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Assessment Report Section 4.55(1A) Modification

**SSD 7348 Modification 7
2 Aldington Road, Kemps Creek**



**Prepared for Goodman Property Services (Aust.) Pty Ltd
Submitted to Department of Planning, Industry, and
Environment**

July 2021



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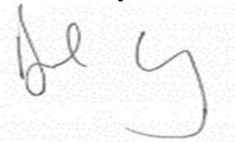


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Cover image: Oakdale West Industrial Estate currently under development (Source: Goodman)

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1 Introduction

This report has been prepared by *Keylan Consulting Pty Ltd* (Keylan) to accompany a section 4.55(1A) application to modify the State significant development (SSD) consent for the Oakdale West Industrial Estate (SSD 7348).

The application has been prepared on behalf of Goodman Property Services (Aust.) Pty Ltd (the Applicant) and is submitted to the Department of Planning, Industry and Environment (DPIE) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application is the seventh modification sought to SSD 7348 which was approved by DPIE on 13 September 2019.

The application proposes minor amendments to the estate infrastructure including bulk earthworks in Precincts 3 & 4, the removal of part of an Estate Road in Precinct 4, and inclusion of additional retaining walls in Precinct 3 & 4. These amendments are proposed to suit future tenants and satisfy customer commitments made by the proponent. Specifically, the application seeks to amend the Concept Plan Approval and Stage 1 consent as follows:

- minor changes to the lot boundaries in Precinct 3 and associated changes in earthworks levels and retaining walls
- minor changes to the layout of buildings in Precinct 4 and associated changes in earthworks levels and retaining walls
- the removal of the western part of Estate Road 07 in Precinct 4
- removing the restriction on night time use of forklifts in Building 4E in condition B9(e)
- increase height of fencing between Building 1A and Buildings 1B/1C

Further details of the proposed modifications are provided in Section 3. There are no further changes proposed to any other development controls or the Gross Lettable Area (GLA) of the Estate.

The following reports and updated plans have been prepared in support of this modification application (Table 1 and included as appendices to this report).

Appendices	Supporting documentation
Appendix 1	Architectural Plans (Masterplan)
Appendix 2	Civil Engineering Report
Appendix 3	Civil Engineering Plans - Masterplan
Appendix 4	Landscape Masterplan
Appendix 5	Urban Design Assessment
Appendix 6	Visual Impact Assessment
Appendix 7	Transport Statement
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Appendix 10	Biodiversity Statement

Table 1: List of Appendices

This report concludes that the proposed modifications will involve minimal environmental impact and result in substantially the same development as the development for which

consent was originally granted, pursuant to section 4.55(1A) of the EP&A Act. Accordingly, we recommend that the proposed modification be supported and approved by DPIE.

2 Background

The Oakdale West Industrial Estate (OWE) is located at 2 Aldington Road, Kemps Creek NSW within the boundaries of the Western Sydney Employment Area. The land is legally described as Lot 26 in DP1269741.

On 13 September 2019, DPIE approved SSD 7348 for the staged development of the OWE. SSD 7348 comprises a Concept Proposal and Stage 1 development application (DA) which includes estate-wide earthworks, infrastructure, and services and construction of warehouses in Precinct 1.

The original SSD 7348 includes approval for the following development:

Concept Proposal

- Concept layout of 18 warehouse buildings inclusive of dock offices and ancillary offices providing 556,824 square metres (m²) of GLA, built over five development stages (Figure 1)
- Concept layout of development lots, internal roads, drainage, landscaping, noise walls, basins and biodiversity offsets
- Development controls (including building height, setbacks, lot size, and site coverage)

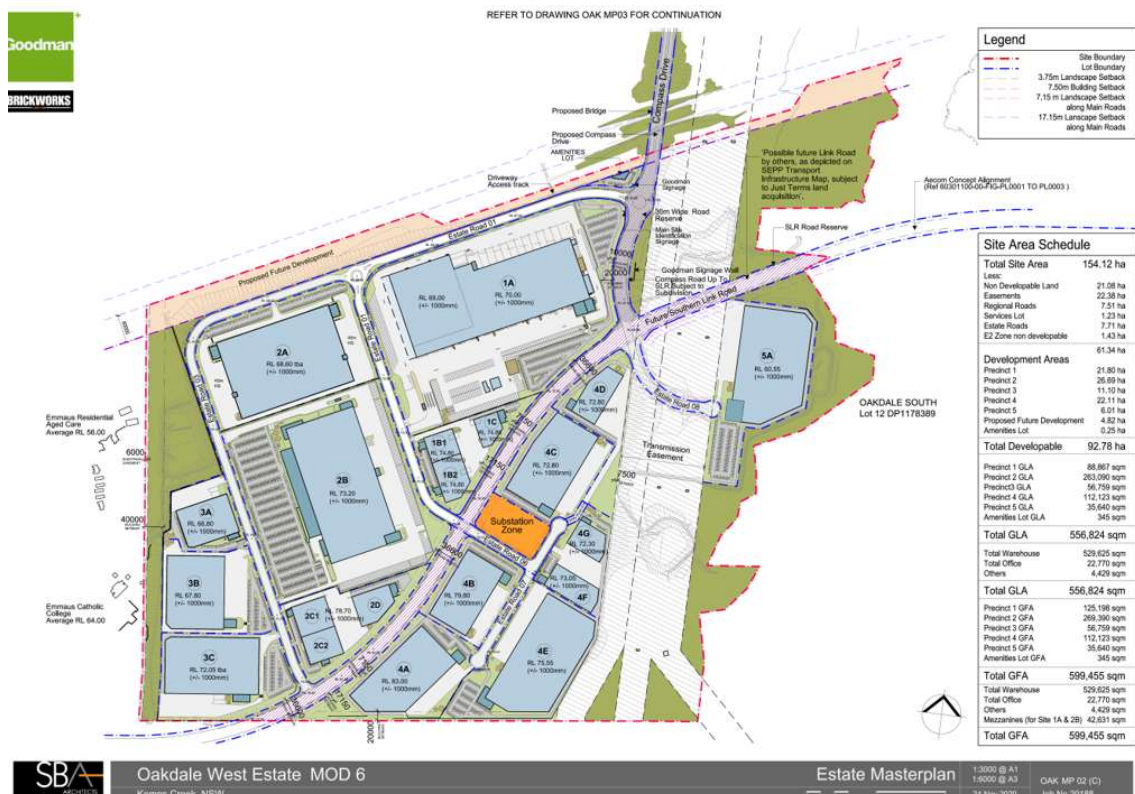


Figure 1: Approved (as modified) Masterplan Layout (Source: SBA Architects)

Stage 1 Development

- bulk earthworks across all five stages including retaining walls and noise walls
- lead-in services including but not limited to drainage, power, sewer, water and telecommunications
- service infrastructure to Precinct 1, including drainage, power, sewer, water and telecommunications
- construction and operation of three warehouse buildings inclusive of dock offices and ancillary offices in Precinct 1 (1A, 1B and 1C), providing 88,867 square metres of gross lettable area
- Western North-South Link Road and associated subdivision, basins and drainage
- estate roads 1, 2, 6 and 8 and eastern part of road 7
- landscaping of Stage 1, the western boundary, Compass Drive (formerly Western North South Link Road), estate roads 1, 2, 6 and 8 and the eastern part of road 7, detention basins and the amenity lot
- subdivision of Stage 1 lots and road infrastructure including the services (substation) lot
- stormwater drainage infrastructure for Lots 2A and 2B and all basins
- temporary works to facilitate construction including but not limited to swales, haul road (construction access), landscaping and basins
- works including construction of traffic signals at Lenore Drive/Grady Crescent/Compass Drive intersection and
- works within Lot 9 DP1157476 including reconfiguration of car park, relocation of car park access on Lockwood Road, infrastructure, landscaping and all works associated with Compass Drive.

The consent has been modified on six previous occasions as outlined in Table 2 below.

Application	Description	Status
SSD 7348 Mod 1	Modification to the Concept Plan and Stage 1, including changes to sewer servicing, building pad level of Precinct 2, bioretention basins and biodiversity offset strategy.	Approved 26 March 2020
SSD 7348 Mod 2	Modification to approved Concept Plan and Stage 1, including master plan layout, increase in GFA and expansion of Building 1A, changes to internal roads, civil design and building pad levels.	Approved 21 April 2020
SSD 7348 Mod 3	Modification to the approved Concept Proposal and the Stage 1 development, to support SSD application for Building 2B (SSD 10397).	Approved 2 April 2020
SSD 7348 Mod 4	Sought approval for additional works within Lot 9 DP1157476 associated with the construction of the Western North South Link Road.	Approved 24 March 2020
SSD 7348 Mod 5	Sought changes to Precinct 1A layout, Stage 1 development dangerous goods quantity, biodiversity offset site, and noise wall completion timing.	Approved 5 November 2020
SSD 7348 Mod 6	Sought changes to Precinct 2 building height and layout and inclusion of construction Estate Road 8 as part of Stage 1 development	Approved 10 March 2021

Table 2: Relevant Planning History – SSD 7348

2.1 Relevant Planning Approvals

In addition to SSD 7348, the OWE is subject to a SSD approval, under SSD 10397 (Stage 2), and approval of one development application by Penrith City Council (DA 20/0843). Two pending applications are currently under assessment, SSD 9794683 for Stage 3 (Buildings 2A, 2C and 2D) and DA 21/0440 for Building 3B.

2.1.1 SSD 10397 – Building 2B

SSD 10397 was approved on 9 April 2020 for Warehouse 2B within Precinct 2. SSD 10397 includes the construction, subdivision, fit-out, operation and use of a four-level automated warehouse, associated office space, internal roads and parking.

Two subsequent modifications have been approved for SSD 10397 seeking:

- minor updates to Building 2b, including revisions to the architectural plans and addition of fire stairs to the northern elevation approved 23 September 2020 (MOD 1); and
- amendments to the architectural plans to include two solar inverter enclosures and amend Condition B8 to permit 2.4m high fencing approved 4 May 2021 (MOD 2).

2.1.2 SSD 9794683

SSD 9794683, which relates to Stage 3 of the OWE, is currently under assessment by DPIE. This application seeks consent for the following:

- construction of Warehouse 2A, 2C and 2D within Precinct 2 of the OWE;
- the subsequent fitout and use of the proposed warehouses; and
- associated earthworks and landscaping.

Following exhibition of the EIS for Stage 3, a Response to Submissions has been lodged to address concerns raised by organisations and public authorities and the DA is currently under assessment by DPIE.

2.1.3 DA 20/0843 – Building 3A (Stage 4)

A development application for Building 3A within Precinct 3 of the OWE, which forms Stage 4 of the OWE, was approved by Council on 15 April 2021 (DA 20/0843). DA 20/0843 approved:

- the construction and use of Building 3A as a warehouse and distribution centre;
- signage, landscaping and associated site works; and
- Torrens Title subdivision of Precinct 3.

2.1.4 DA 21/0440 - Building 3B (Stage 5)

A development application for Building 3B within Precinct 3 of the OWE, which also forms part of Stage 5 of the OWE, was lodged with Council on 22 June 2021 and is currently under assessment. The DA seeks approval for:

- construction, fit out and use of Building 3B as a warehouse and distribution centre;
- signage, landscaping and associated site works; and
- Torrens Title and community title subdivision within Precinct 3.

3 Proposed modification to SSD 7348

The proposed modification (SSD 7348 MOD 7) involves minor changes to the Concept Plan Approval and Stage 1 consent, primarily relating to Precincts 3 and 4 as follows:

Concept Plan Approval

- Alterations to building layout and area of Building 4E, including increase to lot size to accommodate double sided hardstand and additional car parking
- Relocation of Buildings 4F and 4G to the north, and a reduction in their building footprint to accommodate increase in Building 4E
- Minor alterations to the boundary between Lots 3B and 3C to move the lot boundary further south, resulting from detailed design development for future tenancies
- Removal of part Road 7 to accommodate proposed layout of Building 4E and a subsequent reduction in total road area of the OWE from 7.71 ha to 7.011 ha, with access to buildings 4A and 4B via a private right-of-way
- 0.7 ha increase in the development area in Precinct 4 from 22.11 ha to 22.81 ha and total estate development area from 92.78 ha to 93.48 ha, due to the removal of part Estate Road 7
- Civil design amended to accommodate the above changes in Precinct 3 and Precinct 4, including a minor increase to approved pad levels in Precinct 4 and extending the pad for Building 3B to the south (reducing the higher level pad of Building 3C)
- Minor decrease in Precinct 3 GFA/GLA from 56,759 sqm to 56,704 sqm (55 sqm)
- Minor increase in Precinct 4 GFA/GLA from 112,123 sqm to 112,178 sqm (55 sqm)
- Removing the restriction on night time use of forklifts in Building 4E in condition B9(e).

Stage 1 Development Consent

The proposed modification seeks to

- Enable bulk earthworks within the approved footprint to reflect pad level changes in Precinct 3 and Precinct 4, including construction of retaining walls between Lot 3B and Lot 3C and between Lot 4E and Lots 4A and 4B
- Establish a 2.4 m high fence along the lot boundary between Building 1A and Buildings 1B and 1C in Precinct 1.

There are no proposed changes to total GFA and GLA of the OWE, to the building layouts in Precinct 1, Precinct 2 and Precinct 5 and any other development controls across the OWE.

The proposed modified Concept Plan layout is shown in Figure 2 and included in Appendix 1 (Masterplan). Amended civil engineering plans are provided in Appendix 2 (Masterplan) with a supporting Civil Report in Appendix 3. An amended Landscape Masterplan reflecting the modified layout of the OWE is provided in Appendix 4.

While the modified Concept Plan layout includes changes to the layout of buildings in Precinct 3, this application does not formally seek approval of a modified layout of these buildings, consistent with conditions B3 and B9(c) of SSD 7348 detailing that future DAs are required for approval of building footprints. The layout of the buildings in Precinct 3 will be subject to separate DAs in accordance with the requirements of Schedules B and C of SSD 7348.

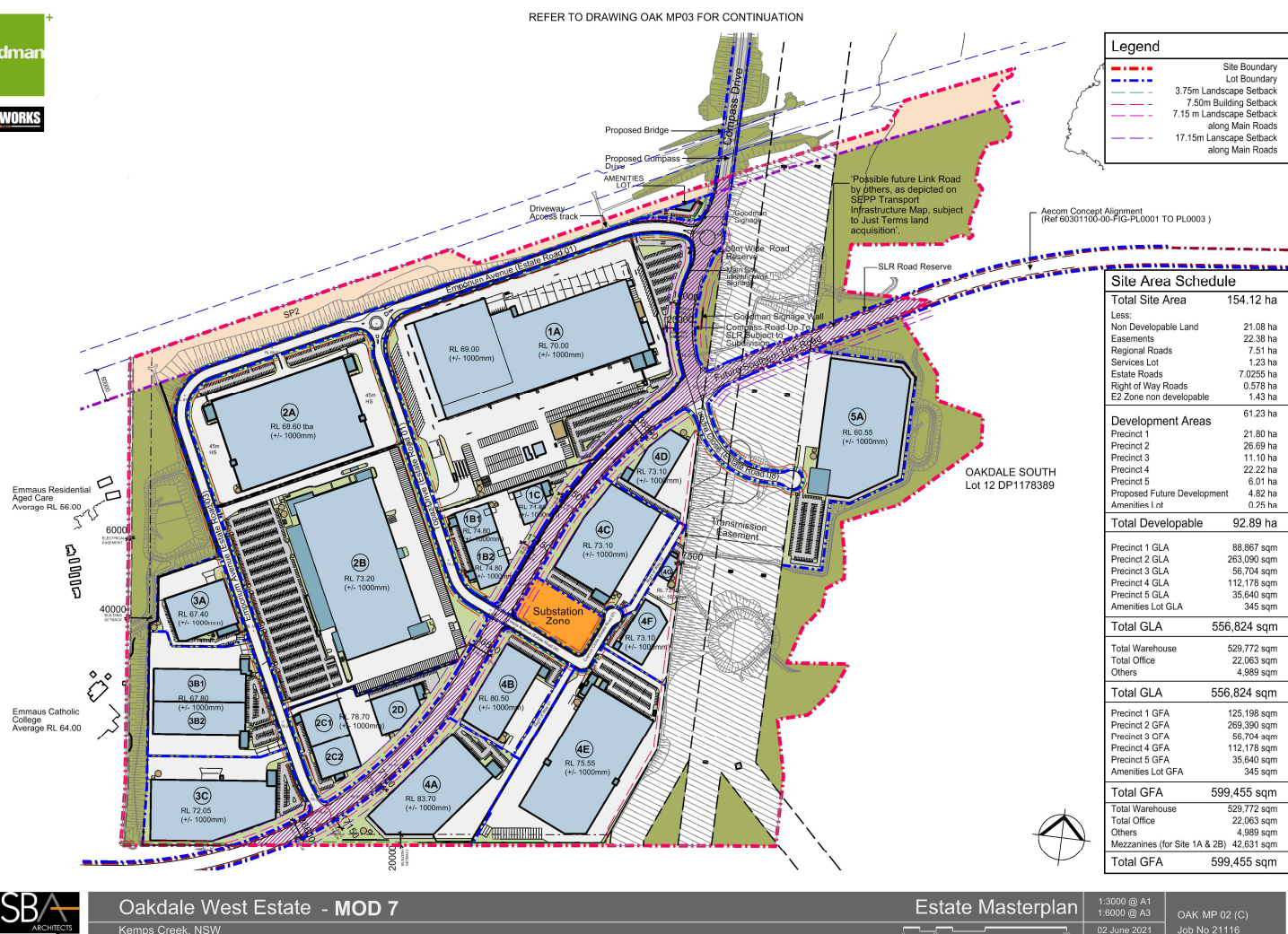


Figure 2: Proposed Masterplan Layout (Source: SBA Architects)

3.1 Request to modify the Conditions of Consent

The following conditions in SSD 7348 are proposed to be modified, as outlined below.

SCHEDULE 1

Definitions

Insert a new definition for SSD 7348 Mod 7.

SCHEDULE B

Limits of Consent

Amend condition B9(e) to delete reference to Lot 4E.

Noise Limits

Amend the table in condition B18 to establish revised noise limits for receivers N9, N11, N12 and N13.

SCHEDULE D

Signage and Fencing

Amend condition D44 to allow 2.4 m high fencing along the lot boundary between Building 1A and Buildings 1B and 1C.

APPENDIX 1 – Concept Proposal

The following plans have been updated and are to be inserted to replace the existing approved plans under MOD 6.

Table 7: Schedule of Approved Plans – Concept Proposal

Architectural Plans prepared by SBA Architects			
Drawing	Title	Issue	Date
OAK MP 02	Estate Masterplan	P4	2 June 2021

Landscape Plans prepared by Scape Design Landscape Architecture			
Drawing	Title	Revision	Date
L.SK.000	Cover Sheet	A	4/6/21
L.SK.100	Landscape Master Plan – OWE MOD 7	A	4/6/21
L.SK.101	Street Trees & Planting Master Plan – OWE MOD 7	A	4/6/21
L.SK.102	Planting Schedule Master Plan – OWE MOD 7	A	4/6/21

Civil Plans prepared by AT&L			
Drawing	Title	Issue	Date
15-272-C0000	Cover Sheet	A11	04-06-21
15-272-C0001	General Arrangement Master Plan	A15	04-06-21
15-272-C0002	Existing Site Plan	A14	04-06-21
15-272-C0003	Precinct Plan	A13	04-06-21

Civil Plans prepared by AT&L			
Drawing	Title	Issue	Date
15-272-C0004	Stage 1 SSD Approval Extents Sheet 1 of 2	A18	04-06-21
15-272-C0005	Stage 1 SSD Approval Extents Sheet 2 of 2	A13	04-06-21
15-272-C0006	Cut/Fill Plan	A13	04-06-21
15-272-C0007	Stormwater Drainage Catchment Plan (Pre-Developed)	A11	04-06-21
15-272-C0008	Stormwater Drainage Catchment Plan (Developed)	A11	04-06-21
15-272-C0009	Erosion and Sediment Control Master Plan	A14	04-06-21
15-272-C0010	Typical Sections Sheet 1	A13	04-06-21
15-272-C0011	Typical Sections Sheet 2	A11	04-06-21
15-272-C0012	Typical Sections Sheet 3	A12	04-06-21
15-272-C0013	Typical Sections Sheet 4	A10	04-06-21
15-272-C0014	Typical Sections Sheet 5	A1	04-06-21
15-272-C0020	Compass Drive General Arrangement Plan	A12	04-06-21
15-272-C0021	Compass Drive Stormwater Drainage Catchment Plan (Pre-Developed)	A11	04-06-21
15-272-C0022	Compass Drive Stormwater Drainage Catchment Plan (Developed)	A11	04-06-21
15-272-C0023	Compass Drive Proposed Land Acquisition Plan	A15	04-06-21
15-272-C1003	Precinct General Arrangement Plan	A18	04-06-21
15-272-C1004	Typical Site Sections Sheet 1 of 7	A14	04-06-21
15-272-C1005	Typical Site Sections Sheet 2 of 7	A13	04-06-21
15-272-C1006	Typical Site Sections Sheet 3 of 7	A13	04-06-21
15-272-C1009	Typical Site Sections Sheet 6 of 7	A14	04-06-21
15-272-C1010	Typical Site Sections Sheet 7 of 7	A1	04-06-21

Replace Figure 1 with the following:

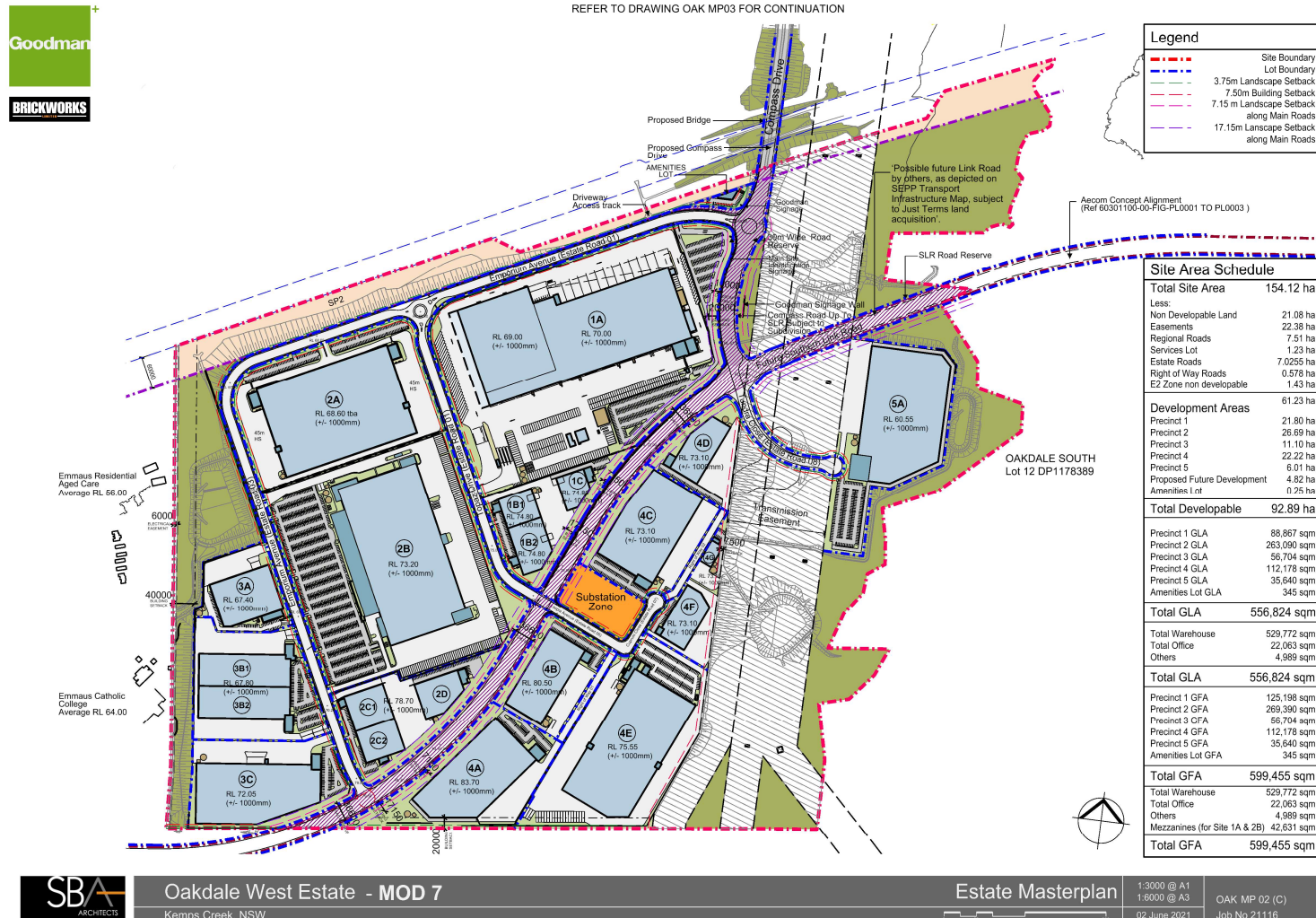


Figure 1: Concept Proposal Layout (Mod 7)

Replace Figure 2 with the following:

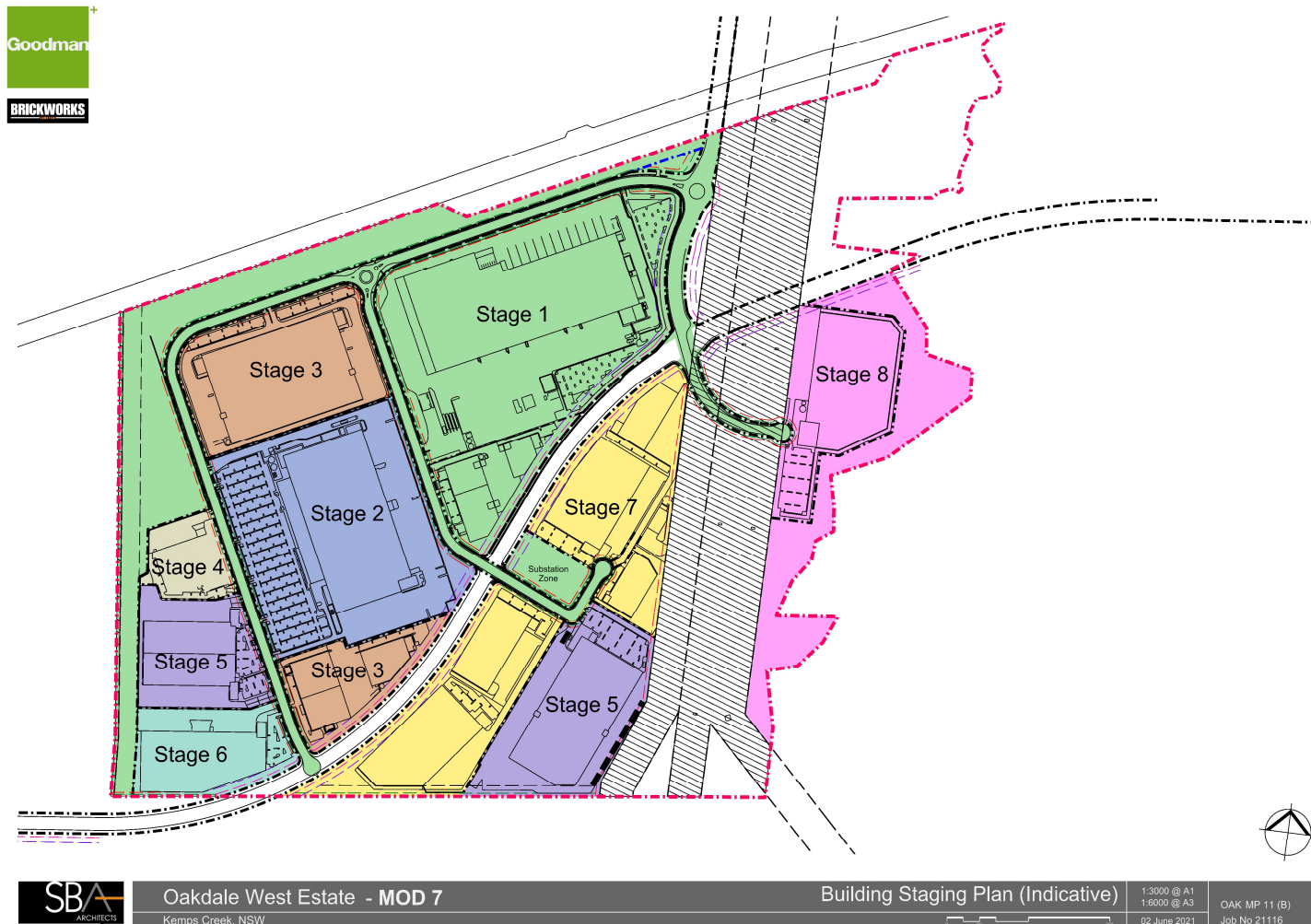


Figure 2: Staging Plan (Mod 7)

4 Statutory Planning Framework

4.1 Environmental Planning and Assessment Act 1979

The EP&A Act sets out the statutory planning framework for NSW. The Act aims to promote the orderly and economic use and development of land, facilitate ecologically sustainable development and integrate economic, environmental and social considerations as part of the decision-making processes for environmental planning and assessment matters.

4.1.1 Section 4.55(1A) of the EP&A Act

The provisions under Section 4.55(1A) of the EP&A Act are required to be considered by the consent authority in determining a modification application. Section 4.55(1A) of the EP&A Act states:

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:

Section 4.55(1A) Provision	Response
(a) <i>it is satisfied that the proposed modification is of minimal environmental impact, and</i>	<p>The proposed modification seeks minor changes to building form and layout in Precincts 3 and 4, amendments to civil design to accommodate layout changes in Precincts 3 and 4, deletion of part Estate Road 07 and a fencing height increase within Precinct 1.</p> <p>As bulk earthworks for the OWE are approved under the Stage 1 DA, the proposed modification would require no additional ground disturbance.</p> <p>The additional area of cut within Precinct 3 is to facilitate a southern extension of the pad for Building 3B. Given the pad for Building 3B is lower than that for Building 3C to the south, this change would increase the area of the warehouse pad at a lower level with an associated reduction in the higher pad for Building 3C.</p> <p>These amendments would result in minimal additional impacts compared with the approved overall development of the OWE and will ensure better design outcomes and the efficient delivery of road infrastructure.</p> <p>Consideration of key potential environmental impacts arising due to the proposed modification is provided in Section 5.</p>
(b) <i>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</i>	<p>No substantial changes to the development are proposed as part of this modification.</p> <p>The proposed changes include minor amendments to building form, layout and</p>

Section 4.55(1A) Provision	Response
<i>consent as originally granted was modified (if at all), and</i>	levels in Precincts 3 and 4, and deletion of part Estate Road 07. The Proposed modification also includes minor amendments to maximum fencing height within Precinct 1. Therefore, the development as modified by SSD 7348 MOD 7 would be substantially the same as the development for which consent was originally granted.
(c) <i>it has notified the application in accordance with:</i> i. <i>the regulations, if the regulations so require, or</i> ii. <i>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</i>	The application will be notified in accordance with the Regulations.
(d) <i>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.</i>	Consideration will be given to any submissions received.

Table 3: Section 4.55(1A) Assessment

4.1.2 Section 4.55(3) of the EP&A Act

Section 4.55(3) of the EP&A Act states:

In determining an application for modification of a consent under this section, the consent authority must take into consideration of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The following section of the report provides an assessment against the environmental planning instruments relevant to the development. The section also includes discussion and evaluation of the key issues and matters for consideration under section 4.15(1) of the EP&A Act.

4.1.3 Section 4.15(1)(a) Environmental Planning Instruments

This section provides an assessment against section 4.15(1) of the EP&A Act.

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	<p>The original SSD application addressed the development's level of compliance against the relevant planning instruments, including:</p> <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Western Sydney Employment Area) 2009 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 33 – Hazardous and Offensive Development Penrith Local Environmental Plan 2010 <p>Since the determination of the original SSD application, the following State Environmental Planning Instruments (SEPPs) were gazetted:</p> <ul style="list-style-type: none"> State Environmental Planning Policy (Major Infrastructure Corridors) 2020 State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 <p>The proposed modification will not impact the approved development's compliance with the above planning instruments as described in the assessment under Section 4.2 and 4.3 below.</p>
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	<p>A review of the <i>Draft Remediation of Land State Environmental Planning Policy</i> and <i>Draft Environment State Environmental Planning Policy</i> has demonstrated that the proposed modification will not impact the approved development's compliance with these instruments.</p> <p>Given the original SSD assessed the site's contamination and subsequent remediation and environmental impacts including biodiversity offsets, no further assessment is required.</p>
(iii) any development control plan, and	<p>The site is subject to the <i>Penrith Development Control Plan 2014</i>, with site specific controls established in Schedule C of SSD 7348 for the OWE. The proposed modification is consistent with the relevant development control plan.</p>
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that	<p>The Applicant has entered into a planning agreement for the development at OWE with the Minister for Planning and Public Spaces, in</p>

Relevant Provision	Comment
<i>a developer has offered to enter into under section 7.4, and</i>	accordance with the requirements of clause 29 of the WSEA SEPP. The proposed modifications do not alter or impact any of the obligations under the planning agreement.
(iv) <i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i>	There are no known matters prescribed by the Regulations that are relevant to the consideration of this application.
(v) <i>(Repealed)</i>	N/A
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The request to modify the conditions of consent will not result in any adverse environmental impacts as discussed in Section 5 of this report and will facilitate the orderly development and operation of the land.
(c) <i>the suitability of the site for the development,</i>	The site is suitable for the proposed modification given it results in minor environmental impacts within an area identified for an increase in employment opportunities.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions made will be considered.
(e) <i>the public interest.</i>	The original SSD application addressed public interest. Given the minor amendments proposed by this modification, the proposal remains consistent with the original assessment of the public interest.

Table 4: Section 4.15(1) Assessment

4.2 State Environmental Planning Policy (Major Infrastructure Corridors) 2020

In July 2020, the Department of Planning, Industry & Environment gazetted *State Environmental Planning Policy (Major Infrastructure Corridors) 2020* (Major Corridors SEPP). The Major Corridors SEPP aims to preserve corridors for future major infrastructure and covers the Fairfield, Blacktown, Penrith, Liverpool, Camden and Campbelltown LGAs.

As shown on the mapping for the Major Corridors SEPP, a SP2 Infrastructure zone now runs along the northern boundary of the site.

The proposed modification does not impact on the application of the Major Corridors SEPP. Given the location and proximity of the proposed modifications to the SP2 zone, there is no potential for future conflicts between the provisions of the SEPP and the proposed amendments.

4.3 State Environmental Planning Policy (Western Sydney Aerotropolis) 2020

The *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020* (Aerotropolis SEPP) rezones 6,500 hectares of land to a range of employment, residential and environmental uses to support the development of a new Western Sydney airport.

The numerous rezoned precincts are the catalyst for the third city centred around the airport. The SEPP commenced on 1 October 2020.

The OWE is located to the north-east of the boundary of the Western Sydney Aerotropolis as shown in Figure 3 below. Notwithstanding, the site is included in the Obstacle Limitation Surface (OLS) and the Wildlife Buffer Zone mapping under the SEPP.

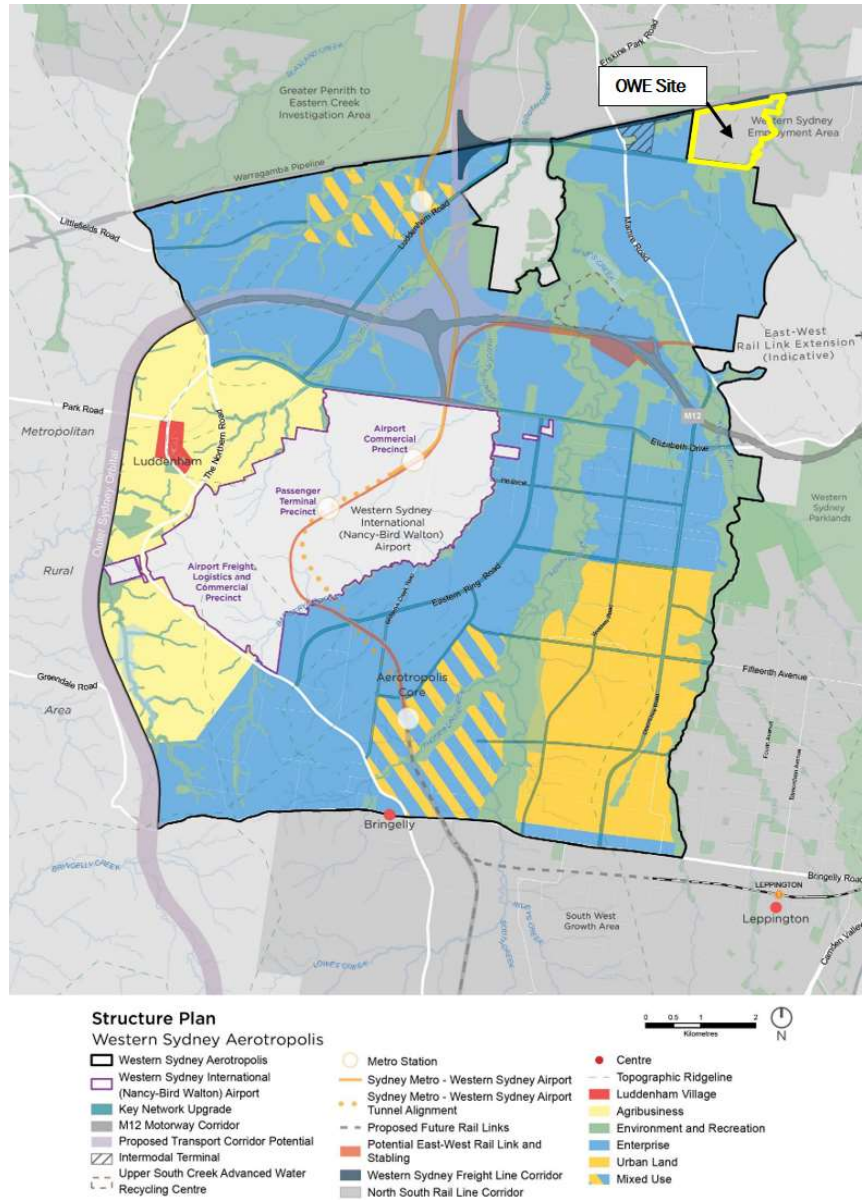


Figure 3: Oakdale West and Aerotropolis SEPP area (Source: Aerotropolis SEPP)

The OLS mapping prescribes a height limitation of RL 223.2 m AHD for the eastern portion of the site and a limitation of RL 230.5 m AHD for the western portion of the site. The Wildlife Buffer Zone map includes the site wholly within the 13 km buffer zone and partly within the 8 km buffer zone.

A small portion of the south-eastern corner of the OWE site is encroached by the Noise Exposure Contour Map identified between 20 and 25. Given the location of the proposed development within the OWE, it is not impacted by the noise exposure contours.

5 Environmental Planning Assessment

The modification is consistent with the conclusions of the EIS submitted with the original DA that the development is compatible with the zoning of the land and generates employment within the WSEA, will result in minimal environmental impacts, appropriately mitigates any impacts on surrounding sensitive receivers, and demonstrates consistency with the Concept Plan and Stage 1 Approval (SSD 7348) and relevant environmental planning instruments.

Notwithstanding, Section 4.15(1) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built) and social and economic impacts. These are discussed in detail below.

5.1 Built Form and Visual Impact

The proposed changes to Building 4E comprise a relocation of the southwestern edge of the building footprint approximately 25 m to the west with a slight enlargement of the overall building footprint, relocation of parking area and office to the north of the warehouse building and realignment of heavy vehicle access and egress.

To accommodate these amendments, the building layout and location of Buildings 4F and 4G are adjusted to the north with an associated reduction in building footprint. The area of Building 4B is reduced to accommodate the boundary adjustment and private right-of-way due to the partial removal of Estate Road 07. The private right-of-way will provide access to Buildings 4A and 4B and an additional private right-of-way will provide access to Buildings 4D and 4G.

The overall warehouse building GFA/GLA in Precinct 4 is increased by 55 m². This is offset by a 55 m² decrease to building GFA/GLA in Precinct 3 to maintain the overall approved GFA/GLA for the broader estate.

The proposed changes to lot layout in Precinct 3 involve an extension to the central lot to accommodate future Building 3B whilst reducing the southern lot to accommodate future Building 3C.

The layout and scale of these warehouse buildings is generally consistent with the approved concept masterplan layout and there are no proposed changes to setbacks or building heights in Precinct 3.

The proposed changes to final floor levels (FFL) and ridge heights for each building within Precinct 4 are shown in Table 5.

Building	Final Floor Level (RL m)		Ridge Height (RL m)		Change
	Approved	Proposed	Approved	Proposed	
Building 4A	83.00	83.70	96.70	97.40	+0.70
Building 4B	79.80	80.50	93.50	94.20	+0.70
Building 4C	72.80	73.10	86.50	86.80	+0.30
Building 4D	72.80	73.10	86.50	86.80	+0.30
Building 4E	75.55	75.55	89.25	89.25	0.00
Building 4F	73.05	73.10	73.05	73.10	+0.05
Building 4G	72.30	73.10	72.30	73.10	+0.80

Table 5: Proposed changes to Precinct 4 pad levels

5.1.1 Urban Design Assessment

As required by Condition C3 of SSD 7348, Goodman commissioned an independent Urban Design Assessment (UDA) (prepared by AJ+C, November 2020) for the buildings in Precinct 3 and for Building 4A. The UDA was prepared in consultation with Council and adjoining receivers to the west (Appendix 5).

This application does not seek approval for building layouts in Precinct 3 as they are not approved under the Concept Approval but subject to the relevant DA for each building in Precinct 3.

As there are no changes proposed to the approved layout of Building 4A as part of this modification application, the following analysis focusses on the elements of Precinct 3 potentially affected by the proposed modifications.

UDA Recommendation	Consistent	Comment
40m landscape zone along the western boundary of Precinct 3	Yes	Proposed modifications do not include encroachment into the approved 40 m landscaped setback and remain within the acceptable building zone in Figure 15 of the UDA
Additional 40m setback from the northwestern acoustic wall is recommended	Yes	No proposed changes from approved masterplan layout
Warehouse ridge lines should be roughly parallel to eastern or western boundaries where possible, to position height away from the boundary. Where this layout is not viable, additional building setbacks or envelope changes should be used to create an equal effect.	No	Warehouse ridges of Building 3A (approved) and proposed Building 3B are positioned perpendicular to the western boundary as required by specific tenant needs. The length of the warehouse walls along the western boundary is shorter due to the longer ridgeline running roughly perpendicular to the boundary line. It is also noted that the UDA acknowledges that landscaping will almost entirely obscure views to the warehouses. As noted in Section 5.1.2 and Appendix 6, the Visual Impact Assessment found that the proposed changes would result in no change to visual impact ratings. Details of mitigation measures to address this are described in the DA and supporting assessment for each building and summarised in Table 7.
The preferred location for hardstands and surface car parking is away from the western boundary, or provided with appropriate mitigation	Yes	Where hardstands extend to the western boundary, the UDA notes that additional mitigation may be required if modelling shows noise and/or light impacts are perceived through gaps in the warehouses. No parking is proposed along the western boundary of Precinct 3.

UDA Recommendation	Consistent	Comment
		<p>As discussed in section 5.4 and Appendix 8, noise modelling demonstrates compliance with SSD 7348 criteria.</p> <p>Additional mitigation such as awning and lighting design would be considered in the relevant DAs for each building (see Table 7).</p>
No windows or openings should look across or over the bund or acoustic wall and should not be visible from the sensitive receivers	Yes	<p>No windows are proposed along the western walls of Buildings 3A and 3B.</p> <p>This is addressed further in the relevant DAs for each building (see Table 7).</p>
Façade finishes should be of low reflectivity, using muted grey, green and/or blue tones to blend with sky or landscape. No prominent signage or highlight colours (including the 'Goodman Green') should be visible from any sensitive receivers	Yes	<p>Detailed façade considerations are addressed in the relevant DAs for each building (see Table 7).</p> <p>Designs would generally be consistent with the approved colour palettes and finishes. No 'Goodman Green' would be visible from sensitive receivers.</p>
The delivery of warehouses should be paired with continuous canopy reaching within 1m of gutter height, either through the growth of the landscaped bund or through additional mature planting	Yes	<p>Given the noise wall provides a visual barrier to Lot 3A and Lot 3B the construction of Building 3C would be undertaken consistent with the recommendations of the UDA.</p>
Only downlighting is to be used for external lighting, positioned to throw towards the warehouses/away from the western and northwestern boundaries	Yes	<p>Addressed in the relevant DAs for each building (see Table 7).</p>
A perimeter fence is to be provided along the eastern edge of the landscaped bund to prevent its casual use as open space by Estate staff.	Yes	<p>A perimeter fence is provided along the eastern edge of the landscaped bund to prevent its casual use as open space by Estate staff</p>
All surveillance equipment is to face	Yes	<p>Addressed in the relevant DAs for each building (see Table 7).</p>

UDA Recommendation	Consistent	Comment
away from, and not be visible to, western sensitive receivers		
Warehouse ridgelines comply with the maximum ridge height of 13.7 metres approved under SSD 7348 (Condition B11)	Yes	No changes are proposed to maximum ridge heights
Offices not positioned on the nearest warehouse façade to receivers along the western boundary	Yes	Addressed in the relevant DAs for each building (see Table 7).
Restrict parking areas alongside sensitive receivers to observed and smaller areas	Yes	Parking areas located generally at the furthest location from sensitive receivers

Table 6: Consideration of the UDA recommendations for Precinct 3

The Development Applications for Buildings 3A and 3B have considered the UDA recommendations and have implemented subsequent mitigation measures to ensure impacts to adjoining sensitive receivers are minimised. As noted in Section 2.1, a DA for Building 3A was approved by Council on 15 April 2021 and an application was lodged for Building 3B on 22 June 2021.

The mitigation measures implemented for each warehouse is presented in the table below.

Building 3A	Building 3B
<ul style="list-style-type: none"> Hardstand and surface car parking complies with the minimum setback requirement of 40 metres from the western boundary of the OWE precinct in accordance with Condition B10 of SSD 7348 The hardstand and surface to the northern boundary is appropriately screened by the noise wall and landscaping approved under SSD 7348 No windows or openings are proposed to the western boundary The façade materials and finishes are neutral, facilitating the proposal to blend with the surrounding landscape The façade finishes are of low reflectivity and no 'Goodman Green' will be visible from the sensitive receivers Awning provided over loading dock area on northern elevation reduces noise and light spill 	<ul style="list-style-type: none"> Hardstand and surface car parking complies with the minimum setback requirement of 40 metres from the western boundary of the OWE precinct in accordance with Condition B10 of SSD 7348 The hardstand and loading bays to the north and south boundary will be screened by the development of Building 3A and by future development of Building 3C A 3.75 metre wide landscape strip is provided to the eastern boundary, which facilitates the establishment of dense tree and vegetation planting, which will soften the building into its surroundings The landscape bund will provide suitable vegetative screening from properties to the west No windows or openings are proposed to the western boundary

Building 3A	Building 3B
<ul style="list-style-type: none"> Warehouse offices are located on the south eastern corner of the building No permanent west facing surveillance cameras are proposed and no surveillance will face west 	<ul style="list-style-type: none"> Proposed façade finishes are of low reflectivity and no 'Goodman Green' will be visible from the sensitive receivers Awnings on the northern and southern elevations limit noise and light spill to western receivers Lighting would be designed to ensure minimum light spill to western neighbours, consistent with condition C6 of SSD 7348. Warehouse offices are located on the eastern corners of the building No permanent west facing surveillance cameras are proposed and no surveillance will face west

Table 7: Mitigation measures implemented for buildings in Precinct 3 as recommended by the UDA

The UDA acknowledges that a complete reduction in the visibility of the Precinct 3 warehouse buildings from receivers to the west would require excessive building setbacks from the western boundary that would make development of Precinct 3 unviable. An example of the required setback to Building 3B to the Emmaus Catholic College is shown in Figure 4.

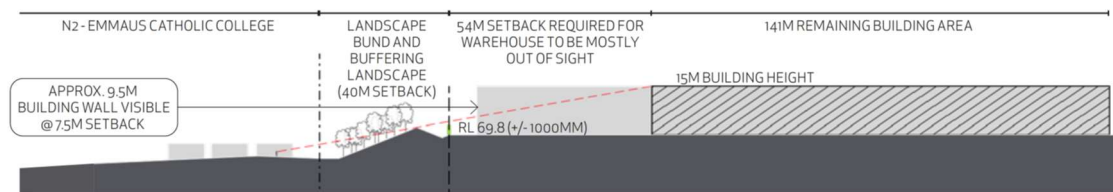


Figure 4: Cross section view – Building 3B profile (Source: AJ+C)

It is noted that the maximum proposed building height is 13.7 m and the setback to the western boundary is 8 m. This is slightly smaller than the assessed building envelope in the UDA. As noted in section 5.1.2, the Visual Impact Assessment found that the proposed changes would result in no change to visual impact ratings.

The UDA recommended that the preferred orientation of the warehouse hardstands is along the eastern boundary of Precinct 3 and to avoid hardstands along the western boundary of the Precinct. The UDA does not specify mitigation measures for a hardstand orientation for the central lot (Lot 3B) within Precinct 3, instead focussing on mitigation for northern hardstand alignment at the northern end of Precinct 3 and southern hardstand alignment at the southern end of Precinct 3. Measures include raising the acoustic wall, use of awnings and a building layout that blocks the hardstand from the western boundary.

The adopted orientation of Warehouse 3B is considered appropriate as the noise wall and landscaping approved under SSD 7348 will appropriately screen the western facade of the development. In addition, the awning on the northern and southern façades limits noise and light spill. This ensures the proposal will not overbear on the neighbouring sensitive receivers.

5.1.2 Visual Impacts

A memorandum regarding visual impacts, prepared by Clouston Associates, is included with this report (Appendix 6). The memorandum confirms that given the minimal changes to the layout of Building 4E, the visual impact rating of the estate on nearby sensitive viewpoints does not change. In particular, the sensitive receivers to the south and west will not be further impacted as demonstrated in the photomontages provided by Clouston Associated (Figure 5 and Figure 6).



Figure 5: Photomontage from Private Residence on Bakers Lane – Mod 7 changes (Source: Clouston Associates)



Figure 6: Photomontage view from Emmaus Catholic College – Mod 7 changes (Source: Clouston Associates)

The visual impact memorandum notes that the original visual impact assessment for the estate under SSD 7348 (e8urban, 2017) found that the vegetation to the south of the Oakdale West Estate restricts views towards the eastern portion of Precinct 4 from the viewpoint at the southern boundary of the site (Figure 7). The visual memorandum concludes that the proposed amendments to building layout in Precinct 4 will have no discernible visual impacts on this receiver.

The changes to building layout within Precinct 4 will result in minor encroachments into the Transgrid Easement to the south-east and east of the precinct. This encroachment into the easement is a result of the embankment of the amended pad to accommodate warehouse layout changes adjoining the easement.

Built structures, including warehouse buildings and associated offices, will remain outside the easement. Encroachments into the easement will be restricted to hardstand surfaces including driveways. There is no parking or congregation proposed within the easement.

In accordance with conditions B21, C13 and D30 of SSD 7348, Goodman has continued its consultation with TransGrid throughout the developmental stages of the OWE. The Applicant has consulted with TransGrid regarding encroachments into its easement associated with Building 4E, with TransGrid raising no concerns during these discussions.



Figure 7: Viewpoint range from property adjacent to southern boundary (Building 4E to the right of the image and out of visual range) (Source: e8urban, 2017)

5.2 Earthworks

Minor changes to the bulk earthworks are required in Precincts 3 and 4 to facilitate the proposed building layout and new lot shapes. These changes include a redistribution of cut and fill and reduction of the required import volume from 514,998 m³ to 450,045 m³.

The proposed changes involve a redistribution of fill to reflect the amended lots and require an extension of the Building 3B pad level and amendments to pad levels along the southern/eastern boundary of Precinct 4 to accommodate changes in building layouts. The civil changes within Precinct 3 are a result of an increase to the pad size to accommodate future Building 3B whilst reducing the pad size which will accommodate future Building 3C. The revised earthworks plans result in an increase to the final floor levels (FFL) of Precinct 4 as summarised in Table 5.

Proposed amendments to the earthworks include the relative changes to the retaining wall level located on the boundary between Lot 3B and 3C to reflect pad level changes. The retaining wall between Lots 4A/4B and Lot 4E has also been revised to reflect the FFL changes and road designs in Precinct 4. The construction of these retaining walls will be included as part of Stage 1 construction works. These earthworks are within an approved disturbance area and would not require importing of additional material or use of earthmoving equipment not currently approved for operation under the approved Stage 1 works.

A civil report and plans showing the proposed changes in earthworks in Precincts 3 and 4 is provided in Appendix 2 and Appendix 3. Amendments to road levels are shown in the attached Civil Plans (refer Appendix 3).

5.3 Traffic

The road design has been modified to accommodate the revised lot layout within Precinct 4, by amending the intersection of Roads 6 and 7 to a change of direction only. Subsequently, a private Right of Way is proposed for access to Lots 4A and 4B and Lot 4G will be accessed via the existing Right of Way to Lot 4D.

A Transport Statement prepared by Ason Group accompanies this report (Appendix 7). The Transport Statement was prepared by analysing the “worst-case” scenario by adopting a first-principles assessment as utilised in the Traffic Assessment prepared and approved for Building 2B (SSD 10397 and SSD 7348 Mod 3). The analysis shows that the proposed modification is consistent with approved trip generation in the current approved masterplan and will result in no increase in traffic generation from the overall estate (compared with the approved Mod 6).

The modification does not propose any changes to the approved parking provisions of the estate.

5.4 Noise

The key elements of the proposed modification that influence any changes to noise emissions from the site include the building layout change and pad level extension of Buildings 4E and 3B. This modification also seeks changes to the current concept approval to allow the operation of a forklift during the night-time period at Building 4E.

RWDI has prepared an Acoustic Assessment (Appendix 8) of the proposed amendments and potential acoustic impacts resulting from this modification. The assessment compared the proposal to the recently approved modification which included a noise assessment (SSD 7348 Mod 6).

In accordance with Condition B18 of SSD 7348, the operational noise limits for receivers N6 to N14 were established by analysing background noise monitoring data and adding 5 decibels (dB). A summary of the modelling results for operational noise generated by the modified OWE against the noise limits under condition B18 of SSD 7348 is provided in Table 8.

Receiver	Period (weather)	Approved Noise Limits ($L_{Aeq,15min}$)	$L_{Aeq,15min}$ Noise Level (dBA)	
			Mod 6	Mod 7
N1 – Emmaus Village (Residential)	Day	44	39	36
	Evening	43	38	36
	Night	41	36	37
	Night ^(Adverse)	41	39	41
N2 – Emmaus College (School)	Day	45	39	43
	Evening	n/a	39	32
	Night	n/a	34	34
	Night ^(Adverse)	n/a	37	38
N6 – Mamre Anglican College	Day	45	32	28
	Evening	n/a	32	27
	Night	n/a	30	28
	Night ^(Adverse)	n/a	35	34
N7 – 21-42 Bakers Ln, Kemps Creek	Day	47	30	29
	Evening	42	30	28
	Night	42	28	31
	Night ^(Adverse)	42	34	36
N8 – 706-752 Mamre Rd, Kemps Creek	Day	47	31	28
	Evening	42	30	27
	Night	42	28	29
	Night ^(Adverse)	42	34	34
N9 – 754-770 Mamre Rd, Kemps Creek	Day	47	18	<20
	Evening	42	18	<20
	Night	42	16	<20
	Night ^(Adverse)	42	21	22
N10 – 784-786 Mamre Rd, Kemps Creek	Day	47	31	27
	Evening	42	30	27
	Night	42	28	28
	Night ^(Adverse)	42	33	33
N11 – 99-111 Aldington Rd, Kemps Creek	Day	47	35	34
	Evening	42	34	34
	Night	42	32	33
	Night ^(Adverse)	42	37	39

Receiver	Period (weather)	Approved Noise Limits (L _{Aeq,15min})	L _{Aeq,15min} Noise Level (dBA)	
			Mod 6	Mod 7
N12 – 53 Aldington Rd, Kemps Creek	Day	47	34	33
	Evening	42	33	33
	Night	42	31	33
	Night ^(Adverse)	42	37	39
N13 – 54-72 Aldington Rd, Kemps Creek	Day	47	33	32
	Evening	42	33	32
	Night	42	31	33
	Night ^(Adverse)	42	36	38
N14 – 74-88 Aldington Rd, Kemps Creek	Day	47	32	35
	Evening	42	32	35
	Night	42	27	34
	Night ^(Adverse)	42	33	39

Table 8: Summary of noise modelling results

The results of this analysis demonstrate that the noise emissions as a result of the proposed modification would increase by up to 1 decibel (dB) at Emmaus Village Aged Care and up to 4 dB at Emmaus Catholic College, although levels would comply with the noise limits of SSD 7348.

The results indicate that there would be an increase in noise levels at Receiver N14 by up to 7 dB during the night time period and 3 dB during the day. There would be a slight (1-3 dB) increase to the night time noise levels experienced at receivers N7, N8, N9, N11, N12 and N13. Despite these increases, the noise generated at the estate would continue to comply with the noise limits under SSD 7348 at these receiver locations.

Key design measures to reduce noise impacts of Building 4E, the closest warehouse to Receiver N14, include:

- the use of side loading at the southeast facing loading dock to minimise heavy vehicle movements and avoid reversing
- the loading dock where reversing is required is oriented away from the receiver
- no night time operation of rooftop mechanical plant consistent with condition B9(d) of SSD 7348
- use of single forklift only during the night time period (10 pm to 7 am)

The noise modelling predicts compliance with the sleep disturbance criteria all receiver locations surrounding the OWE.

The Acoustic Assessment concludes that the proposed changes are relatively minor from an acoustical perspective and are still deemed to comply with relevant noise limits. The Acoustic Assessment concludes that the proposed modification will not result in any significant changes or result in any detrimental impacts to acoustic amenity for surrounding receivers.

5.5 Bushfire

An updated Bushfire Protection Assessment (BPA) prepared by Blackash Bushfire Consulting has been included as part of this modification application (Appendix 9). The BPA assesses whether any of the proposed modifications have any impacts on the existing bushfire protection status of the current approval under the latest modification.

The report concludes that the modification to the Master Plan under SSD 7348 is consistent with the provisions under Condition B20 of the consent which relates to bushfire protection. It also concludes the proposed modification does not hinder the existing bushfire protection measures currently in place for the OWE and will not increase any bushfire risks.

5.6 Biodiversity

A Biodiversity Statement prepared by Ecologique accompanies this modification request (Appendix 10). The Statement confirms that the proposed modification will not have any impacts on biodiversity within the OWE, given the site is disturbed consistent with the existing approved development consent.

6 Conclusion

This report has assessed the proposed modification of SSD 7348 against the requirements of sections 4.15 and 4.55(1A) of the EP&A Act, supported by technical studies. This assessment has concluded that the proposed modification is acceptable for the following reasons.

- The approved use, being for the purpose of warehouse and distribution, remains unchanged. The proposed changes do not alter the anticipated intensity of the use at the site.
- The quantitative elements of the approval, including gross floor area, spatial arrangement, will not be substantially altered by the proposed modifications.
- The environmental impacts associated with the proposed modifications are comparable to those associated with the approved development.
- The proposal as modified will continue to align with aims and objectives of relevant State and local planning instruments, and planning guidelines.

This assessment has concluded that on balance, and in the context of the entire estate, the changes proposed are of minimal environmental impact and would be substantially the same as the development for which consent was originally granted. The proposed modification will not result in any adverse environmental impacts and will facilitate the orderly economic development of the land.

Based on the assessment in this report, we consider that the applicant has shown good cause for the Department to modify the consent as requested.

Appendix 1 - Architectural Plans (SBA Architects) – Masterplan

Appendix 2 - Civil Engineering Report (AT&L)

Appendix 3 - Civil Engineering Plans – Masterplan (AT&L)

Appendix 4 – Landscape Masterplan (Scape Design)

Appendix 5 – Urban Design Assessment (AJ+C)

Appendix 6 – Visual Impact Assessment (Clouston Associates)

Appendix 7 – Transport Statement (Ason Group)

Appendix 8 – Acoustic Assessment (RWDI)

Appendix 9 – Bushfire Protection Assessment (Blackash Bushfire Consulting)

Appendix 10 – Biodiversity Statement (Ecologique)