estate road.

This application represents the **fourth** Modification Application to SSD 7173 which seeks to make amendments / modifications to Lot 5, comprising two (2) proposed warehouses – 8A1 (speculative warehouse) & 8A2 (IMCD).

It is noted that Modification 3, which deals with the proposed channel realignment is currently under assessment.

The amendments sought have been assessed against the original Secretary's Environmental Assessment Requirements (SEARs) throughout this Application.

Attached to this submission are the following specialist reports and plans:

- **Appendix 1 – Survey Plan**
- **Appendix 2 – Architectural Plans**
- **Appendix 3 – Landscape Plan**
- **Appendix 4 – Subdivision Plan (as approved under SSD 7173 MOD 2)**
- **Appendix 5 – Civil Engineering Report**
- **Appendix 6 – Traffic Impact Assessment**
- **Appendix 7 – Noise Impact Assessment**
- **Appendix 8 – Bushfire Assessment Report**
- **Appendix 9 – BCA Report**
- **Appendix 10 – SEPP 33 Report**
- **Appendix 11 – QS Report**
- **Appendix 12 – Waste Management Plan**
- **Appendix 13 – Signage Plans**

Should you wish to discuss further, please contact the undersigned on 0413 555 638.

Yours Faithfully,



Andrew Cowan
Director
Willowtree Planning Pty Ltd
ACN 146 035 70

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1. DEVELOPMENT HISTORY

Consent was granted to SSD 7173 on 15 December 2016 for the construction and operation of a Warehouse and Logistics Hub at 585-649, Mamre Road, Orchard Hills (Lot 2171 DP 1153854). Modification 1 was subsequently approved on 15 August 2017. Subsequent to this, Modification 2 for proposed cul-de-sac relocation and subdivision amendment was approved on 20 December 2017. Furthermore, Modification 3 regarding the proposed channel realignment is currently being assessed for approval by the NSW DP&E.

The development particulars (as modified) approved under SSD 7173 MOD 2 are outlined as follows:

Table 1: Approved Development Particulars – SSD 7173 MOD 2	
Project Element	Development Particular
Site Area	- 48.35ha
Warehouse/Office	<ul style="list-style-type: none">- Lot 8A: 21,725 m² GFA; and, 85 parking spaces (including 1 accessible parking space)- Lot 8B1: 7,425 m² GFA; and, 60 parking spaces (including 1 accessible parking space)- Lot 8B2: 12,319 m² GFA; 57 parking spaces.
Building Height	13.7m
Primary Land Use	Warehousing and distribution (24/7 use).
Bulk Earthworks	<ul style="list-style-type: none">- Bulk earthworks have been carried out to establish building pads on the estate allotments as-well-as balance through cut/fill volumes.- These works were carried out in a staged manner upon issue of development approval. The establishment of building pads provided flexibility for the design of future facilities as consent for the building footprints was sought under SSD 7173.- Construction of a bio-retention basin was implemented within the lower topography area of the Site (north-west) to provide stormwater detention and quality treatment for the estate.
Internal Estate Road	<ul style="list-style-type: none">- The internal estate road services all allotments within the estate and has since been constructed via a staged approach according to the order in which the allotments were and are being developed.- The design of the road was constructed in accordance with Penrith City Council requirements, achieving a road reserve width of 20.6 metres and affording a dual carriageway capable of accommodating B-Doubles.- Access to Precinct 1 off the estate road is provided via the construction of the necessary vehicle crossing which was shown on the engineering drawings submitted with the application.
External intersection works	<ul style="list-style-type: none">- An interim signal intersection between Mamre Road and the proposed industrial access road – designed and constructed in accordance with Austroads and RMS requirements – (as part of SSD 7173) provides access until completion of, and connection to, the Primary Access intersection (located to the north).
Infrastructure and Services	<ul style="list-style-type: none">- Services to the site are able to be provided from Mamre Road to the site, including water, electricity, sewer and communications.
Subdivision	<ul style="list-style-type: none">- Torrens Title subdivision of the Site was proposed to create allotments within First Estate. The subdivision would be managed under a Community Title Scheme to manage and operate the estate stormwater basin and associated infrastructure.

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Operational & Construction Jobs	<ul style="list-style-type: none">- Upon completion of the development, it is anticipated that Stage 1 will generate in the order of 220 operational jobs.- Construction jobs generated by the stage 1 works is expected to be in the order of 447 given the extensive civil works required in addition to the construction of the facilities.
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Review of the approval granted under SSD 7173 indicates there is nothing which prevents the proposed modifications identified in this Modification Application.

2. PROPOSED DEVELOPMENT**2.1 Objectives of the Proposed Development**

The aim of the proposed development is to provide a Warehouse and Distribution Facility (Warehouse 8A1 and Warehouse 8A2) that seeks to achieve the following objectives, including:

- Appropriate access;
- Compatibility with surrounding developments and the local context;
- Promotes an employment-generating development;
- Results in minimal impact on the environment; and,
- Allow for the implementation of suitable mitigation measures where required.

2.2 Proposed Modifications**Lot 5 - Warehouses 8A1 (Speculative Warehouse) & 8A2 (IMCD)**

The proposed Modification Application relates to the proposed Warehouse and Distribution Facility proposed on Lot 5, 585-649 Mamre Road, Orchard Hills (Lot 2171 DP 1153854).

The proposed development would facilitate the proposed modification of the site layout, which was previously approved under SSD 7173. Additionally, the proposed development would include the construction and operation of two (2) warehouses comprising Lot 5 (Warehouses 8A1 & 8A2), which are further illustrated in **Figure 1**.

The proposed development particulars are outlined as follows:

Table 2: Proposed Development Particulars	
Project Element	Development Particular
Site Area	- 32,780 m ² (Lot 5)
Warehouse / Ancillary Office	Warehouse 8A1: <ul style="list-style-type: none"> - Warehouse 11,980 m² (Landtake 19,961 m²); - Office 400 m²; Warehouse 8A2: <ul style="list-style-type: none"> - Warehouse 5,500 m² (Landtake 12,815 m²); - Office 600 m²
Car Parking	- Spaces provided: 83
Building Height	- 13.7 m
Primary Land Use	- Warehouse and Distribution Facility
Bulk Earthworks	- All bulk earthworks have been previously approved and carried out under SSD 7173. Only minor regrading would form part of the subject Modification Application.
Internal Estate Road	- Access to the Site off the estate road would be provided as shown in the Architectural Plans.
Infrastructure and Services	- Services to the Site are provided from Mamre Road, including water, electricity, sewer and communications.
Subdivision	- No subdivision is proposed.
Operational & Construction Jobs	- Construction jobs are anticipated to be in the order of approximately 60-80 personnel, while operational jobs are expected to be in the order of 37 personnel for IMCD and approximately 100-150 personnel for the speculative warehouse, once operational.
Hours of Operation	- 24/7 operational basis.

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Setbacks	- Refer to the Mamre West Precinct Development Control Plan 2016 in Section 3.7.
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A complete set of Architectural Plans is further demonstrated in **Appendix 2.**

2.3 Proposed Operations

2.3.1 Speculative Warehouse (Warehouse 8A1)

Operationally, the proposed speculative warehouse would remain dormant until a tenant (end user) occupies the proposed facility.

2.3.2 IMCD (Warehouse 8A2)

IMCD Group (IMCD) can be described as a leading distributor of raw materials, functional food ingredients and processing aids Australia wide. IMCD was established in 1897 as an attempt to recognise the needs of customers, suppliers and consumers. Through recognition of the needs of its customers, IMCD has since invested and incorporated warehousing facilities (similarly to Warehouse 8A2) and services across various parts of Australia where they supply products to the end user 'promptly' and 'efficiently'.

Furthermore, IMCD is a leading company in sales, marketing and distribution of specialty chemicals (packaged goods) and varied food ingredients. It is important to note, that no Dangerous Goods are to be proposed to be stored on-site.

With regard to the proposed development, specifically Warehouse 8A2, IMCD would utilise the proposed Warehouse and Distribution Facility for storage and distributive purposes. Operationally, Warehouse 8A2 would operate via an automated racking system that can be found illustrated in the Architectural Plans in **Appendix 2.** As mentioned above, the proposed Warehouse and Distribution Facility would be utilised for the storage and distribution of goods only; and, would not consist of any processing of any kind.

2.4 Project Need

In response to the operational needs of the future tenants – Warehouse 8A1 (Speculative Warehouse) and Warehouse 8A2 (IMCD), it has been determined that a proposed Warehouse and Distribution Facility (two warehouses) is required to accommodate an increased demand for warehousing and distribution space. The proposed development is considered necessary to improve the operational efficiencies of transport and logistics (warehouse and distribution facilities) businesses within NSW and facilitate their future growth.

The proposed development is consistent with surrounding land uses within *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA); and, would contribute to the efficient use of employment lands for warehousing and distribution purposes. It is noted that the bulk earthworks, estate infrastructure, and site access have been dealt with under a previous State Significant Development (SSD) Application(s) – 'SSD 7173', 'SSD 7173 MOD 1', 'SSD 7173 MOD 2' & 'SSD 7173 MOD 3' – it is noted that MOD 3 is currently under assessment by the NSW Department of Planning & Environment (DP&E).

The proposed development is located on land that is zoned IN1 General Industrial under SEPP WSEA, positioned within the Penrith City Council Local Government Area (LGA).

2.5 Considerations of Alternatives

The purpose of the proposed development is to provide a Warehouse and Distribution Facility for both a Speculative Warehouse (Warehouse 8A1) and IMCD (Warehouse 8A2), which would serve for the operational needs of the end user. It is considered that the proposed development:

- Allows for the development that is consistent with the aims of SEPP WSEA;
- Has appropriate access to the regional road network;

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- Is compatible with surrounding development and the local context;
- Would generate employment opportunities, thus contributing to the growth of Western Sydney;
- Would result in minimal impact on the environment;
- Would allow for the implementation of suitable mitigation measures where required.

The Subject Site is considered to be appropriate for the proposed development as it allows for warehousing and distribution in an emerging precinct (First Estate) dominated by such development. The Site design and layout of the built form seeks to maintain consistency with the objectives of SEPP WSEA and enhance the underlying character intended for the locality. This would be achieved by the resultant built-form, which reinforces the nature of the land use and is sensitive to the surrounding development.

The options considered, and subsequently dismissed, in arriving to the current proposal with regard to the proposed development on Lot 5 included:

(a) 'Do Nothing' Scenario

This option was dismissed as the proposed development objectives, including the objective of facilitating an employment-generating development would not be met. If the proposed development was not to proceed, the Site would be developed for other warehousing and distribution related purposes.

(b) Development on an Alternative Site

Due consideration with regard to alternative sites was made; however, these were dismissed as the Site resulted in the most beneficial outcomes for the proposed development as:

- It is located subject to the provisions of SEPP WSEA, which seeks to provide employment-generating land uses;
- The Site is suitably located with respect to sensitive land activities, including residential development;
- All potential environmental impacts of the proposed development could be suitably mitigated within the Site;
- The proximity to the regional road network provides accessibility and linkages to the broader metropolitan area and regional areas of NSW;
- The proposed development has significant employment-generating potential, during both the construction and operational phases;
- Sufficient separation is maintained to the interface of surrounding rural / residential development;
- The proposed development does not adversely affect any area of heritage or archaeological significance; and,
- The proposed development could be developed with appropriate visual amenity achieved, given its surrounding context.

The proposed development is justified on the basis it is compatible with the locality in which it is proposed, resulting in economic benefits while managing and mitigating environmental impacts.

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3. LEGISLATIVE FRAMEWORK

3.1 Environmental Planning & Assessment Act 1979

Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979* (EP&A Act) makes provisions to modify a Development Consent that has been granted pursuant to Part 4 of the EP&A Act. The proposed development (proposed warehouses on Lot 8A) as submitted to the NSW DP&E is considered to satisfy the provisions of Section 4.55(1A) of the EP&A Act, as changes proposed would result in minimal environmental impact.

The relevant provisions are addressed below:

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*

Comment: The proposed development is considered to result in minimal environmental impact as the underlying land use would remain unchanged. Stormwater, traffic, noise, air quality and construction impacts would be managed, consistent with the findings and recommendations of SSD 7173.

- 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 was modified (if at all), and*

Comment:

- The underlying use of the land, being for warehousing and distribution purposes would remain as originally approved;
 - There would be no material increase to the approved building footprints or substantial change to the provision of car parking previously approved; and,
 - The stormwater management outcomes would remain generally unchanged.
- 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.*

Comment: For the purpose of this Modification Application and the provisions set out in the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation), notification of the application is not required to neighbouring properties.

3.2 State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No 64 - Advertising and Signage (SEPP 64) applies to all signage:

- (a) that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) is visible from any public place or public reserve.*

The proposed development includes the erection of signage for the purposes of identification.

The location of the proposed signage is provided within the Architectural Plans at **Appendix 2**.

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Directional signage internal to the Site would also be provided to ensure a high level of legibility is achieved for all vehicles and pedestrians accessing the various areas of the site.

Pursuant to Clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the aims/objectives of the Policy, and*
- (b) *that the signage satisfies the assessment criteria specified in Schedule 1 of SEPP 64.*

These matters are addressed below.

Aims and Objectives of SEPP 64

SEPP 64 aims:

- (a) *to ensure that signage (including advertising):*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The proposed signage is proposed for the purpose of business identification and is considered to achieve the objectives of SEPP 64 as it relates directly to the use of the Site for warehousing facilities and reinforces the industrial character of the Site in accordance with the prevailing industrial character of the area. The proposed signage would be of a high quality design and finish and would integrate with the built form on the Site in terms of siting, scale and design.

Assessment Criteria

The assessment criteria under Schedule 1 of SEPP 64 is addressed in **Table 3**.

Table 1: SEPP 64 Assessment Criteria	
Criteria	Proposal Compliance
1 Character of the area	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	Yes, the proposed signage is compatible with the industrial character of the site and its surrounds and would support the operation of the proposed facility on the site.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	Yes, as above.
2 Special areas	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	No, the site is not located in proximity of any significant built or natural sites or areas. The signage would be of a high quality design and finish and would improve the visual amenity of the site through effective identification.
3 Views and vistas	

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<i>Does the proposal obscure or compromise important views?</i>	No, the proposed signage would be of a height and scale consistent with the built form on the site and would not disrupt any views or dominate views toward the site.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No, the proposed signage would be of a height and scale consistent with the built form on the site and would not dominate the skyline.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes, the signage would not obstruct any other signage or advertising.
4 Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes, the signage has been designed in respect of the proposed built form on the site to effectively identify the warehouse/industrial facilities whilst not being visually obtrusive. The proposed signage is compatible with the industrial character of the site and its surrounds.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes, the signage would visually define the facility on the site and would be integrated with façade treatment to create a visually coherent built form.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	No, there is no other signage in proximity of the subject site. Therefore, the proposed signage would not cause any clutter.
<i>Does the proposal screen unsightliness?</i>	No, the signage is not used as a visual screen or filter.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No, the signage would not protrude above the roof line or tree canopy.
<i>Does the proposal require ongoing vegetation management?</i>	No, the proposed signage would not require ongoing management.
5 Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes, the signage is of suitable scale and design for its intended purpose to effectively identify the business operating on-site and would integrate with the proposed built form and façade design to achieve visual coherence.
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes, the signage would be balanced with façade elements to integrate with the proposed built form. The proposed signage would not dominate the landscape or be visually obtrusive.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Yes, the signage has been integrated with the layout of the site so as not to obstruct any vehicle movements and achieve a positive visual outcome.
6 Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	Illumination is proposed for all signage to provide a high level of visibility.

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7 Illumination	
<i>Would illumination result in unacceptable glare?</i>	Illumination would not result in unacceptable glare.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	Illumination would not detract from the safety of any pedestrians, vehicles or aircraft.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	The site is not in proximity of any residential or other sensitive land uses and would not adversely affect the amenity of any development.
<i>Is the illumination subject to a curfew?</i>	No curfew is proposed.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Illumination would be of a suitable intensity.
8 Safety	
<i>Would the proposal reduce the safety for any public road?</i>	No, the proposed signage is located within the site boundaries and is well set back from the street.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, the proposal would not obstruct any pedestrian or cycle routes or infrastructure and therefore would not negate the safety of pedestrians or cyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the proposed signage would not obscure any sightlines from public areas frequented by pedestrians. Neither would the proposed signage obstruct any vehicle sight lines from public roads.

Based on the above, the proposed development is considered consistent with the provisions of SEPP 64.

3.3 State Environmental Planning Policy (Western Sydney Employment Area) 2009

It is noted that the Subject Site falls within the land application area of SEPP WSEA and subsequently is categorically zoned as IN1 General Industrial. Whilst the proposed development (Lot 5) is permitted with consent, it is also facilitated by its adherence to the support of the ongoing promotion of the objectives of the zone.

The objectives of the IN1 General Industrial zone under SEPP WSEA include:

- *To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space;*
- *To encourage employment opportunities along motorway corridors, including the M7 and M4;*
- *To minimise any adverse effect of industry on other land uses;*
- *To facilitate road network links to the M7 and M4 Motorways;*
- *To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment; and,*
- *To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

Within the IN1 General Industrial zone the following are permissible without consent:

- *Nil.*

Within the IN1 General Industrial zone the following are permissible with consent:

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- *Depots; Food and drink premises; Freight transport facilities; Industrial retail outlets; Industrial training facilities; Industries (other than offensive or hazardous industries); Neighbourhood shops; Roads; Service stations; Transport depots; Truck depots; **Warehouse or distribution centres.***

Within the IN1 General Industrial zone the following are prohibited:

- *Any development not specified in item 2 or 3.*

In accordance with the above, the proposed development – Warehouse & Distribution Facility would be permissible subject to development consent. Additionally, the proposed development would be facilitated by two (2) proposed warehouses that would be both described as employment-generating developments during both the construction and operational phases of development. The proposed warehouses have been strategically proposed with regard to their positioning within the WSEA as they are in close proximity to motorway corridors, including the M4 and M7, providing ease of access to local surrounding areas and the wider locale.

Figure 2 below illustrates the extent to which the IN1 General Industrial zone subject to SEPP WSEA applies (applicable to SSD 7173); and, where the proposed development (Lot 2171 DP 1153854) is situated, with regard to the contextual zoning of SEPP WSEA.

Subdivision

No subdivision is proposed. The Subdivision Plan provided in **Appendix 3** is the current Subdivision Plan, as approved under SSD 7173 MOD 2.

Requirements for Development Control Plans

The Mamre West Precinct Development Control Plan (DCP) has been prepared in accordance with Part 4 of SEPP WSEA and would be applied accordingly to the proposed development's built form characteristics (refer to **Section 3.7**).

Below in **Table 4** is a summary of the SEPP WSEA provisions as they apply to the proposed development.

Table 4: SEPP WSEA Provisions	
Clause	Comment
Clause 20: Ecologically Sustainable Development	<p>The proposed development would incorporate a number of ecologically sustainable initiatives to reduce the consumption of potable water and greenhouse gas emissions of the facilities. Initiatives relate to:</p> <ul style="list-style-type: none">▪ Energy & Greenhouse Gas Emissions▪ Potable water reduction▪ Minimising waste to landfill▪ The Indoor Environment▪ Occupant amenity and comfort▪ Land Use & Ecology▪ Emissions and▪ Building Management.
Clause 21: Height of Buildings	<p>No maximum building height has been adopted under SEPP WSEA.</p> <p>However, the consent authority <u>must</u> be satisfied that:</p> <ul style="list-style-type: none">a) <i>Building heights will not adversely impact on the amenity of adjacent residential areas,</i>b) <i>Site topography has been taken into consideration.</i>

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	<p>The proposed development would exhibit a maximum building height of 13.7 m, which is consistent with the other built form throughout the WSEA and is appropriate given the characteristics of the Site including topography and the surrounding context. The height of the proposed built form would not adversely affect the amenity of any residential development.</p>
Clause 22: Rainwater Harvesting	<p><i>"the consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General."</i></p> <p>Rainwater harvesting would be provided for this development with re-use for non-potable applications as part of this Modification Application for the built-form characteristics. Internal uses include such applications as toilet flushing while external applications would be used for irrigation. In general terms, the rainwater harvesting system would be an in-line tank for collection and storage of rainwater. At times when the rainwater storage tank is full, rainwater could pass through the tank and continue to be discharged via gravity into the stormwater drainage system. Rainwater from the storage tank would be pumped for distribution throughout the development in a dedicated non-potable water reticulation system.</p>
Clause 23: Development Adjoining Residential Land	<p>The proposed development has been considered against the provisions of Clause 23 of SEPP WSEA as detailed below:</p> <p><i>a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity</i></p> <p><u>Comment:</u> The proposed development would be designed to achieve a compatible outcome with the surrounding environment, including the rural residential development located to the north, west and south, along with the existing warehouse facilities within First Estate and Erskine Business Park to the east. Measures incorporated within the design include the following:</p> <ul style="list-style-type: none"> ▪ Setbacks to the respective boundaries that allow for visual separation and deep soil planting. ▪ Noise screening where required. ▪ Provision of building materials which provide articulation and visual interest. <p><i>b) goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land</i></p> <p><u>Comment:</u> Goods, plant and equipment would be suitably screened from the adjacent rural/residential development by way of screening devices and planting. Coupled with the separation distances to the surrounding residential development (in excess of 250m), the proposed development is considered unobtrusive and shall retain a sufficient level of amenity for these properties. All plant and equipment associated with the proposed development is considered typical for warehouse facility such as that proposed and is consistent in their design and function with those within the surrounding employment lands. Additionally, the location of the loading dock would be screened by an aesthetically pleasing architectural landscaped design.</p> <p><i>c) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like</i></p>

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	<p><u>Comment:</u> Given the separation distances to the rural / residential properties to the north, and proposed mitigation measures (refer to Appendix 7) with regard to noise and vibration impacts, it is considered that there would be no adverse impacts that would occur as a result of the proposed development. Additionally, light spill would be managed through the strategic location of outdoor lighting at ground level, on building facades and under awnings, for which it should comply with AS4282-1997. Furthermore, lighting would be positioned so as to not cause potential impacts to adjoining tenants within First Estate.</p> <p>The resultant noise impacts associated with movement of vehicles and hours of operation would be mitigated through the proposed mitigation measures identified in varied consultant reports and through the design of the proposed Warehouse and Distribution Facility.</p> <p>Section 4 detailed below assesses the proposed development's environmental impact.</p> <p><i>d) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated</i></p> <p><u>Comment:</u> In total, 83 car parking spaces would be provided in accordance with the Mamre West Precinct DCP 2016, thus the provision of parking is deemed satisfactory.</p> <p><i>e) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.</i></p> <p><u>Comment:</u> Landscaping would be proposed between the proposed facility fronting the estate road, with a landscaped setback provided (refer to Appendix 3). This area would comprise screen planting and shrubs that serve to provide a buffer between the public domain and the proposed development, similar to planting schemes achieved on surrounding sites throughout First Estate.</p>
Clause 24: Development Involving Subdivision	The proposed development <u>does not</u> seek consent for subdivision. Appendix 4 provides the amended subdivision plan, as approved under SSD 7173 MOD 2.
Clause 25: Public Utility Infrastructure	Existing services would be augmented for the proposed development. Any works in this respect would be at no cost to the Government.
Clause 26: Development on or in Vicinity of Proposed Transport Infrastructure Routes	The proposed development is noted to be generally clear of the proposed Southern Link Road under Clause 26; therefore, the proposed development would not require referral to the Secretary-General of the Department of Planning under Clause 26 of SEPP WSEA.
Clause 29: Industrial Release Area Satisfactory Arrangement for the Provision of Regional Transport Infrastructure Facilities	<p>Under SSD 7173, a Voluntary Planning Agreement (VPA) has been executed between the Minister for Planning, The Trust Company (Australia) Limited and Altis Bulky Retail Pty Limited, to provide monetary contributions for each stage of the development to contribute towards the provision of infrastructure to service the development.</p> <p>It is considered that satisfactory arrangements have been made under this VPA in accordance with the SEPP as per Clause 29 of SEPP WSEA.</p>
Clause 31: Design Principles	<p>The design principles of the SEPP are investigated and summarised further in subsequent sections of this Modification Application. The proposed development seeks to address the below provisions as follows:</p> <p><i>a) the development is of a high quality design, and</i></p>

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	<p><u>Comment:</u> Materials and finishes would activate and provide a visual outcome that seamlessly integrates with the surrounding employment lands throughout the wider WSEA.</p> <p><i>b) A variety of materials and external finishes for the external facades are incorporated, and</i></p> <p><u>Comment:</u> Materials consist of composite panel (Kingspan), dampalon polycarbonate and metal sheeting with precast. Buildings would be designed to address the adjacent internal estate road to provide activation where possible. Ancillary office areas are also to be strategically positioned to create a sense of visual interest and address the public domain.</p> <p>Additionally, the chosen colours and materials would be utilised where possible to blend with the varied architectural elements as demonstrated in the Architectural Plans.</p> <p><i>c) High quality landscaping is provided, and</i></p> <p><u>Comment:</u> Landscaping is proposed to comprise screen planting and shrubs that serve to provide a buffer between the public domain and the proposed estate. Furthermore, the proposed development comprises of two (2) loading docks / facilities that are accessed via the estate road. The proposed loading docks are further concealed and complemented via an aesthetically pleasing landscaped design, that reduces any potential visual impacts on adjoining development's within First Estate, with regard to the layout of the proposed development.</p> <p><i>d) The scale and character of the development is compatible with other employment-generating development in the precinct concerned.</i></p> <p><u>Comment:</u> The overall scale of the proposed development seeks to provide a transition from Erskine Business Park, being compatible in terms of built form and scale, and able to accommodate this specific employment-generating land use that is adaptable and responds accordingly to shifting economic conditions.</p>
Clause 31: Preservation of Trees	Approval for vegetation removal was previously granted under SSD 7173.
Clause 33A: Development Near Zone Boundaries	The proposed development does not rely on Clause 33 to carry out the proposed development.

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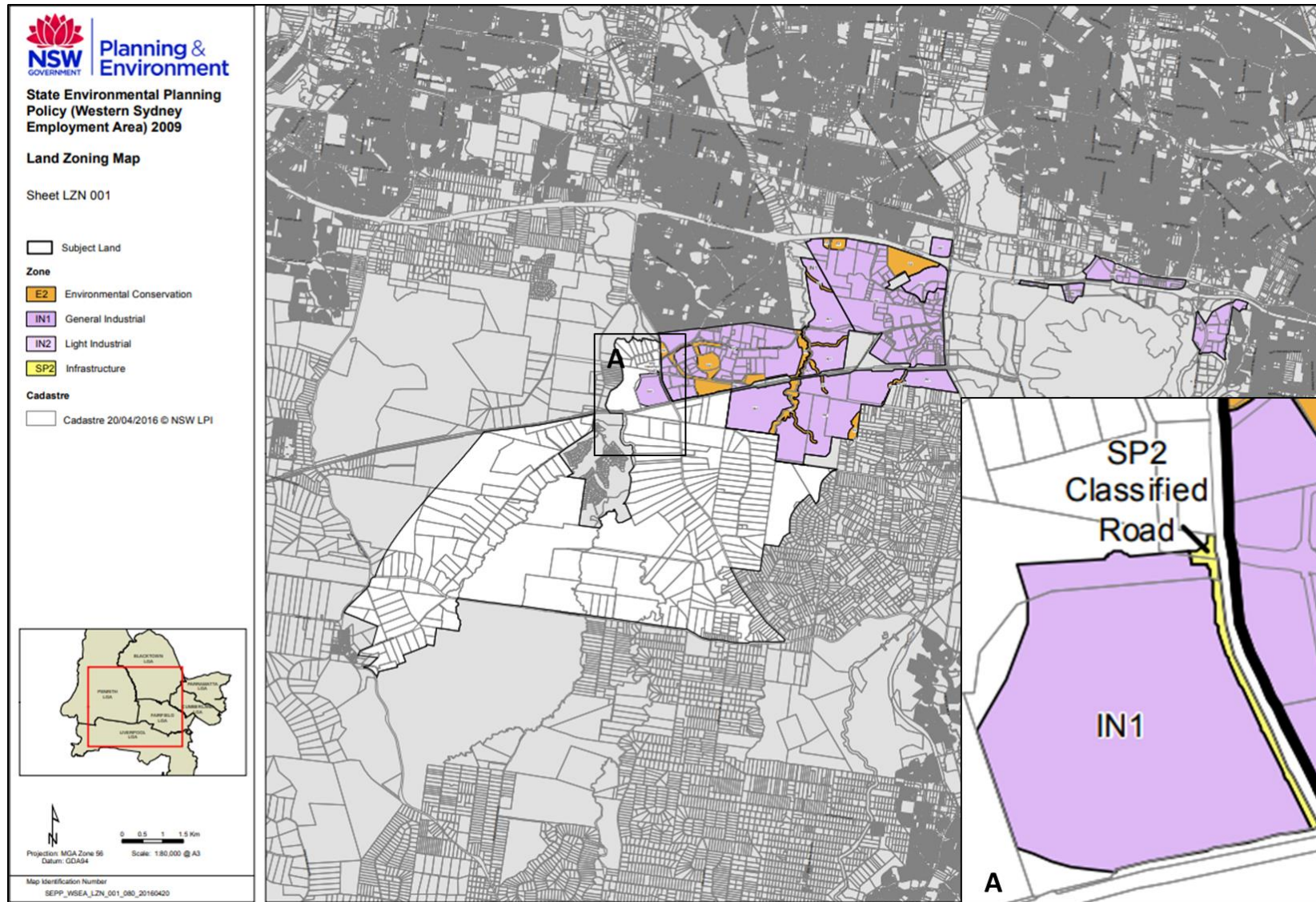


Figure 2 Land Zoning Map Applicable to the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (NSW Legislation)

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There are no provisions within SEPP WSEA which prevent the proposed warehouses (Lot 8A) under this Modification Application.

3.4 State Environmental Planning Policy No.55 – Remediation of Contaminated Land

Contamination has been previously addressed under SSD 7173 as part of the report prepared by Coffey dated 17 November 2014 and confirmed there are no identified sources of contamination present.

3.5 Penrith Local Environmental Plan 2010

As discussed in Section 3.2 above, the site falls within the application area of SEPP WSEA – zoned General Industrial (IN1) – which, would take precedence as the overarching legislative control concerning the proposed development.

3.6 Penrith Development Control Plan 2014

The *Penrith Development Control Plan 2014* (PDCP2014) provides a non-statutory instrument to guide development in the Penrith LGA, including land that is covered by SEPP WSEA. The Mamre West Precinct DCP has been prepared that establishes built form controls for the Mamre West Precinct to supersede the provisions of the general PDCP2014. Therefore, the PDCP2014 does not apply to the Subject Site, particularly this Modification Application.

3.7 Mamre West Precinct Development Control Plan

The Mamre West Precinct DCP has been adopted as part of the Precinct Planning for the Mamre West Precinct. **Table 5** below provides an outline of the key numeric controls of the DCP as applicable to built form and provides an assessment of the proposed development in relation to these controls.

Table 5: Mamre West Precinct Development Control Plan		
Control	Requirement	Comment
Minimum Lot Size	10,000 m ²	No subdivision proposed.
Minimum Frontage	60 m	The frontage of the proposed lot exceeds 60 m.
Building Setback	Mamre Road – 20 m (including a 10 m landscaped setback)	The proposed development provides a 4 m landscaped setback and a 7.5 m building setback achieving consistency with the requirements of the DCP.
	Subdivision Road – 7.5 m	The site is adjoined by a 20.6 m wide access road.
	Rear and Side – 5 m	Side and rear setbacks exceed 5 m.
	Water Supply Pipeline – 5 m	The lots on which built form is proposed is not identified as adjoining a water supply pipeline.
Building Height	20 m	The proposed building height of 13.7 m is significantly less than the maximum permitted under the DCP.
Car Parking	1 space / 300 m ² warehouse GFA	83 required (Mamre West DCP), and 83 provided.
	1 space / 40 m ² ancillary office GFA	

4. ENVIRONMENTAL ASSESSMENT

Secretary's Environmental Assessment Requirements (SEARs) were issued on 11 September 2015 for SSD 7173 for the construction and operation of a Warehouse and Logistics Hub. The Environmental Assessment requirements related to the modified proposed development are addressed below.

4.1 Traffic and Transport

The *Traffic Impact Assessment Report: Proposed Warehouse Development Lot 8A, First Estate, Mamre West Precinct* (Ason Group, 2018) considered the potential traffic impacts of the proposed development (refer to **Appendix 6**).

Through each modification stage of the proposed development, due consideration has been given to the historic traffic generation assumptions that have previously informed the regional and local infrastructure upgrades. It has been described that the subject proposed development would be reduced or remain unchanged – retrospectively to the Master Plan analysis, which adopted 'Stage 1' peak hour traffic generation of 375 and 386 vehicle movements in the AM and PM.

Accordingly, each Modification Application has been considered favourable with regard to traffic planning grounds on the basis that the committed infrastructure upgrades would remain acceptable, as they were developed in response to a greater volume of peak hour traffic.

The proposed development is expected to generate in the order of 25 veh/hr during peak periods and 350 vehicle movements per day. The proposed development's anticipated traffic generation is less than the originally adopted Master Plan, and subsequent 'SSD 7173 MOD 2' traffic volumes.

Access to the Site is proposed via several vehicular crossings to the Estate Road, which encompass varied widths. Commercial vehicle hardstand areas are intended to cater for access by B-doubles. Accordingly, it is expected that all vehicular crossovers to the hardstand will cater for B-double access. Additionally, compared to the previous approval, it is noted that the new scheme includes additional driveway crossings to the Estate Road which considers existing developments within First Estate such as, NSW Fire & Rescue (Lot 2), DATS (Lot 3) and operational warehouse and distribution facilities on Lots 8B1 and 8B2.

Consideration has also been given to future proposed developments within First Estate with regard to the impacts on traffic volumes; however, the Traffic Impact Assessment, particularly the data provided, was viewed from a conservative 'worst case scenario'. The proposed development was considered compliant in this instance with regard to traffic volumes. It is also noted, that the road mentioned is a private road but notwithstanding has been designed as a minor public road. Furthermore, all commercial vehicle crossovers have been assessed using 'AutoTrack' software, with car park accesses designed in accordance with AS2890 as Category 2 driveways (with a notable width between 6.0-9.0 metres).

Some minor changes to the commercial vehicle crossovers may be required to provide additional splays to minimise vehicles having to cross the road centreline; however, it should be noted that crossing of the centreline is permitted under AS2890 for access by commercial vehicles on a minor public road, as is considered applicable in this instance with regard to the proposed development. The matter at hand can be further coordinated as part of any subsequent Construction Certificate documentation.

The Site would encompass separate driveways for commercial vehicles (trucks) and passenger vehicles (cars), which would in turn minimise the interaction between these user groups from a practicable perspective. Respective driveways mentioned would experience only moderate traffic volumes; therefore, the location of driveways (in proximity to driveways of other neighbouring developments) is not considered to present any adverse impacts. Subject to the restrictions noted above, access to all loading docks on-site should be able to be maintained at all times. Detailed swept path analysis can be found in Appendix A of the Report (refer to **Appendix 6**).

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Length of stay within each respective loading bay would vary depending on the size of load as-well-as volumes within each site; and, appropriate measures should be administered to ensure that loading / unloading activities do not obstruct the use of adjoining loading areas. As such, subject to any specific restrictions in place, access to all loading docks shall be maintained accordingly.

The internal configuration of the Subject Site, inclusive of light and heavy vehicular access, car parking and servicing areas – have generally been designed in accordance with Council's DCP and the relevant Australian Standards of AS2890.1, AS2890.2, AS2890.3 and AS2890.6.

In summary, the proposed development is supportable on traffic planning grounds and would not result in any adverse impacts on the surrounding road network or the availability of on-street parking.

4.2 Soil and Water

The *Water Sensitive Urban Design Report: Lot 8 – First Estate Orchard Hills – Warehouse Facilities* (refer to **Appendix 5**) was provided which assessed the following Water Sensitive Urban Design (WSUD) strategies, including:

- Employ an integrated water collection and recycling system for capturing and recycling roofwater;
- Control the quality of stormwater that is disposed from the site; and,
- Control the quantity of stormwater that is discharged for the site.

The above strategies were also considered for previously approved SSD 7173, which also considered estate wide treatment measures, including:

- Estate gross pollutant traps that provide primary treatment of collected stormwater runoff from roads and developed lots;
- An estate bio retention basin that provides secondary and tertiary treatment of collected stormwater runoff from roads and developed lots; and,
- An estate on-site detention (OSD) basin that provides discharge control of stormwater runoff from the estate.

The stormwater management strategy implemented as part of SSD 7173 for First Estate means that no additional stormwater treatment requirements are necessary for development lots, as all measures were provided at the initial development level for First Estate. With this in mind, there are no provisions proposed for water quality with regard to the proposed development.

Water Conservation

Water usage reduction is to be achieved throughout the development through the use of a minimum of 4 Star WELS rated water fixtures and rainwater reuse in accordance with the performance criteria under Section 3.1 Water Conservation of the Penrith City Council WSUD Policy, December 2013 and Section 5.4 of the MWDCP.

Rainwater Reuse

Through the reuse of collected roofwater for non-potable reuse the proposed demand on potable water resources is reduced. The proposed development will capture roofwater portions of roof area providing catchment areas of 1,880 m² for Warehouse 8A1 (speculative warehouse) and 1,970 m² for Warehouse 8A2 (IMCD). This collected roofwater will be conveyed to one (1) 50 kL rainwater tank for Warehouse 8A1 (inclusive of the office), and two (2) 30 kL rainwater tanks for Warehouse 8A2 (inclusive of the office). Re-use purposes would be primarily associated with toilet flushing and irrigation.

Flooding

Previous detailed flood modelling was undertaken (Costin Roe Consulting, 2018) as part of SSD 7173 with regard to the proposed estate subdivision. The Report provided (annexed in this report) highlights that the

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subject site is located outside the flood zone. The flood level for the 1% AEP flood event adjacent to the site has been determined to be approximately 33.000-35.000 AHD. This flood level is below the proposed floor level of 35.500 AHD, with approximately 1.6 m of freeboard being provided to the subject site.

The Report concludes that it is demonstrated that the principles of WSUD have been incorporated into the design and operation of the proposed development at Lot 8, 585-649 Mamre Road, Orchard Hills in accordance with PDCP2014, Part C3 and Section 5 of the MWDCP. Furthermore, it is demonstrated that the proposed development achieves reductions in potable water import by capturing rainwater on-site and reusing this for non-potable uses including irrigation and toilet flushing, achieving reuse reduction targets set by Council. Additionally, the as suggested above, the subject site is located outside the 1% AEP flood extents and not affected by flooding / overland flows.

4.3 Noise

The *Operational Noise Assessment – Lot 8A, 585-649 Mamre Road, Orchard Hills* (Acoustic Logic, 2018) considered the potential noise impacts of the proposed development (refer to **Appendix 7**).

The primary sources of noise anticipated to be generated by the proposed development would include vehicle, mechanical and plant equipment, with associated truck movements. Guidelines in place to manage these acoustic noises included:

- *Mamre West DCP;*
- *The Penrith DCP;*
- *The EPA Noise Policy for Industry;*
- *The EPA Road Noise Policy;*
- *The EPA document – Assessing Vibration, A Technical Guideline; and,*
- *The EPA Interim Construction Noise Guidelines.*

The locations of potentially affected noise receivers are shown in **Figure 3** below.

Unattended noise monitoring was conducted between 4-11 September 2015. In accordance, an unattended measurement was made on 11 September 2015 to measure existing noise levels generated by traffic on nearby roads, being Mamre Road and Luddenham Road.

Periods of adverse weather were eliminated when determining the rating background noise level at the site, which is presented below in **Tables 6 & 7**. ***Note:** weather monitoring data was taken from the Badgerys Creek weather station.

Table 6: Long Term Noise Logging Data			
Location	Time of Day		
	Daytime (7am-6pm)	Evening (6pm-10pm)	Night (10pm-7am)
Noise Logger Location 1 (applicable to 573-577 Mamre Road – Resident A)	50dB(A) _{Leq(Period)} 38dB(A) _{L90}	50dB(A) _{Leq(Period)} 38dB(A) _{L90}	46dB(A) _{Leq(Period)} 33dB(A) _{L90}
Noise Logger Location 2 (applicable to Residents B, C)*	50dB(A) _{Leq(Period)} 38dB(A) _{L90}	50dB(A) _{Leq(Period)} 34dB(A) _{L90}	46dB(A) _{Leq(Period)} 34dB(A) _{L90}

Table 7: Long Term Noise Logging Data	
Location	Time of Day
Attended Measurement – Location 1 (40 m from Mamre Road)	64dB(A) _{Leq(15hr)}
Attended Measurement – Location 2	68dB(A) _{Leq(15hr)}

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(10 m from Luddenham Road)

The EPA guidelines adopt differing strategies for noise control depending on the predicted noise level at the nearest residences. For residential properties, the noise effected level occurs when construction noise exceeds ambient levels by more than:

- 10dB(A)_{Leq(15min)} for work during standard construction hours (7am-6pm Monday to Friday and 8am to 1pm on Saturdays); and,
- 5dB(A)_{Leq(15min)} for work outside of standard construction hours.

For residential properties, the highly noise effected level occurs when construction noise exceeds 75dB(A)_{Leq(15min)} at nearby residences.

Noise emission and vibration goals goals for both standard hours of construction and outside standard hours are presented below in **Tables 8 & 9**.

Table 8: Construction Noise Emission Goals		
Location	Noise Affected Level – dB(A)_{Leq(15min)}	Highly Noise Affected Level – dB(A)_{Leq(15min)}
Residences	48 (Standard Construction Hours)	75
Commercial	70	N/A
Industrial	75	N/A

Table 9: Construction Vibration Goals			
Location	Time of Day	Peak velocity (mm/s)	
		Preferred	Maximum
Continuous Vibration			
Residences	Daytime	0.28	0.56
Commercial / Industrial	When in use	0.56	1.12
Impulsive Vibration			
Residences	Daytime	8.6	17
Commercial / Industrial	When in use	18	36

No noise reduction for shielding from warehouses on other lots was taken into account. As the remaining lots within the precinct are subject to future development, noise from Lot 8A would become increasingly shielded by new warehouses that would lie between the sites. Ignoring this screening makes this assessment extremely conservative. Furthermore, as is consistent with EPA Guidelines when assessing rural development, the noise emissions are assessed at point on the residential properties which is 30 m from the location of the house (refer to **Table 10**).

Table 10: Noise Impact Assessment (Evening / Night)			
Noise Source	Noise Receiver Location	Predicted Noise Level * dB(A)_{Leq(15min)}	Compliance
Vehicles on Site, Internal Activities, Refrigeration Container	Residential Receiver A (573-577 Mamre Road)	30dB(A) _{Leq(15min)*}	Complies – Night time criteria 38dB(A) _{Leq(15min)}
	Residential Receiver B (West of Site)	35dB(A) _{Leq(15min)*}	Complies – Night time criteria 39dB(A) _{Leq(15min)}
	Residential Receiver C (Mandalong Close)	33dB(A) _{Leq(15min)*}	Complies – Night time criteria 38dB(A) _{Leq(15min)}

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	Residential Receiver D (Bakers Lane)	36dB(A) _{Leq(15min)*}	Complies – Night time criteria 38dB(A) _{Leq(15min)}
	Old McDonald Child Care Centre	30dB(A) _{Leq(15min)*}	Complies – When in use 55dB(A) _{Leq(15min)}

***Note:** Compliance column relates to **Appendix 7** (Tables 4 & 5).

Transient noise levels with regard to sleep arousal were also assessed. The noise emissions at the window of the nearest residences can be viewed below in **Table 11**. The predictions below take into account distance correction and air absorption.

Table 11: Sleep Arousal Assessment (Truck Air-brake)				
Receiver Location	Noise Source	Predicted Noise Level	Noise Limit	Compliance
Residential Receiver A (573-577 Mamre Road)	Truck Brake	37dB(A) _{L_{Max}*}	52dB(A) _{L_{Max}}	Complies
Residential Receiver B (West of Site)	Truck Brake	42dB(A) _{L_{Max}*}	52dB(A) _{L_{Max}}	Complies
Residential Receiver C (Mandalong Close)	Truck Brake	40dB(A) _{L_{Max}*}	52dB(A) _{L_{Max}}	Complies
Residential Receiver D (Bakers Lane)	Truck Brake	40dB(A) _{L_{Max}*}	52dB(A) _{L_{Max}}	Complies

The associated acoustic analysis indicated that:

- Operational noise from Lot 8A – Warehouses 8A1 and 8A2 – could comply with relevant EPA noise emission requirements;
- Given the comfortable degree of compliance, it is unlikely that Lot 8A – Warehouses 8A1 and 8A2 – would result in any significant cumulative noise impact when remaining Lots are taken into account;
- Noise from construction works in Lot 8A – Warehouses 8A1 and 8A2 – would generally comply with EPA construction noise guidelines.

The recommendations as a result of the acoustic analysis suggest that:

- Between 10pm and 7am – it is assumed that there would not be more than two (2) truck movement to the subject site in a fifteen (15) minute period; and,
- Trucks with tonal reversing beacons and use of diesel forklifts in external areas are not recommended in external areas on the site.

The proposed development is considered compliant with noise emission requirements provided that the recommendations above are adopted.

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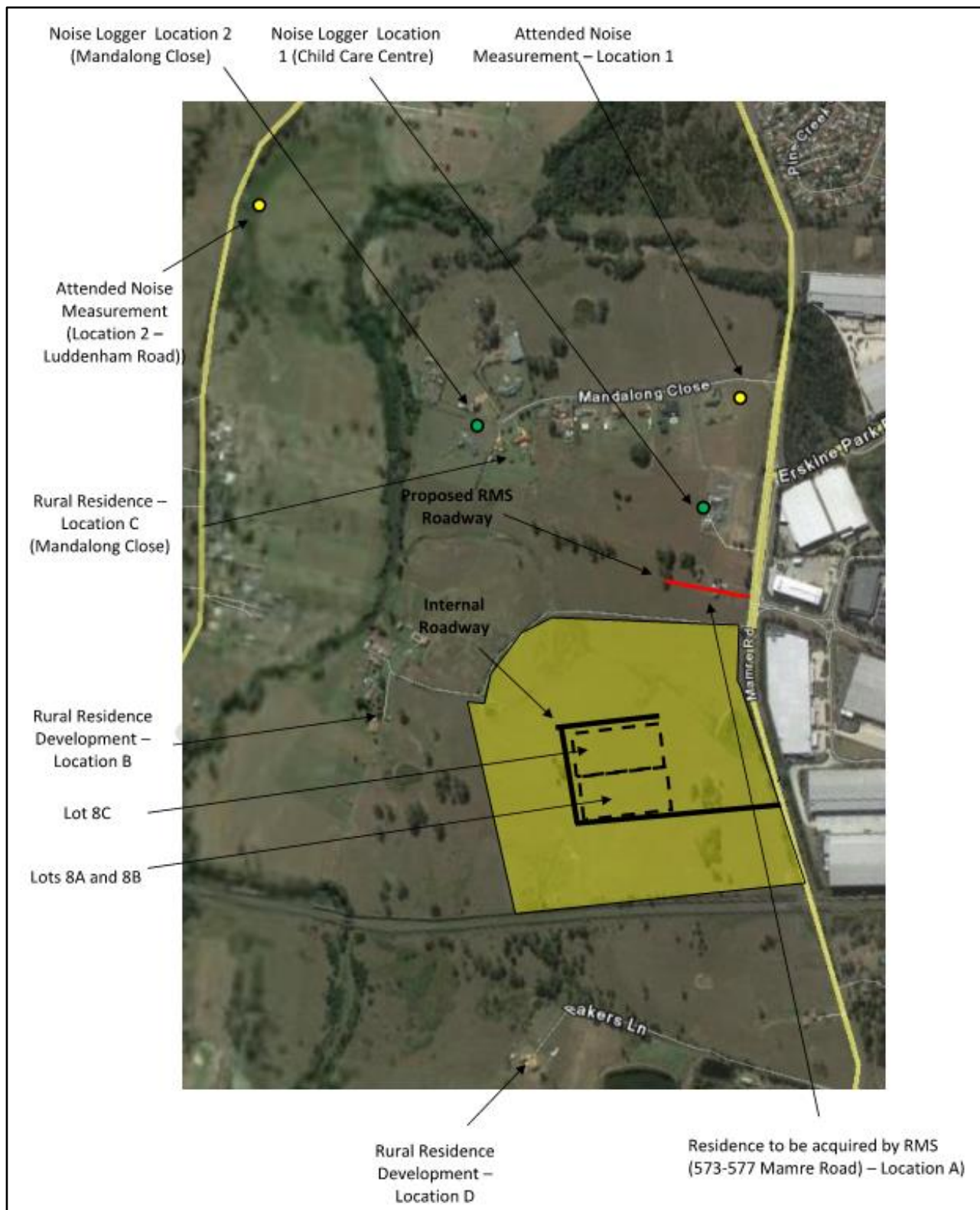


Figure 3 Location of Nearest Potentially Affected Receivers (Acoustic Logic, 2018)

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4.4 Bushfire

A Bushfire Assessment Report has been prepared by Peterson Bushfire (**Appendix 8**). The Bushfire Assessment Report provides assessment of the bushfire hazard of the site and addresses the relevant requirements set out in the 'NSW Rural Fire Service' (RFS) document, *Planning for Bushfire Protection, 2006* (PBP).

Whilst a bushfire attack assessment is not relevant for the development, the Report provides consideration of bushfire threat and defendable space, as summarised in **Table 12**.

Table 12: Defendable Space Between the Bushfire Threat and the Proposed Development			
Direction	Vegetation Classification	Effective Slope	Existing or Proposed Defendable Space (m)
North	Grazed Paddocks	Flat	>40 m
South	Grazed Paddocks	Flat	>40 m
East	Developed Land	Flat	>100 m
West	Grazed Paddocks	Flat	>40 m

Although mapped as being bushfire prone land, the subject site and surrounding lands consist of actively grazed and well maintained paddocks and yards such that there is minimal grass fuel to sustain the spread of fire and cause impact of fire to a future development. Consequently, the proposed development has been rated 'BAL-LOW'.

Planning for Bushfire Protection 2006 does not require specific asset protection zone measures or construction standards under *AS 3959-2009 Construction of buildings in bushfire prone areas* for the development type proposed. Nonetheless, the proposed development would have adequate separation and defendable space between it and the surrounding paddocks which are also subject to future stages of the logistics hub.

Subsequently, in order to comply with the *Planning for Bushfire Protection 2006* document requirements, the following recommendations have been provided, including:

- The entire lot, including landscaping, is to comply with the performance requirements of an Inner Protection Area (IPA) as described by 'Planning for Bushfire Protection 2006';
- The development will require fire hydrants to be installed to comply with AS 2419.1 – *2005 Fire Hydrant Installations – System Design, Installation and Commissioning* (As 2419) so that buildings are within 70 m of a hydrant (or 90 m with a tanker parked in-line maximum 20 m from the hydrant);
- In accordance with PBP, electricity should be underground wherever practicable. Where overhead electrical transmission lines are to be installed no part of a tree should be closer to a powerline than the distance specified in "*Guideline for managing vegetation near power lines*" issued by Department of Energy, Utilities and Sustainability (ISSC 3 December 2005); and,
- Any gas services are to be installed and maintained in accordance with *AS/NZS 1596-2008 The storage and handling of LP gas*.

4.5 Visual

This part of the Modification Application considers the proposed development's potential visual impact and addresses the design principles outlined in Clause 31 of SEPP WSEA. The design principles addressed are summarised below, including:

- *The development is of a high quality design;*
- *A variety of materials and external finishes for the external facades are incorporated;*
- *High quality landscaping provided; and,*
- *The scale and character of the development is compatible with other employment-generating development in the precinct concerned.*

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The layout and design of site features and built form have been considered in terms of the visual amenity of the estate (regarding existing and proposed development's) and broader area in order to facilitate a positive visual outcome.

The overall site layout has been configured to provide fluid access to and from the facilities located on-site, whilst demonstrating safety and continuity, with regard to the circulation of vehicles as-well-as pedestrian movements.

The precise siting of the various structures and hardstand areas on the Site including warehouses, offices, loading docks, car parks and landscaping, have been strategically coordinated to provide a functional layout and coherent visual outcome. Where practicable, offices have been positioned and orientated to address the street frontage.

Additionally, soft landscaping is proposed around the perimeter of the Site and in the building separation zones, which would soften the appearance of the built form and contribute to an attractive streetscape characterised by native vegetation planting and green verges. Vegetation planting would provide a natural buffer between the Site and surrounding allotments to define the separate warehouses and ensure views to and from the Site take in high quality landscaping. Furthermore, the setbacks proposed allow for landscape buffer planting to help screen the proposed development, particularly the loading facilities and integrates the Site within its broader environment.

The extent of the proposed changes would generally not affect the visual outcomes of the Site when viewed from the public domain and surrounding properties. To promote an aesthetically pleasing design the proposed development would integrate a suitable architectural landscaped design into the built form, as mentioned above. As First Estate is developed further, the built form of the proposed development would be complimented by its surrounds furthermore.

With regard to visual impact, the street frontages have been satisfactorily addressed via integration of an aesthetically pleasing landscaped design that conceals the proposed loading facilities that are proposed along the southern and western interfaces. This further complements the industrial character of the proposed development by enabling a landscaped element that provides a smooth transition between the natural environment that the landscape setback provides and further reinforces the proposed Warehouse and Distribution Facility that incorporates natural and earthy colours and tones that blend with the visual surrounds.

It is expected that the proposed development's built form would be considered congruent with existing and future development proposed within First Estate. Visual impacts would therefore be considered consistent with First Estate, and any potential adverse visual impacts are considered to have been addressed through comprehensive architectural and landscape design.

4.6 Waste Management

The findings and recommendations of the Waste Management Plan prepared by SLR as submitted with SSD 7173 remain generally unchanged for the subject site (First Estate); however, the proposed development would require a Waste Management Plan to account for waste during both the construction and operational phases of development.

Details of construction and operational waste are provided within the Waste Management Plan at **Appendix 12**. Where possible, all construction materials would be recycled either on-site through reuse or offsite at a licenced facility. Waste would be transported and disposed of offsite by a licenced contractor to a licensed landfill facility.

Similarly, recyclable and non-recyclable materials generated during operation would be collected and disposed of by a licenced contractor. The ongoing management of waste would be promoted through the following:

- *Staff awareness of recyclable items, providing on site training. This would include the company's Waste and Recycle policy with clear objectives and expectations;*

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- *Staff awareness and educational programs would be run which would supplement existing OH&S, and environmental programs on waste management;*
- *Suitable information would be supplied in staff induction kits, which would require refreshers on a yearly basis;*
- *The recycle and waste areas would be clearly marked and bins suitably labelled; and,*
- *Cleaning staff would be responsible for day to day management and control of all waste and recycle stations.*

Further details are provided within **Appendix 12**.

4.7 Building Code of Australia and Fire Engineering

As demonstrated within the *Proposed IMCD 8A2 and Speculative Warehouse 8A1 Development – 585-649 Mamre Road, Orchard Hills* (Mckenzie Group, 2018), the proposed Warehouse and Distribution Facility must be designed to comply with the BCA. The detailed design of the proposed Warehouse and Distribution Facility would be in accordance with the BCA and would be further assessed prior to the issue of a Construction Certificate.

The Report (refer to **Appendix 9**) details, that following the assessment of the design documentation (provided by Nettleton Tribe) has revealed that following areas (refer to **Table 13**) are required to be assessed against the relevant performance requirements of the BCA. Furthermore, the submission for a Construction Certificate would need to include verification from a suitably accredited fire engineer:

Table 13: Compliance Summary Table Against Relevant Performance Requirements			
Fire Safety Items			
No.	Alternative Solution Description	DTS Clause	Performance Requirement
1.	Extended Travel Distances The following extended travel distance has been identified for Warehouse 8A2, <ul style="list-style-type: none">▪ Travel distance to an exit is up to 67 m in lieu of 40 m.▪ Travel distance between alternative exits is maximum of 103 m in lieu of 60 m.	D1.4 & D1.5	DP4 & EP2.2
2.	Extended Travel Distances Travel distances to exits exceeds the limit of DtS provisions of BCA within Warehouse 8A1 part of it. Only one exits is shown on warehouse part. Amended plans or performance solution is to be provided.	D1.4 & D1.5	DP4 & EP2.2
3.	Smoke Hazard Management Automatic Smoke Exhaust throughout the warehouse will be rationalised through the fire engineering process for the warehouse, pursuant to Performance Requirement EP2.2 of the BCA.	E2.2, Table E2.2	EP2.2
4.	Extended Coverage of Fire Hose Reel It has been anticipated to provide Fire Hose Reel covering up to 50 m in length.	E1.4	EP1.1
5.	Exit Sign Locations It is anticipated that a fire engineered solution will be proposed to permit exit signage to be mounted at a height greater than the maximum height permitted by AS2293.2 (2.7 m).	E4.5, E4.8	EP4.2
6.	Fire Hydrant Coverage	E1.3	EP1.3

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	It is anticipated that the Fire Hydrants to be included in the FER to be assessed hydrant under awnings as external hydrants for coverage.		
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Further to the above, the fire engineered solution relating to EP2.2 will be subject to consultation with the NSW Fire Brigade as part of the Construction Certificate process under Clause 144 of the EP&A Regulation. The application for a Construction Certificate should be assessed under the relevant provisions of the EP&A Act and the EP&A Regulation.

4.8 Hazards and Risks

The *State Environmental Planning Policy No. 33: Lot 8, 585-649 Mamre Road* report identified that a review of the quantities of dangerous goods stored at the proposed warehouse and the associated vehicle movements, was conducted and compared to the threshold quantities outlined in applying SEPP 33. The results concluded that the threshold quantities for the dangerous goods to be stored and transported are not exceeded; hence, SEPP 33 does not apply to the proposed development (refer to **Appendix 9**).

Additionally, the Report states, that as SEPP 33 does not apply to the Site, it is not necessary to prepare a Preliminary Hazard Analysis.

5 CONCLUSION

The subject Modification Application seeks to make minor changes to SSD 7173 which include:

- Proposed development on Lot 8A for the purposes of constructing and operating two (2) warehouses, including Warehouse 8A1 (Speculative Warehouse) and Warehouse 8A2 (IMCD).

For the reasons stated below, the proposed development, as modified, would be substantially the same as that for which consent was granted under SSD 7173 as follows:

- **Primary Land Use** – The use of the site is not proposed to change.
- **Subdivision** – There would be no additional allotments created.
- **Gross Floor Area** – Gross Floor Area of Warehouses 8A1 & 8A2 would decrease from 21,725 m² (as per SSD 7173 development particulars) to approximately 18,480 m².
- **Car Parking** – Parking provision would be adopted as per the Traffic Impact Assessment suggestions.
- **Setbacks** – All building setbacks would be maintained as approved, as-well-as adhere to setbacks prescribed in **Table 4**.
- **Traffic Generation** – Traffic generation would not increase beyond that originally modelled for SSD 7173.

Overall, the modified application (SSD 7173 MOD 4) would provide a suitable layout that responds to the characteristics and requirements of the surrounding land use zones. This would be ensured through adherence with regard to the aims and objectives set out in SEPP WSEA for the specified land use zone. These objectives would be met by facilitating a consistent development aligned with the General Industrial (IN1) zoned land that surrounds the proposed development, as-well-as delivering an employment-generating proposed development that would promote economic growth and prosperity to the immediate area and the wider locality.

Accordingly, it is requested that the NSW DP&E support the application.

Appendix 1

Survey Plan

Appendix 2

Architectural Plans

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Appendix 3 Landscape Plan

Appendix 4
Subdivision Plan (as approved under SSD 7173 MOD 2)

Appendix 5

Civil Engineering Report

Appendix 6

Traffic Impact Assessment

Appendix 7

Noise Impact Assessment

Appendix 8

Bushfire Assessment Report

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Appendix 9 BCA Report

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Appendix 10 SEPP 33 Report

Appendix 11

QS Report

Appendix 12

Waste Management Plan

Appendix 13

Signage Plans