



Hawes & Swan

Town Planning Consultants

STATEMENT OF ENVIRONMENTAL EFFECTS

Section 4.55(1A) Modification Application
to SSD 8209-
Site 4A, Oakdale South Industrial Estate,
Kemps Creek



Hawes & Swan

Town Planning Consultants

Statement of Environmental Effects
Site 4A, Oakdale South Industrial Estate, Kemps Creek

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1.0 Introduction

This Statement of Environmental Effects (SEE) accompanies a Section 4.55(1A) application submitted to the NSW Department of Planning and Environment (DP&E) on behalf of Costco Wholesale. This modification seeks consent for minor changes to the approved plans to enable minor changes to the approved buildings approved under SSD 8209 at Site 4A, Oakdale South Industrial Estate, Kemps Creek, now known as 15 Ottelia Road, Kemps Creek.

The overall intent of this modification is to allow for minor changes to the approved depot that will improve operational practices and achieve compliance with the relevant Australian standards and building Code of Australia provisions.

This SEE provides a detailed description of the site and the proposed modifications and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). That assessment has found that the proposal:

- Meets the current objectives of the SEPP and DCP where applicable.
- Will not result in significant negative impacts on surrounding land uses and environment.
- Is responsive to site context and presents a positive visual relationship with surrounding uses.
- Is strongly in the public interest.

The SEE forms part of a suite of documents that are submitted in support of the application attached as Appendices A - F.

1.1 Development History

SSD 8209 sought approval to develop a warehouse and distribution facility within Precinct 4, Site 4A of the Oakdale South Industrial Estate (Oakdale South) at Kemps Creek, located within the Penrith Local Government Area (LGA).

The proposed warehouse will be operated and used by Costco Wholesale (Costco) for the warehousing and distribution of a range of consumer products to services its current and future retail stores in Australia.

Specifically, SSD 8209 approved the following works:

- Staged construction fit out and use of a warehouse and distribution centre and ancillary office space including:
 - 33,588m² of warehousing Gross Floor Area
 - 1,689m² of office GFA over two levels
 - 169 loading docks at full development
 - Maximum building height of 11.26m
 - 328 car parking spaces at full development
 - Pavement and hardstand areas
 - Refrigeration plant
 - On-lot stormwater, infrastructure, fire services, pump room and 600 kilolitres (KL) of rainwater storage; and
 - Associated landscaping.

This application proposes modifications to approved plans that include a series of minor changes and those changes are anticipated to improve on site operational management and achieve compliance with the relevant Australian Standards and Building Code of Australia standards. The proposed changes are detailed in **Section 3.0** and **Appendix A** and to supplement Section 3.0 an amendments legend is provided on architectural plans prepared by Group GSA, refer to **Appendix B**.

2.0 Site Analysis

2.1 Location and Context

The site is located within the Oakdale South Estate (OSE). The OSE comprises the second stage of development within the broader Oakdale Estate (see **Figure 1**). In its entirety, the Oakdale Estate incorporates five separate allotments, described in **Table 1**.

The OSE is located in the Penrith Local Government Area (LGA), at the south-western end of Old Wallgrove Road (OWR) at Erskine Park within the WSEA.

The site's locational context is shown at **Figure 1**.

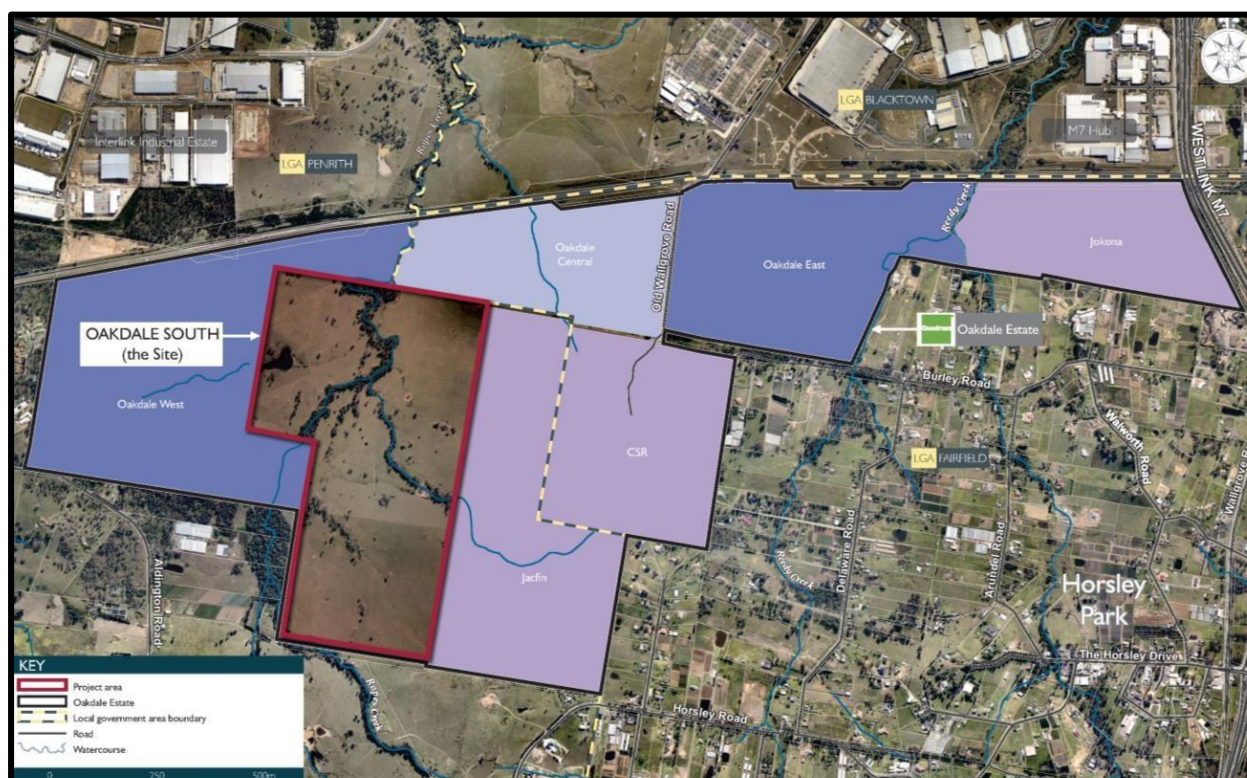


Figure 1 – Oakdale South Estate (Source: Goodman).

The OSE comprises the second stage of development within the broader Oakdale Estate and at its fruition, the Oakdale Estate comprises of five separate allotments as described in **Table 1** and shown in **Figure 1**.

LOT	DP	AREA	OAKDALE PRECINCT
1	1178389	154 hectares	Oakdale West
21	1173181	62 hectares	Oakdale Central
1	843901	88 hectares	Oakdale East

LOT	DP	AREA	OAKDALE PRECINCT
12	1178389	114 hectares	Oakdale South
87	752041	3 hectares	Oakdale South
TOTAL		421 Hectares	

Table 1 – Broader Oakdale Estate Lands

As shown in Table 1, the OSE comprise of two allotments (Lot 12 and Lot 87) totalling 117ha. The site is roughly rectangular in shape with an irregular western border that follows the Ropes Creek riparian corridor, refer to **Figure 2** below. Estate infrastructure works commenced in December 2016.

The subject site is now registered and is legally described as Lot 3 DP 1229850 and commonly known as 15 Ottelia Road, Kemps Creek.

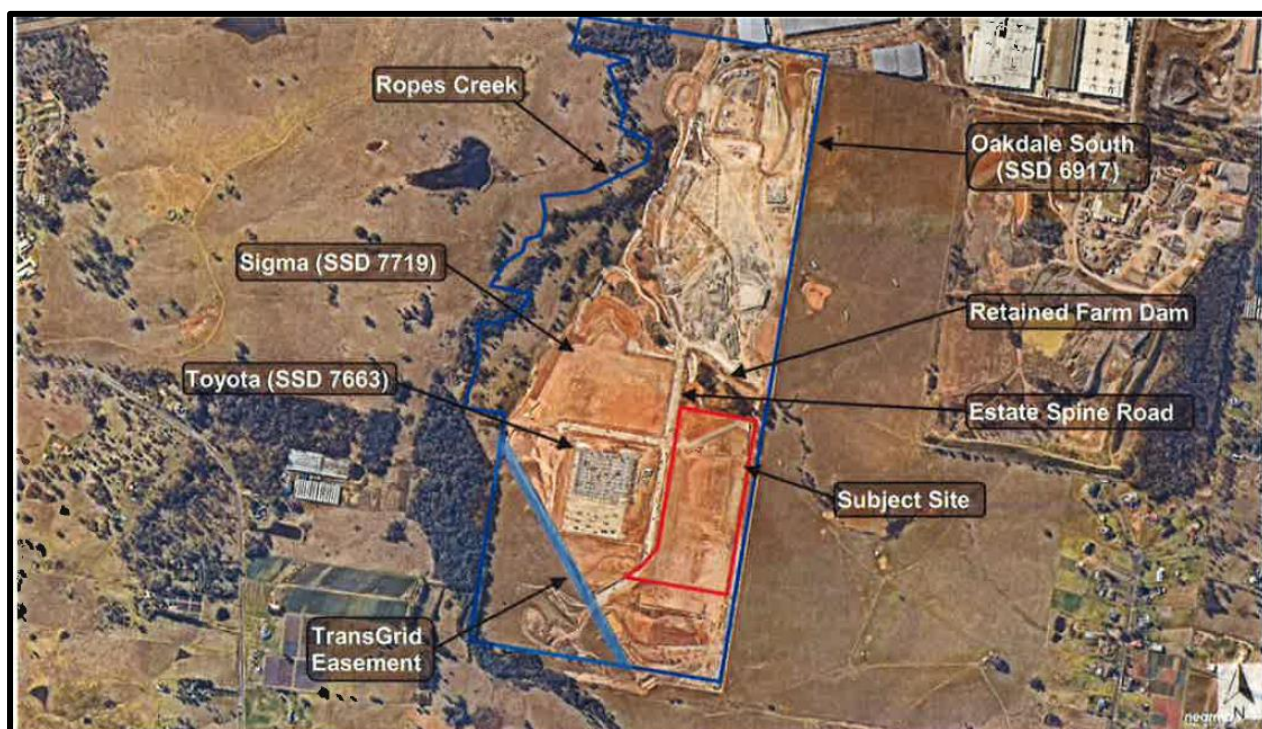


Figure 2 – Aerial Plan and site features. Site identified within red outline. (Source – DP&E Assessment Report).

2.2 Precinct 4 (Site 4A)

The proposed Costco Wholesale facility will be located on Development Site 4A within Precinct 4 (refer to **Figure 2**). The site is bound by Estate Road 01 now known as Ottelia Road to the west and E2 zoned land to the north and the boundary of the estate to the east.

Development Site 4A has an area of 14.27 hectares with access provided via from Estate Road 01.

2.3 Land Ownership

The subject site was previously owned by a Joint Venture (JV) between Goodman and Brickworks Limited (Brickworks, parent company of the Austral Brick Company Pty Ltd). Goodman entered into a JV with Brickworks to develop the broader Oakdale Estate into a regional warehousing and distribution hub.

Within the WSEA itself, Goodman owned a number of industrial estates including the M7 Hub Estate, the Interchange Park Estate, Bungaribee Industrial Estate, Interlink Industrial Estate and Westpark Industrial Estate and the broader Oakdale Estate lands as shown in **Figure 1 & 2**. The majority of this land is now developed, largely for warehousing and distribution uses with key tenants in the WSEA including TOLL, DHL, Coca Cola, Bunnings, Coles and Woolworths.

The subject site is now registered and legally defined as Lot 3 in DP 1229850 and is owned by Costco Wholesale Australia.

2.3 Existing Site Conditions

Landform	Bulk earth works and infrastructure construction have commenced across the site in accordance with SSD 6917. The bulk earthworks include the establishment of the building pad for the Costco warehouse as seen in Figure 2 below.
Buildings/Structures	The site currently vacant.
Access	The subject site is accessed via from Estate Road 01 now known as Ottelia Road from the North.

3.0 Proposed Development

3.1 Overview

This Section 4.55(1A) application proposes minor modifications to the approved building and associated building details as approved under the original approved SSD 8209. Proposed modifications as detailed on architectural plans prepared by Group GSA and denoted in amendments legend in **Appendix B** are corresponded below.

A detailed description the proposed minor modifications are as follows:

1) Guard house:

Modification of Guard House Access Ramp and internal layout located near the south west corner of the site. Refer to details as referenced as **(A)** on Architectural plans. Specifically, those changes include:

- i. extension to ramp and stairs by 2m **(A1)**;
- ii. deletion of second accessible toilet **(A2)**;
- iii. relocation of cleaner/janitor's room to previous location of accessible toilet **(A3)**;
- iv. provision of electrical and comms cupboard added adjoined to relocated cleaners/janitors **(A4)**;
- v. Relocation of boom gates **(A5)**.

Refer to **Figures 3 – 6** in **Appendix A** noting approved layouts and details annotated clouded changes relating to guard house.

2) Structural Grid Pattern

Minor changes to the structural grid wet storage cross dock layout as referenced as **(B)** on architectural plans;

Refer to **Figure 7 & 8 in Appendix A** detailing approved and proposed annotated clouded changes relating to structural grid layout.

3) Dock Doors

Changes to bonded dock doors locations and timing as referenced as **(C)** in architectural plans.

Specifically, those changes include:

- i. Bonded dock doors changed to Future knock out in precast panels as referenced as **(C1)**;
- ii. Future knock-out in precast panels changed to bonded dock doors as referenced as **(C2)**;
- iii. Extension of Dock door canopy across all shipping and receiving doors as referenced as **(C3)**.

Refer to **Figures 9 - 12 in Appendix A** detailing approved layout and annotated clouded changes relating to dock doors.

4) Office Building

Changes to office building as denoted as **(D)** on architectural plans comprising of access ramp extensions, amenities, and changes to egress stair doors.

Specifically, those works include:

- i. Egress door reversed as referenced as **(D1)** on architectural plans;
- ii. Accessible amenities rotated as referenced as **(D2)** on architectural plans;
- iii. Provision of a fire control centre cupboard added to western elevation as referenced as **(D3)** on architectural plans;
- iv. Deletion of external columns to the entry awning along western elevation and 450mm awning extension to each side of the office as referenced as **(D4)** on architectural plans;
- v. Western elevation ramp extended with adjoining stairs realigned accordingly as referenced as **(D5)** on architectural plans;
- vi. Reduction of employee locker room by 8.57m² as referenced as **(D6)** on architectural plans;
- vii. Relocation of amenities, cleaner and first aid room to suit reduced employee locker room as referenced as **(D7)** on architectural plans;
- viii. Provision of one WC and cubicle added in lieu of one urinal in men's restroom as referenced as **(D7)** on architectural plans;
- ix. Provision of a second egress to the electrical room between lift and women's restroom wall and reconfigured electrical room layout as referenced as **(D8)** on architectural plans;
- x. Entry/egress door relocated accordingly from the office to the depot to as referenced as **(D9)** on architectural plans;
- xi. Provision of Amenities added to level 1 along eastern elevation as referenced as **(D10)** on architectural plans;
- xii. Reconfiguration of level 1 internal office layout as referenced as **(D11)** on architectural plans. No increase to first floor GFA proposed;
- xiii. Changes to external windows to level 1 along northern, western and southern elevation as referenced as **(D12)** on architectural plans;
- xiv. Relocation of external hydrants from ground level to top of external (northern) stair case as referenced as **(D13)** on architectural plans;

Refer to **Figures 13 - 19** in **Appendix A** detailing approved and annotated clouded changes relating to office building.

5) Plant Room and Amenities

Changes to Plant room layout, depot ground level amenities along eastern elevation and changes to louvre screens around condenser platform level as denoted as **(E)** on architectural plans.

Specifically, those works include:

- i. Reconfiguration of plant room layout and amenities relocated;
- ii. External stair case added to the condenser platform to eastern elevation;
- iii. Changes to approved solid and louvre screen around condenser platform to continuous louvre screen, located centrally along the eastern elevation.

Refer to **Figures 20 - 23** in **Appendix A** detailing approved and annotated clouded changes relating to plant room and condenser level.

6) Rain Water Treatment Plant Room

installation of rain water treatment plant room added to eastern external elevation of baler room as denoted as **(F)** on architectural plans.

Refer to **Figures 24 & 25** in **Appendix A** detailing approved and annotated clouded changes relating to Rain Water Treatment Plant Room.

7) Baler Room Extension

Extension of baler room and lowering of roof height over, located along the eastern external elevation and as denoted as **(G)** on architectural plans.

Refer to **Figure 25 - 27** in **Appendix A** detailing approved and annotated clouded changes relating to Baler Room Extension.

8) Baler Room access Ramp

The reduction of the ramp width (adjoining baler room). Refer to eastern elevation and notation marked as **(H)** on architectural plans and referenced in **Figure 28 & 29** in **Appendix A**.

9) Driveway to Dry Depot

Provision of driveway at north end of dry depot (northern elevation adjacent E-com and AQIS Depot area). Proposed Batter added against building and revised raised landscaped area as denoted as **(I)** on architectural plans.

Refer to **Figure 30 & 31** in **Appendix A** detailing approved and annotated clouded changes relating to Driveway to Dry Depot.

10) Freezer layout

Reconfiguration of Freezer layout and location within Depot and demising wall between dry and wet docks (west) relocated accordingly as denoted as **(J)** on architectural plans.

Refer to **Figures 32 - 35** in **Appendix A** detailing approved and annotated clouded changes relating to Freezer layout.

11) Roof Amendments

Proposed roof amendments as denoted as **(K)** on architectural plans. Specifically, these amendments include:

- i. Deletion of depot rooftop HVAC and skylights;
- ii. Provision of Rotary ventilation added atop of depot;
- iii. Proposed roof access between depot and office.

Refer to **Figure 36 - 39** in **Appendix A** detailing approved and annotated clouded changes relating to roof Amendments.

12) Updated site data as denoted as (L) on architectural plans.

Stage 1 site area as proposed and referenced in **Table 2** below is 109,174m² and has been recalculated to reflect the site area allocated to 'future development wet buy in area' located on the southern end of the depot and as noted on architectural plans prepared by Group GSA. Under SSD8209, this area was calculated and shown as Stage 2 Future Development Site area. This modification simply reconfigures these calculations. Of note, the overall site area remains unchanged.

Specifically, the remaining key revised changes include:

Area	Approved Under SSD8209	Proposed under this S4.55 (modification 1).
Site Data		
Stage 1 Site Area:	103,240m ²	109,174m ²
Stage 2 Future Development site Area	39,522m ²	33,588m ²
Grand Total	142,762m ²	142,762m ²
Building Data		
Stage 1 Dry Depot	12,081m ²	11,942m ²
Stage 1 Wet Depot Including Freezer	8442m ²	8,631m ²
Stage 1 Balers Room	62m ²	73m ²
Stage 1 Guard House	84m ²	84m ²
Stage 1 Main Switch Room	167m ²	119m ²
Stage 1 Office	1,689m ²	1,671m ²
Stage 1 Office Building Amenity Room	17m ²	17m ²
Stage 1 Plant Amenity Room	Nil	17m ²
Stage 1 Refrigeration Plant Room	150m ²	198m ²
Stage 1 Water Treatment Plant	Nil	9m ²
Total Stage 1 Depot & Building Area	22,691m ²	22,761m ²
Dry Storage Cross Dock	6,248m ²	6,086m ²
Buy In	2,240m ²	2,240m ²
E-Com	2,088m ²	2,099m ²
AQIS	1,504m ²	1,517m ²

Wet Storage Cross Dock	5,844m ²	6,081m ²
Freezer	2,598m ²	2,550m ²
Track Door Data		
Non-Bonded Receiving Doors		
Dry Storage Receiving Doors 26	20	26
Wet Storage Receiving Doors	24	20
Non-Bonded Knockout Receiving Doors		
Dry Storage Knockout Receiving Doors	25	19
Wet Storage Knockout Receiving Doors	Nil	4
Non-Bonded Shipping Doors		
Dry Storage Shipping Doors	15	22
Wet Storage Shipping Doors	20	20
Non-Bonded Knockout Shipping Doors		
Dry Storage Knockout Shipping Doors	30	23
Wet Storage Knockout Shipping Doors	5	5
Total Docks for Stage 1	139	139
Parking		
Parking	238 Staff parking	232 staff parking 6 accessible spaces Total: 238 car spaces
Hardstand area	65,602m²	66,383m²

Table 2: SSD 8209 comparison of site data.

13) Landscaping amendments

Amendment to the approved tree planting species under SSD 8209. Two tree species proposed to be changes as noted on Landscape plan prepared by Group GSA as T01 and T03.

Tree species approved under SSD 8209:

T01 Tristaniopsis laurina 'Luscious' (Botanical Name) – Water Gum (Common Name)

T03 Cupaniopsis anacardioides (Botanical Name) – Tuckeroo (Common Name)

Proposed Tree Species under this Modification:

T01 Callistemon Viminalis (Botanical Name) – Weeping Bottlebrush (Common Name)

T03 Eucalyptus Microcorys (Botanical Name) – Tallowwood (Common Name)

The rationale for this change was due to recent experience around the site the landscape consultant recommended a tree planting species that would ensure a better outcome in terms of tree survival on site and promote a more sustainable outcome for the species.

Refer to landscaped plans prepared by Group GSA in **Appendix E** with amendments clouded in Red.

3.2 Changes to SSD 8209 Conditions of Consent

The following changes are proposed to the Conditions of Consent for SSD80209, with proposed wording removed with ~~strike through~~, and additional working in **red**:

APPENDIX A APPROVED PLANS

Architectural Plans prepared by Group GSA			
Drawing No.	Revision	Name of Plan	Date
DA1101.1	F J	Site Plan Stage 1	18/07/2017 16/05/2018
DA1101	H	Site Plan Stage 2	18/07/2017
DA1103.1	D G	Area Floor Plan Stage 1	18/07/2017 16/05/2018
DA1103	F	Area Floor Plan Stage 2	18/07/2017
DA2001	F I	Overall Plan – Detail Callout plan	18/07/2017 16/05/2018
DA2002.1	A I	Roof Plan Stage 1	18/07/2017 16/05/2018
DA2002	F	Roof Plan Stage 2	18/07/2017
DA2013	E H	Ground Floor Plan – Zone D	18/07/2017 16/05/2018
DA2014	B E	Ground Floor Plan – Zone E	18/07/2017 16/05/2018
DA3001.1	A D	Concept Elevation Stage 1	18/07/2017 16/05/2018
DA3001	F	Concept Elevation Stage 2	18/07/2017
DA3002.1	A D	Concept Elevation Stage 1	18/07/2017 16/05/2018
DA3002	F	Concept Elevation Stage 2	18/07/2017
DA3003	B E	Concept Elevation	18/07/2017 16/05/2018
DA3010	F I	Concept Elevation Callout	18/07/2017 16/05/2018
DA3101	E H	Overall Sections	18/07/2017 16/05/2018
DA8200	B E	External Materials and Finishes	18/07/2017 16/05/2018
Landscape Plans prepared by Group GSA			
Drawing No.	Revision	Name of Plan	Date
L-1000.1	B	Landscape Site Plan – Stage 1	6/11/2017
L-1000	F C	Landscape Site Plan	6/11/2017 16/01/2018
L-1101	G C	Landscape Plan Sheet 1	6/11/2017 16/01/2018
L-1102.1	B	Landscape Plan Sheet 2.1	6/11/2017
L-1102	G C	Landscape Plan Sheet 2	6/11/2017 16/01/2018
L-1111	G C	Landscape Plan Sheet 3	6/11/2017 16/01/2018
L-3001	A	Landscape Sections Sheet 1	6/11/2017
L-4001	F C	Landscape Details Sheet 1	6/11/2017 16/01/2018
L- 4002	C	Landscape Details	16/01/2018
L-8001	F C	Landscape Planting Schedules	6/11/2017 16/01/2018

Table 3: Summary of changes to Conditions of Consent.

4.0 Section 4.55 Considerations

In considering the proposed Section 4.55(1A) Application, the matters listed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* have been taken into consideration in the preparation of this report and are as follows:

- (a) The provisions of any EPI and DCP and any other matters prescribed by the Regulations.

Section 4.55(1A) Provisions

Pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, the consent authority has to be satisfied that:

- a) It is satisfied that the proposed modification is of minimal environmental impact, and
- b) It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
- 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 the period prescribed by the regulations or provided by the development control plan, as the case may be.

The proposed Section 4.55(1A) application seeks consent to modify State Significant Development Approval SSD8209 for the purposes of minor building changes to the approved built form.

The development as modified is substantially the same development as approved and it does not result in any significant change to development as proposed nor the use of the building, as originally approved. The proposed changes involve only minor changes across the site and only amend minor components of the built form and associated building details as originally approved.

The proposed changes will allow for the approved warehouse and distribution centre to improve operational practices and achieve compliance with the relevant Australian standards and building Code of Australia provisions.

The proposed modification is minor in nature and represents 'substantially the same development' as that approved under the original consent and will have no discernible additional environmental impacts to that of the original approved design. As such, the proposed modification is deemed compliant with the provision of Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* and is supportable in this instance.

5.0 Assessment of Environmental Impacts

5.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. The Environmental Planning Instruments that relate to the proposed modifications are:

- 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
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2)
- Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River; and
- Penrith Local Environmental Plan 2010.

State Environmental Planning Policy (State and Regional Development) 2011

Schedule 1, Group 12 of the SRD SEPP identifies development for the purposes of ‘warehouses or distribution centres to be SSD if it:

*‘has a capital investment value of more than **\$50 million for the purpose of warehouses or distribution centres** (including container storage facilities) at one location and related to the same operation.’*

SSD 8209 proposed works for Site 4A of the OSE (incorporating infrastructure and building works) have a value in excess of \$50 million and therefore the project is characterised as SSD and to that end the Minister for Planning is the consent authority for this modification.

State Environmental Planning Policy (Western Sydney Employment Area) 2009

The WSEA SEPP is the principal EPI applying to the OSE and establishes the zoning and core development controls for the site. The proposed modification contains amendments that are considered minor in nature and those changes are consistent with the relevant provisions of the WSEA SEPP. The relevant provisions of the WSEA SEPP are discussed in relation to the modification of Site 4A of the OSE in **Table 4**.

Relevant SEPP Clauses

Clause	Provision	Comment
Cl. 3 – Aims	Clause 3 aims to protect and enhance the WSEA for employment purposes.	No changes to the approved use is proposed under this modification. The proposal remains consistent with the overarching aim of the WSEA SEPP.
Cl. 10- Land Use Zoning		

	Site 4A of the OSE is zoned IN1 – General Industrial pursuant to this clause.	As above, the proposed development is permissible in the IN1 zone and consistent with the zone objectives.
Cl. 18- Development Control Plans	Clause 18 requires that a DCP be in place before consent can be granted for development within the WSEA.	An assessment against the core precinct development controls proposed (where applicable) within the approved Concept and Stage 1 SSDA 6917 for the OSE has been undertaken within this SEE in compliance table below.
Cl. 20 – Ecological Sustainable Development	Clause 20 requires that developments contain measures to minimise the consumption of potable water and greenhouse gas emissions.	The proposed minor continues to be designed in consideration of these requirements. Refer to original EIS which demonstrates a range of initiatives which will be implemented to reduced water an Greenhouse Gas emissions. Proposed changes to not impact on these initiatives.
Cl. 21 – Height of Buildings	Clause 21 requires that building heights for proposed development adequately respond to site topography and preserve the amenity of adjacent residential areas.	This modification proposes a maximum building height of 10.51m, 0.75m than the approved 11.26m. The maximum building height applicable to the site is 15m as adopted for the OSE within the consent for the Concept and Stage 1 SSDA for the OSE and has been established in consideration of the site context, topography and visual impact.
Cl. 22 – Rainwater Harvesting	Clause 22 requires that adequate arrangements are made to connect the roof areas of buildings to any rainwater harvesting scheme approved by the Director General.	The proposed modifications are not considered to substantially impact or require changes to the approved stormwater design. Revised stormwater management plans to reflect the proposed minor amendments will be provided at construction certificate stage.
Cl. 31 – Design Principles	In relation to development proposals, clause 31 requires that the consent authority consider whether.	This modification proposes changes to the external elevations of the building. The proposed changes are considered minor and

		<p>are consistent with the design principles set out within this clause.</p> <p>Of note, landscape area along the northern elevation has been relocated due to proposed driveway. Landscape area will continue to provide extensive and high-quality planting to soften the development.</p> <p>Revised landscape plans prepared by Group GSA have been prepared and submitted with this DA, refer to Appendix D.</p> <p>The overall scale and character and materials and finishes remains consistent with built form approved under DA 8209.</p>
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Table 4 - WSEA SEPP Compliance Table.

State Environmental Planning Policy (Infrastructure) 2007

Subdivision 2 Clause 45 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) applies to development adjacent to an Electricity Easement and requires the consent authority to give written notice to the electricity supply authority for the area in which the development is to be carried out and invite comments about potential safety risk.

Clause 104 of the ISEPP provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds for 'Industry' are:

- 20,000m² or more in GFA with site access to any road; or
- 5000m² or more in GFA where the site has access to a classified road or to a road that connects to a classified road (if access is within 90 metres of connection, measured along the alignment of the connecting road).

The proposed modification does not result in intensification of the site or any variation to the approved use and frequency of traffic generation on site. To that end, the proposed modification is considered minor and consistent with the recommendations made under the original approval.

State Environmental Planning Policy No 55 – Remediation of Land

Under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

- It has considered whether the land is contaminated, and*
- if the land is contaminated, it is satisfied that the land is suitable for the purposes for which the development is proposed to be carried out, it is satisfied that the land will be remediated before*

the land is used for that purpose.

As required by the DP&E a detailed investigation of contamination on the site was carried out as part of the OSE Concept Proposal and Stage 1 SSDA. This Limited Scope Phase II Environmental Site Assessment (ESA) in March 2016 was undertaken by AECOM. Based on the available data this ESA concluded

- *Significant soil contamination-related constraints to the commercial/industrial development of the Site have not been identified.*
- *Site soils, as investigated, are considered suitable for commercial/industrial land use.*
- *The potential for groundwater contamination to be present that would preclude Site suitability for the proposed development is considered to be low based on the Site history and results of this investigation.*

With respect to the SSDA Masterplan dated 25 May 2016, AECOM advised that no further contamination assessment was necessary to assess Site suitability for commercial/industrial land use, based on:

- The footprint of the proposed revised Masterplan being substantially similar to the 04 September 2015 version.
- There would be no reason for any changes to have occurred to the contamination status of Site soils since completion of the ESA.

In addition to the above Goodman will adopt an unexpected finds protocol in relation to as part of the estate wide infrastructure works in the unlikely event that any contamination is encountered on site to ensure it is properly handled and disposed of.

The Department stated within its assessment report for the Concept and Stage 1 approval that it considers the site is fit for its intended purpose of warehousing and distribution uses and is consistent with the aims, objectives and provisions of SEPP 55. No changes to the use of the site is proposed under this modification and it is therefore considered that the development of Site 3B is fit for the intended purpose and also consistent with the aims and objectives of SEPP 55.

State Environmental Planning Policy No.33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) requires the consent authority to consider whether an industrial proposal is potentially hazardous or comprises a potentially offensive industry. In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out. Any application to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA).

Under SSD 8209 a Waste and Recycling Management Plan prepared by Jacobs Group (Australia) dated April 2017 was submitted and approved. This report addressed the relevant provisions of SEPP 33 and concluded *“A Review of the quantities of dangerous goods (DGs) stored at the proposed Costco Warehouse was conducted and compared to the threshold quantities outlined in applying SEPP 33. The results of this analysis indicate that the threshold quantities for the DGs to be stored are not exceeded; hence, SEPP 33 does not apply to the project.”*

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

Clause 13(1) of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* applies to an application for consent for development on land that is, immediately before the application is determined:

(a) *in the vicinity of an existing mine, petroleum production facility or extractive industry*

Before determining an application to which this clause applies, the consent authority must consider

- (i) *the existing uses and approved uses of land in the vicinity of the development, and*
- (ii) *whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and*
- (iii) *any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and*

The assessment report for the Concept and Stage 1 SSDA determined that

“development of the OSE for a warehousing and distributing complex will sterilise the ability to recover the clay/shale resources for brick manufacture.”

However, the Department determined that this was

“an acceptable outcome as extractive industries are prohibited within IN1 and E2 zoned land under the WESEA SEPP and the Department of Industry, Resources and Energy raised no objection and advised potential mineral resource issued have been addressed in the EIS.”

The proposal does not result in intensification of the site or any variation to the approved use. Accordingly, it is considered that the development of Site 4A will be carried out in a manner consistent with the concept and Stage 1 approval is acceptable development outcome.

Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2)

SREP No 9 aims to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance, and to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential.

Clause 4 of the SREP states that the plan prevails to the extent of any inconsistency between it and another EPI except a SEPP. The site is zoned IN1 – General Industrial under the WSEA SEPP. Extractive industries are prohibited development in the IN1 zone. Accordingly, the provisions of the WSEA SEPP prevail over SREP 9.

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River;

The proposed modification is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury- Nepean River System) and all of its planning controls. This proposal does not result in intensification of the site or any variation to the approved use and it is considered consistent with the aims and objectives of this SEPP.

Penrith Local Environmental Plan 2010.

As shown on the Penrith LEP 2010 Land Application Map in **Figure 40** below, the Penrith LEP 2010 does not apply to the OSE.

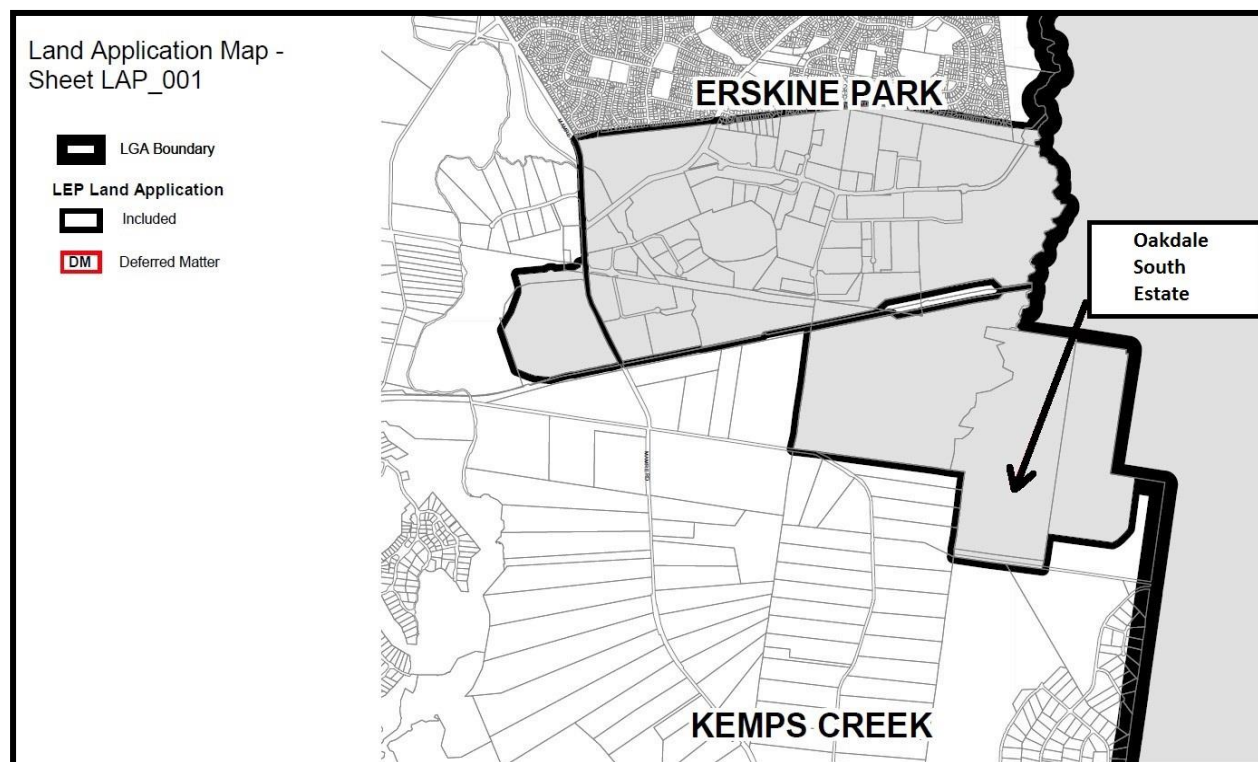


Figure 40 - Penrith LEP Land Application Map Extract (Source: Legislation website)

Of note, Clause 8(2) of the WSEA SEPP provides that the SEPP prevails to the extent of any inconsistency with any Local Environmental Plan (LEP) or Environmental Planning Instrument (EPI).

As part of the RTS for the SSD 6917, a suite of controls was proposed to be amended as part of Section E6 Erskine Business Park of Penrith DCP 2014. This DCP provided built form controls to guide the future development of the OSE including Site 4A (Subject site).

Condition B11 of the Development Consent for SSD 6917 requires that development within the OSE is consistent with the development controls as detailed within **Table 5** below and has also been expanded to include an assessment where relevant against Council's DCP as amended by SSD 6917.

Development Aspect	Control	Complies. Comment
Setbacks	To Southern Link Road - 20m Estate roads within the Oakdale South Estate – 7.5m	NA Yes. Setback to Ottelia Road (former Estate Road 1) is consistent to approved SSD8209 7.5m. The setback when measured from the office building ramp to the front

Development Aspect	Control	Complies. Comment
	<p>Rear and Side Boundaries – 5m</p> <p><i>Boundary setbacks along southern property boundary of OSE</i></p> <p>Side Boundaries within the Oakdale South Estate – 0m (subject to compliance with fire rating requirements)</p>	<p>boundary is at least 80m from the front boundary. Complies.</p> <p>Yes. Minimum 5m side and rear boundary achieved.</p> <p>NA</p>
Building Height	Maximum 15m	This modification proposes a maximum building height of 10.27 when measured from NGL to the top of the office parapet/compressor.
Minimum Frontage	Minimum frontage (excluding cul-de-sacs): 40m. Minimum lot width at building line: 35m	No changes to the approved SSD8209.
Site Coverage	Maximum site coverage: 65%	This modification proposes a maximum site coverage to stage 1 of 20.9%.
Signage	The Applicant shall ensure that a maximum of one illuminated sign is placed on an elevation of each warehouse building. The warehouse elevation with illuminated signage shall be orientated away from residential areas.	No signage proposed.
Car Parking		

Development Aspect	Control	Complies. Comment
	<p>On-site car parking for the OSE to be provided at the following rates:</p> <p>1 space per 300m² of warehouse GFA</p> <p>1 space per 40m² of Office GFA 1688</p> <p>2 disabled spaces for every 100 car parking spaces.</p>	Yes. This modification proposes 238 staff spaces including 6 accessible spaces as approved under SSD8209. The total number of spaces is in excess to the number of car spaces required under this control.

Table 5 – Penrith DCP 2010 Compliance Assessment Table.

5.2 Assessment of Environmental Impacts

The proposed amendments are considered minor and simply required to improve operations and ensure compliance with relevant BCA and AS. An assessment of the Environmental impacts is provided below.

Environmental Impact	Comment
Context & Setting	No changes to approved use.
Streetscape	Minor exterior changes. No impacts considered to affect streetscape. Refer to Architectural plans prepared by Group GSA in Appendix B .
Traffic, access and parking	No changes to truck movements and access to site and parking.
Public Domain	No Impacts raised.
Utilities	No Impacts raised.
Environmental Heritage	No Impacts raised.
Aboriginal Cultural Heritage	No Impacts raised.
Other Land Resources	Nil.
Water Quality & Stormwater	No Impacts raised.
Soils, soil erosion	No Impacts raised.
Air and microclimate	No Impacts raised.
Biodiversity / Flora and Fauna	No Impacts raised.
Waste	No changes to approved waste management.
Energy	No Impacts raised.
Noise & vibration	No changes proposed that will impact on Noise and Vibration from site. SLR have prepared a letter confirming the proposed changes will not generate additional noise impacts, refer to Appendix F submitted under separate cover.
Hours of operation	Nil Changes proposed.
Natural hazards - Flooding - Bushfire Prone Area Map	No Impacts raised.
Technological Hazards	No Impacts raised.

Safety, security and crime prevention	Proposed changes are minor and will not impact on CPTED measures.
Social impact in locality	No Impacts raised.
Economic Impact in Locality	The warehouse and disruption will continue to provide jobs in both construction and operation. No net increase or decrease as approved.
Site design and internal Design	Proposed changes are considered minor and are substantially the same design as approved. Proposed internal changes are considered minor and will improve operational use of the building.
Overlooking - overshadowing	No Impacts raised.
Landscaping	No Impacts raised. Revised landscape plan provided to address minor amendments to northern elevation and tree planting strategy, refer to Appendix C .
Construction	No Impacts raised.
Accessibility	No Impacts raised. Cover letter prepared by Philip Chun Building Compliance to confirm proposed layout meets BCA and access requirements. Refer to Appendix E . In addition, Exova Defire – Innovative fire safety has prepared a cover letter to confirm proposed changes are compliant in terms of fire safety requirements. Refer to Appendix D .
Signage	Nil Proposed

Table 6 – Assessment of Environmental Impacts.

5.3 Social and Economic Impacts

It is considered the proposed modification is minor in nature and any social or economic impacts as a result of the proposed works is negligible. The modified proposal will continue to support the operation of the Oakdale South Estate and contribute to the growth of the industrial sector in the Western Sydney Region.

The proposal continues to represent a planned and orderly development of the land.

5.4 Site Suitability

The warehouse and distribution centre for Costco Wholesale will be compatible with the established industrial context of the surrounding area and the concept approval for the OSE. The development of Site 4A presents a significant opportunity to create long term employment opportunities through the development of the proposed distribution and warehouse development.

Site 4A is located in close proximity to connections to Old Wallgrove Road, the M4, M7, contributing to its convenient and accessible location within the region.

In addition, the proposed modification is substantially the same development as that originally approved therefore, the site remains suitable for the development as modified.

5.5 Public Interest

The proposal has been assessed against the current planning framework for the site and is consistent with the objectives of the Western Sydney Employment Area. The assessment has demonstrated that no significant adverse impacts will result to the surrounding area.

It is in the public interest to reinforce the importance of this location as a suitable development site.

6.0 Conclusion

This Section 4.55(1A) application seeks consent for minor changes to the approved plans to enable minor changes to the approved buildings approved under SSD 8209 at Site 4A, Oakdale South Industrial Estate, Kemps Creek, now known as 15 Ottelia Road, Kemps Creek.

The proposal is generally consistent with the relevant environmental planning instruments, including the State and Regional Development SEPP 2011, Western Sydney Employment Area SEPP 2009 and upholds the objectives of this zone with employment generating land uses proposed.

The proposed development has planning merit in the following respects:

- the proposal supports the continued provision of jobs in Western Sydney and will support the regional objectives of the WSEA as an employment precinct;
- the proposal is suitable for the local context and is appropriate based on social, cultural, economic and environmental considerations;
- the proposed modification is substantially the same development as that originally approved therefore, the site remains suitable for the development as modified; and
- there are no adverse impacts on surrounding properties.

Having regard to the above, the proposed modification to the approved SSD 8209 within Site 4A OSE has been considered and assessed in accordance with the requirements of the EP&A Act 1979, and in light of the relevant heads of consideration listed under Section 4.15 of *The Act* the proposal is reasonable, appropriate and warrants favourable consideration.



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Appendix A -

Approved and proposed changes as referenced in Section 3.0 Proposed Development of Statement of Environmental Effects.

1. Guard house:

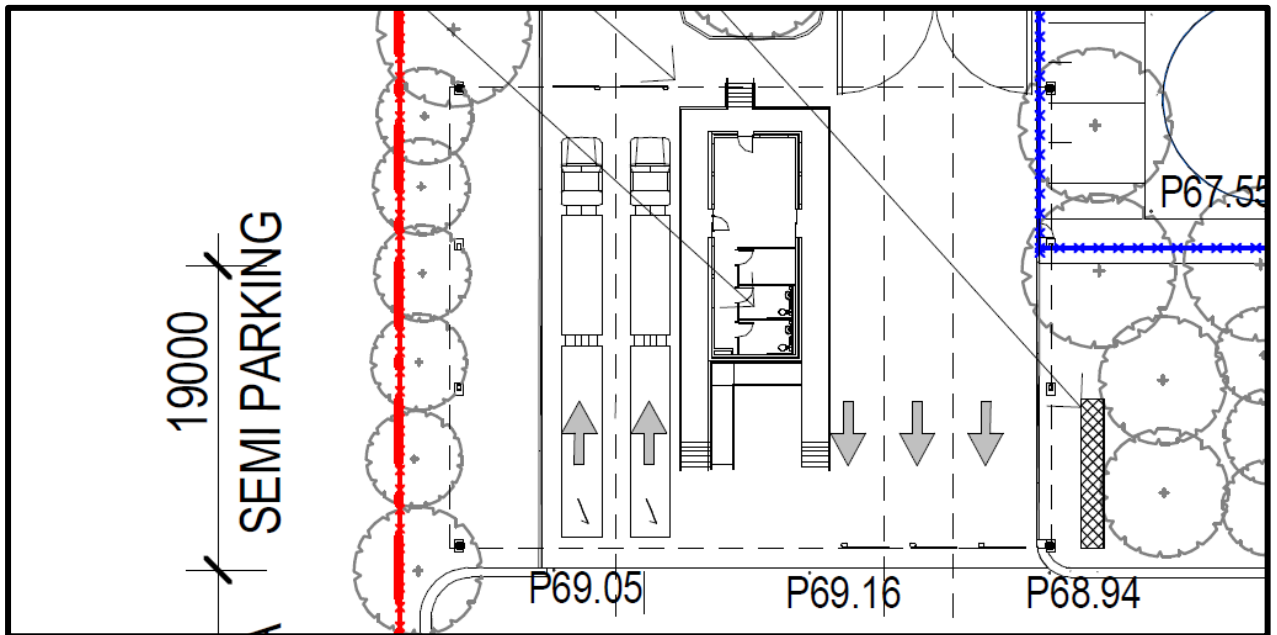


Figure 3: Approved Guard house ramp.

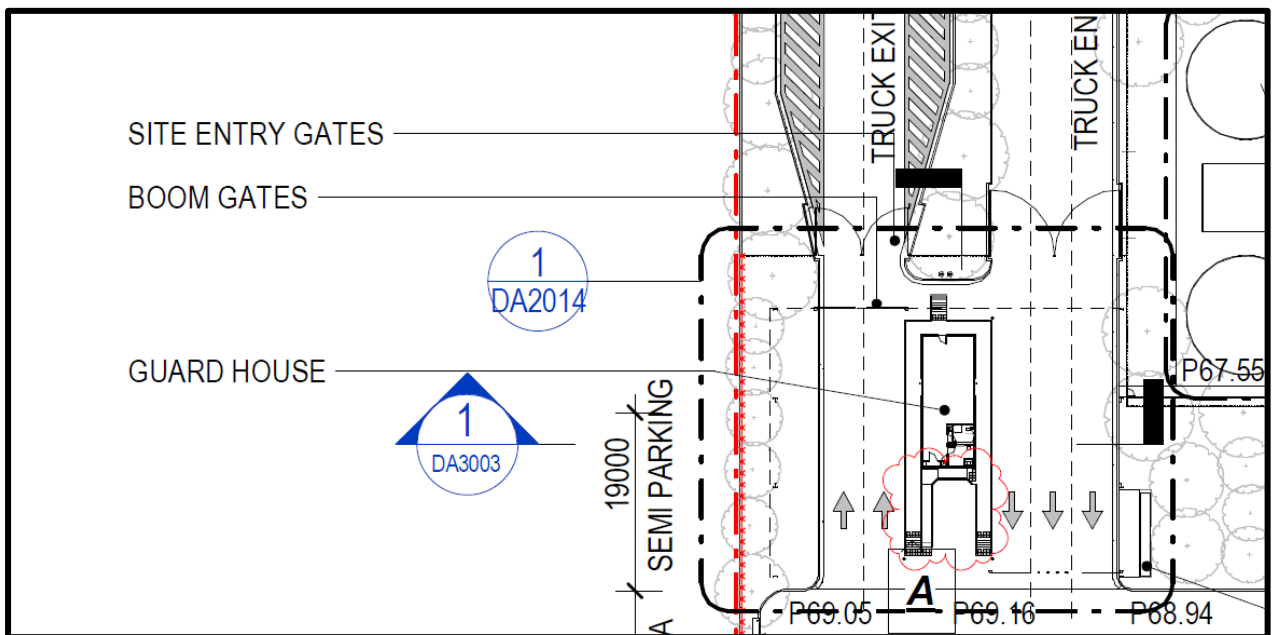


Figure 4: Proposed Guard house ramp changes clouded in red.

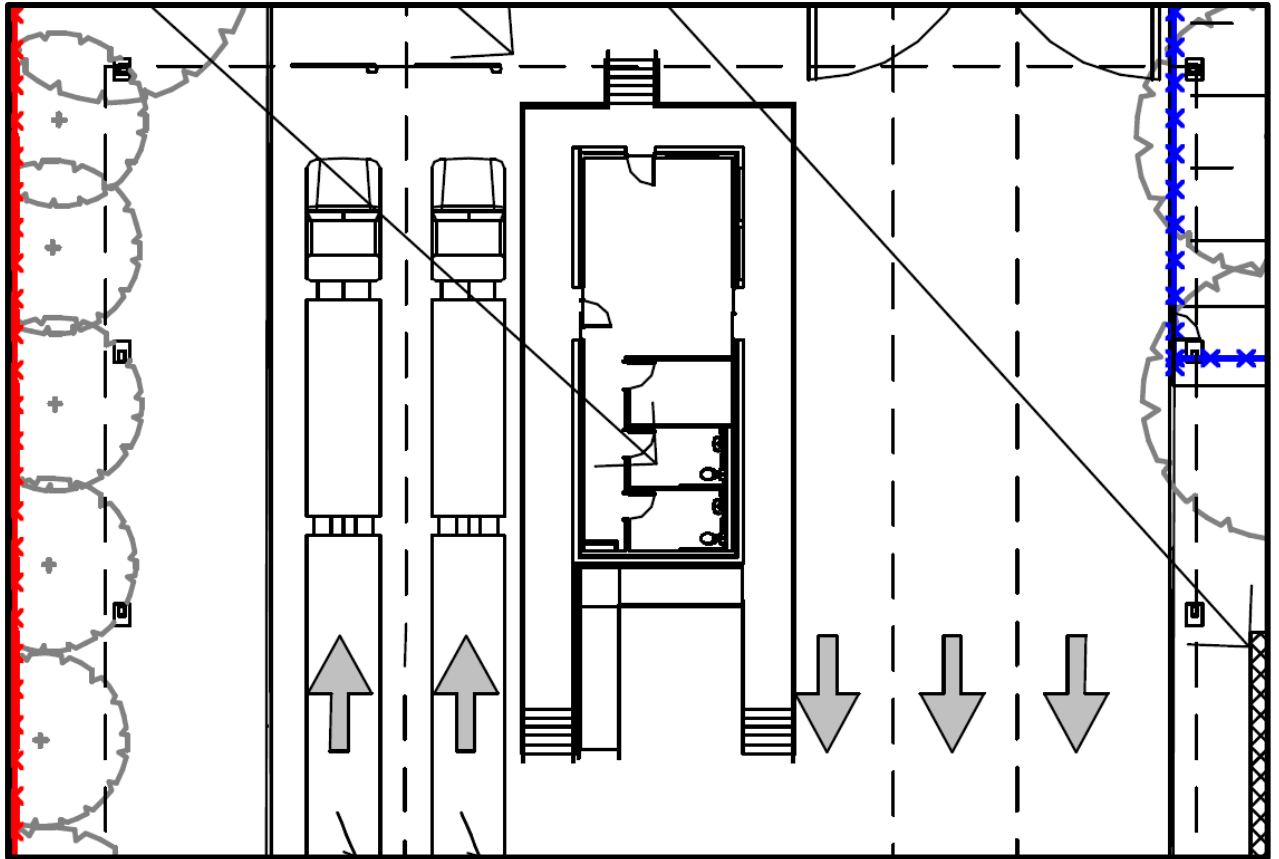


Figure 5 – Approved Guard House layout.

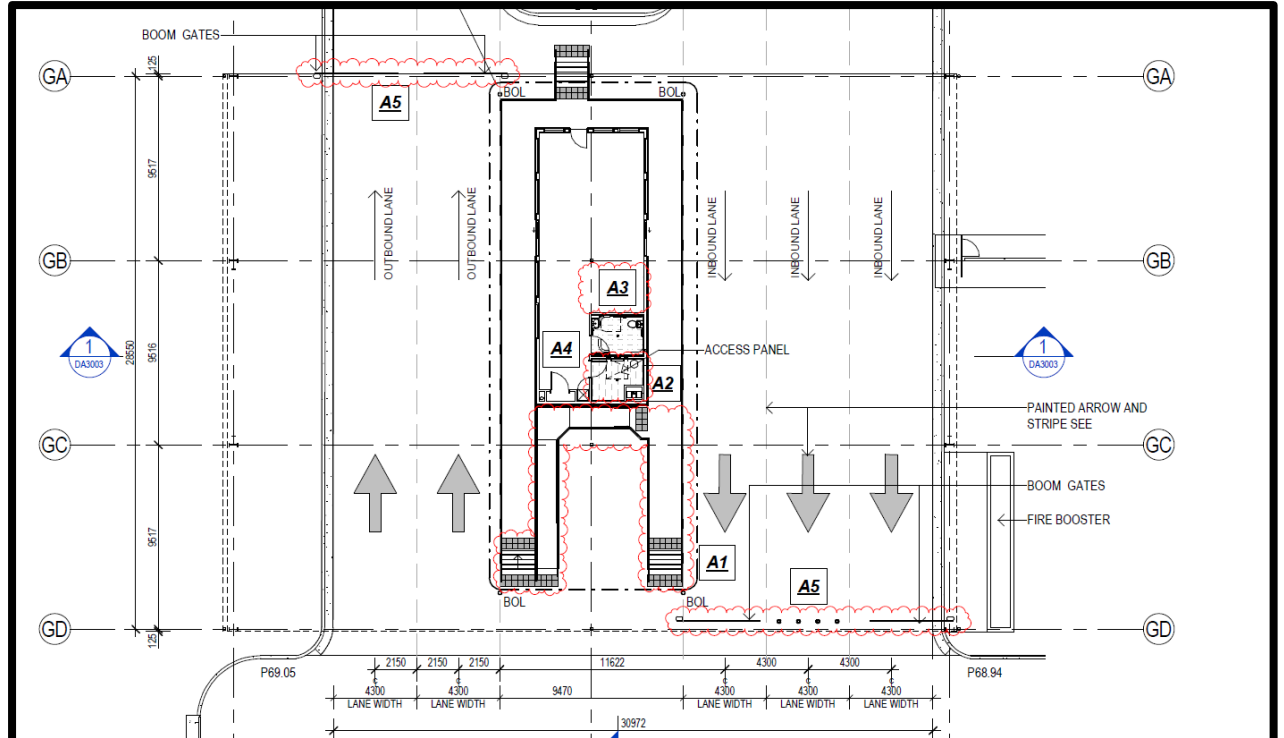


Figure 6 – Annotated A1 – A5 and clouded changes.

2. Structural Grid Pattern

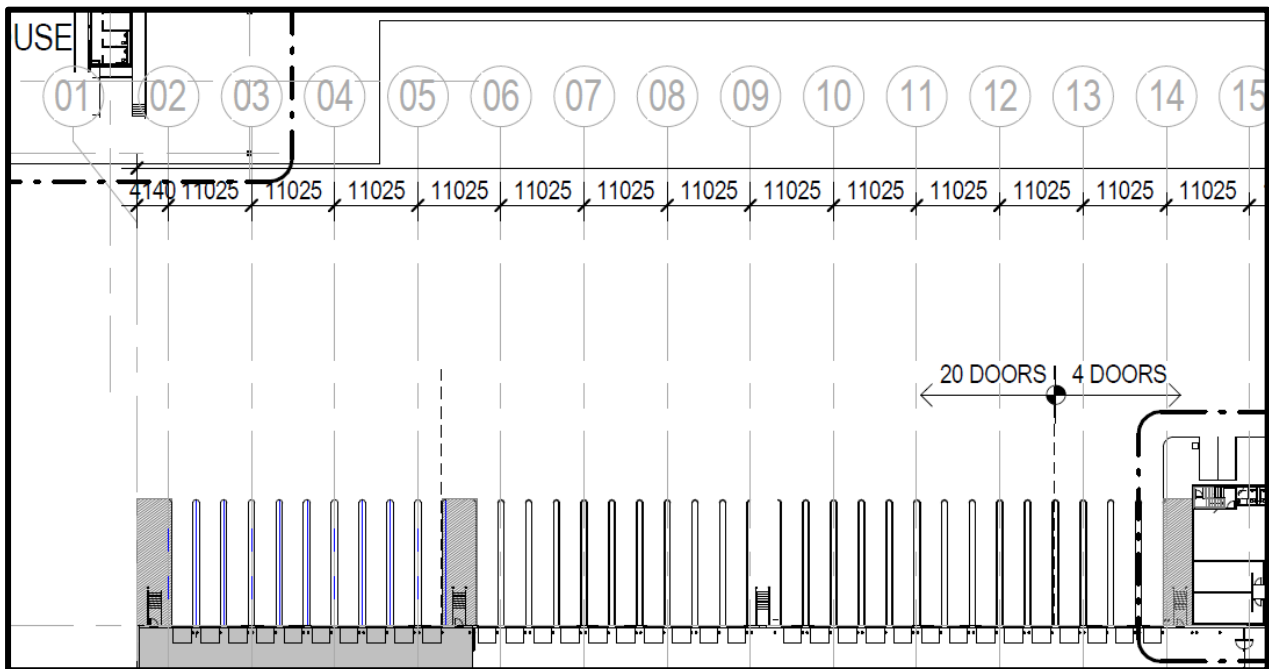


Figure 7: Approved Structural grid located outside the wet storage cross dock area.

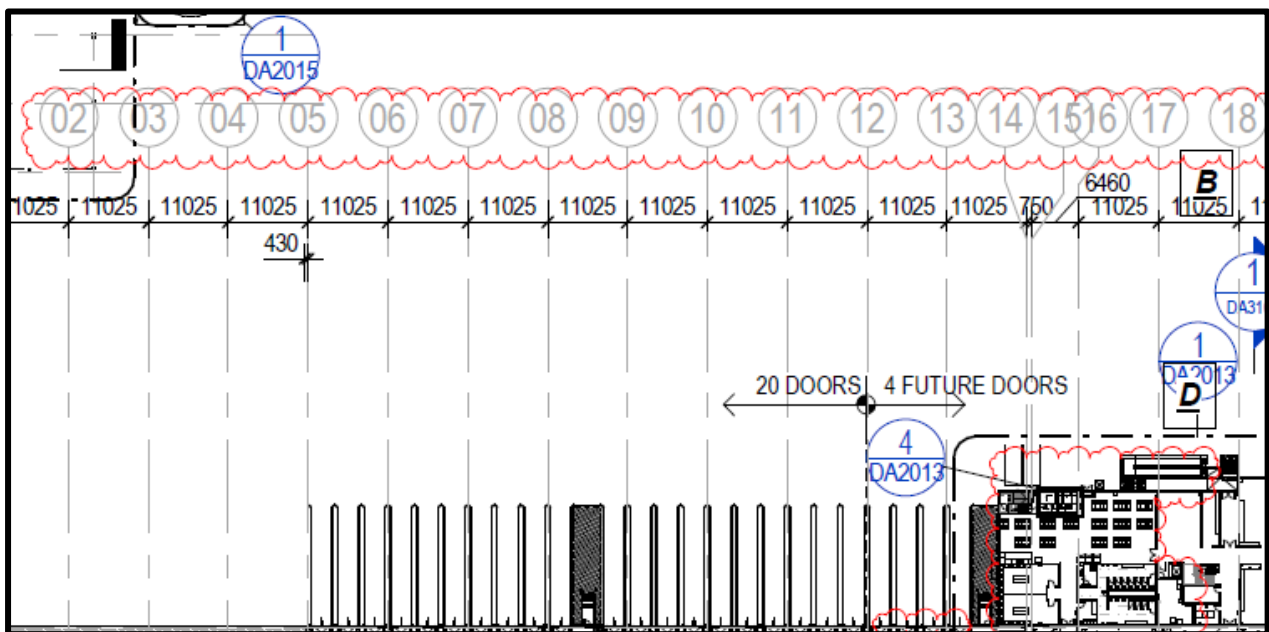


Figure 8: Proposed changes to Structural grid located outside the wet storage cross dock area, notated and clouded in red.

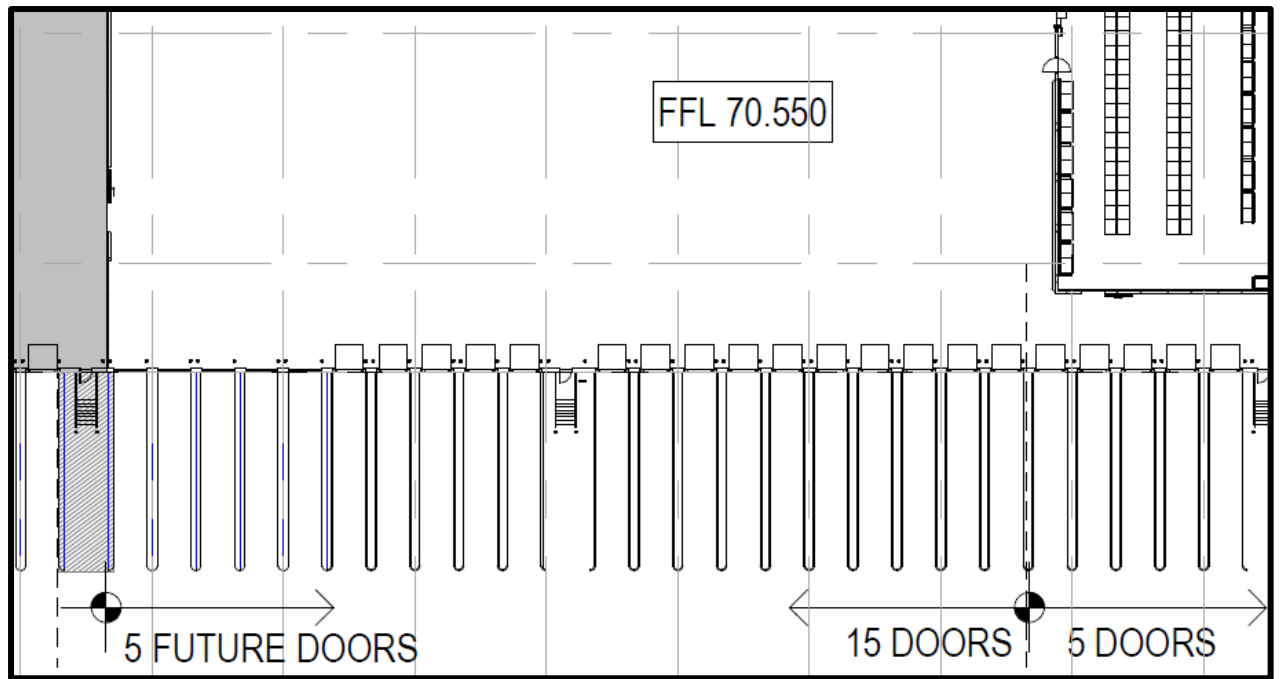


Figure 11: Approved panels/ bonded dock doors and dock door canopy.

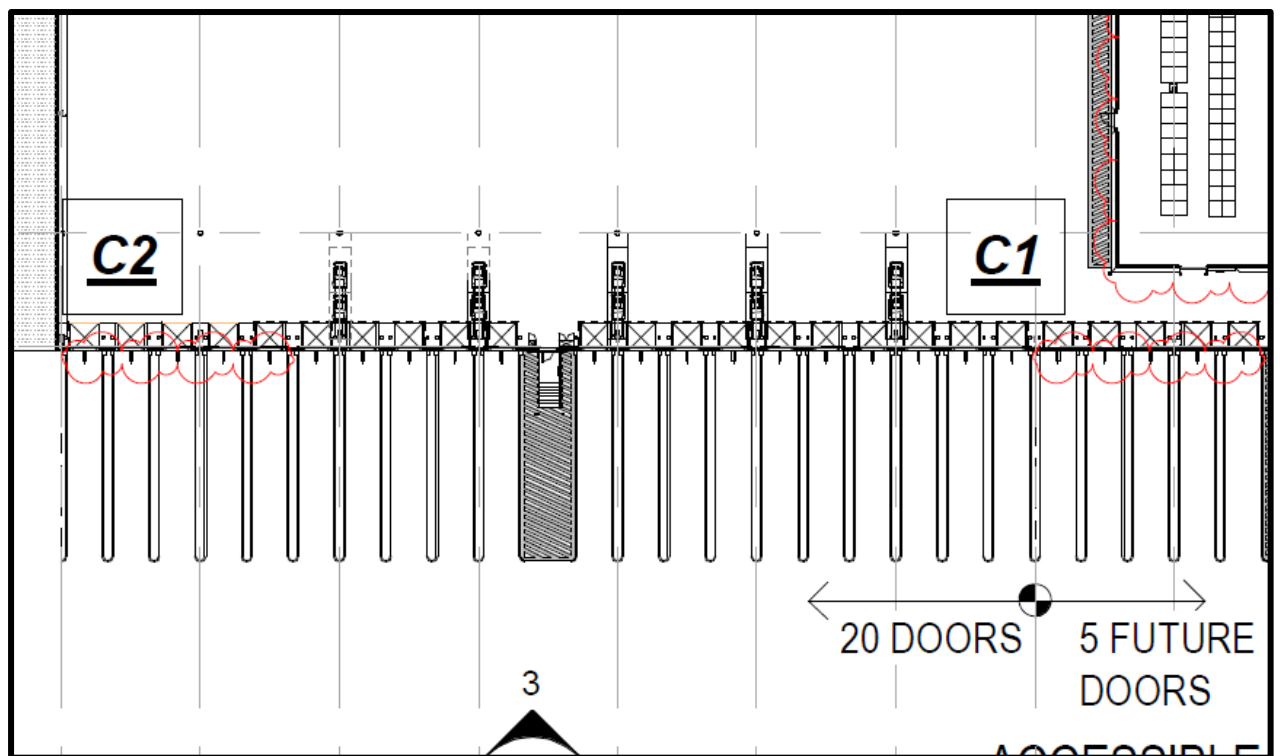


Figure 12: Proposed changes to precast panels/ bonded dock doors and dock door canopy, notated and clouded in red.

4. Office Building

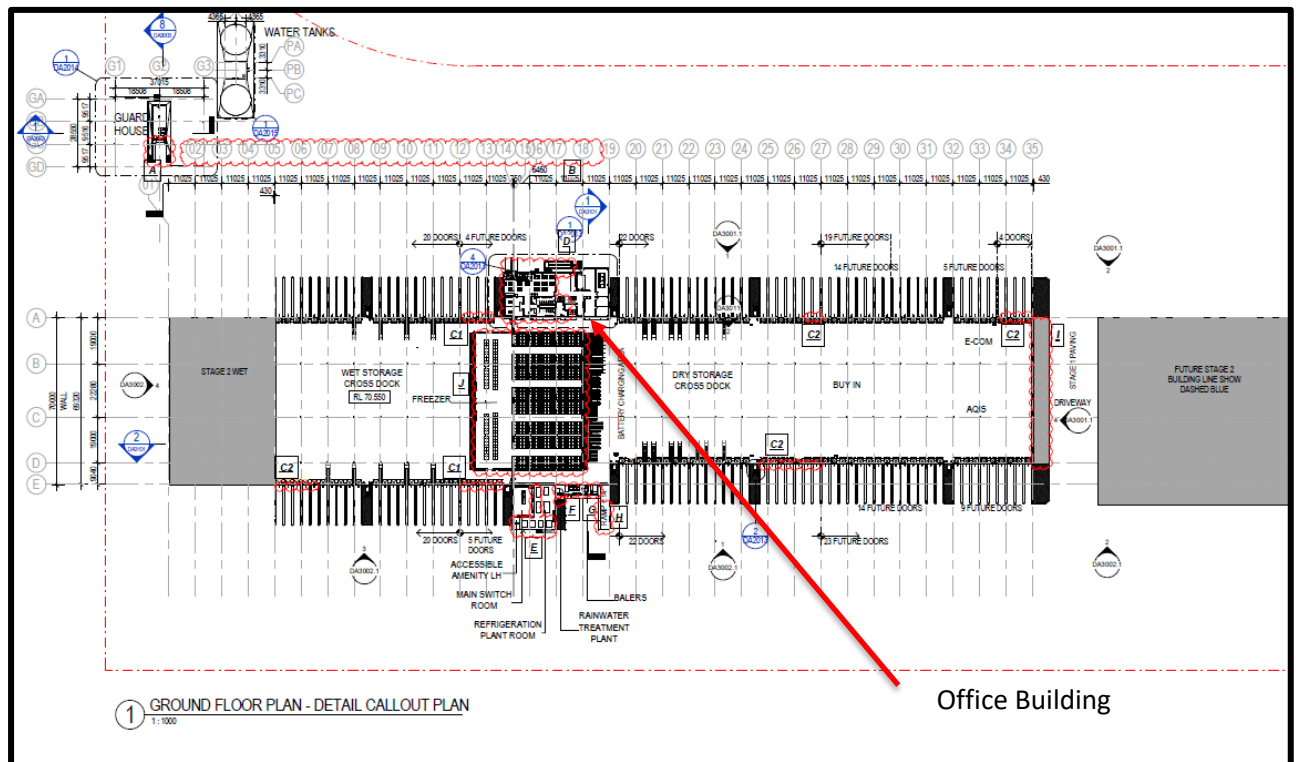


Figure 13: Proposed changes to office building, notated and clouded in red.

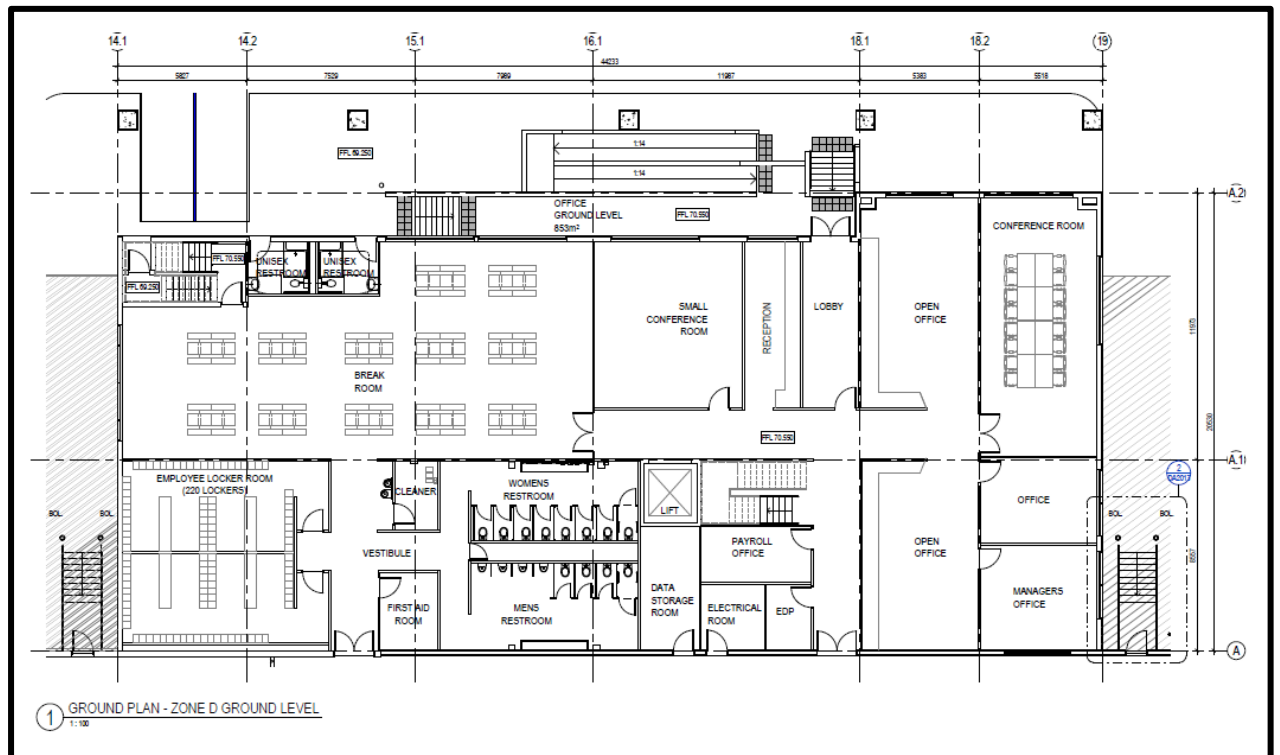


Figure 14: Approved Ground floor layout.

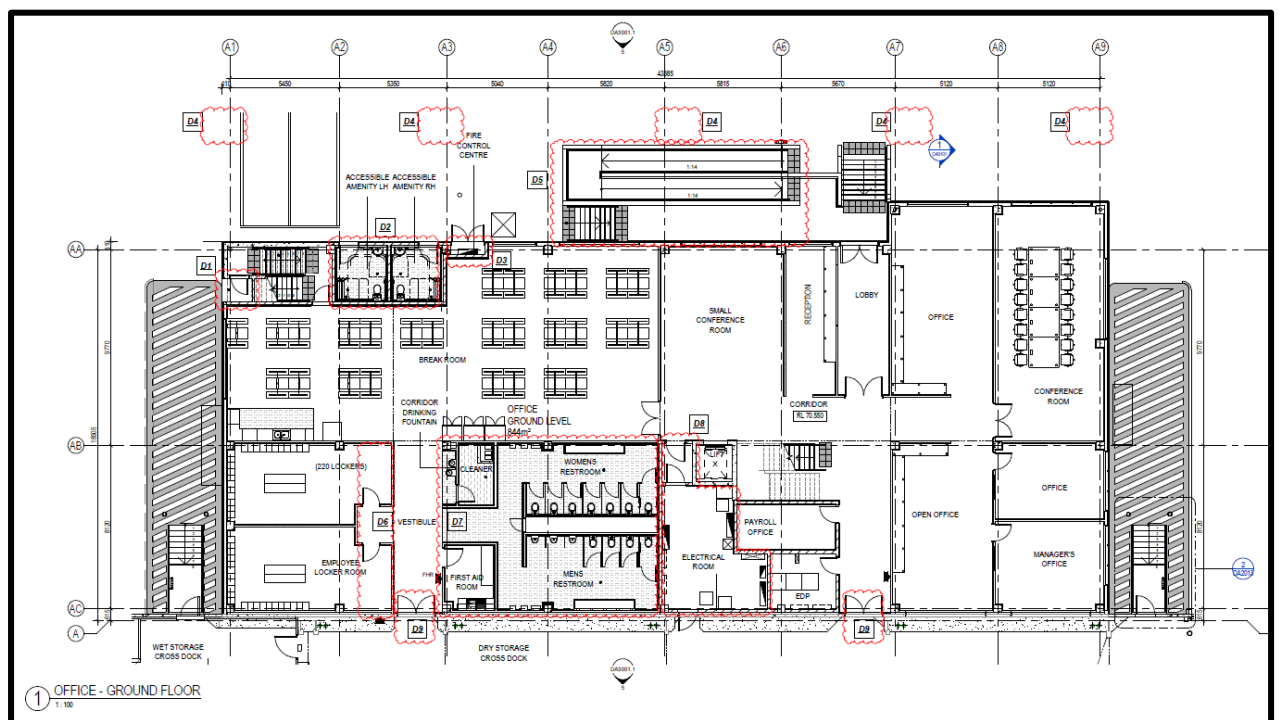


Figure 15: Proposed changes to ground level office building, notated and clouded in red.

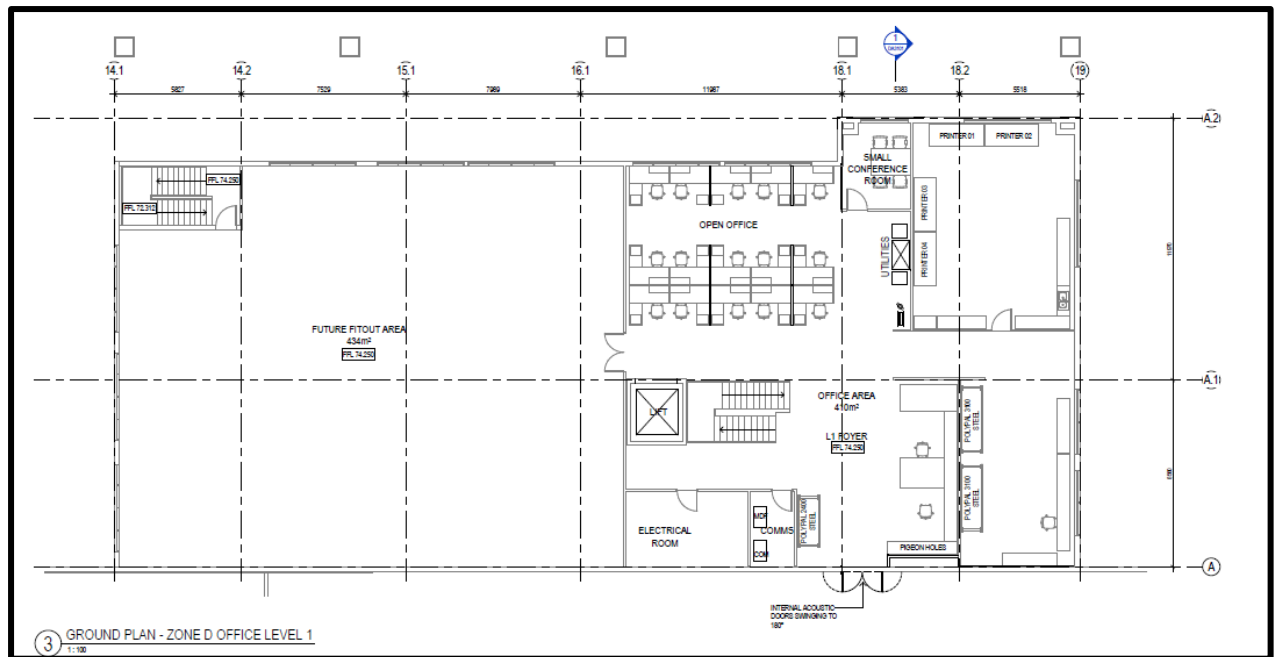


Figure 16: Approved first floor office building layout

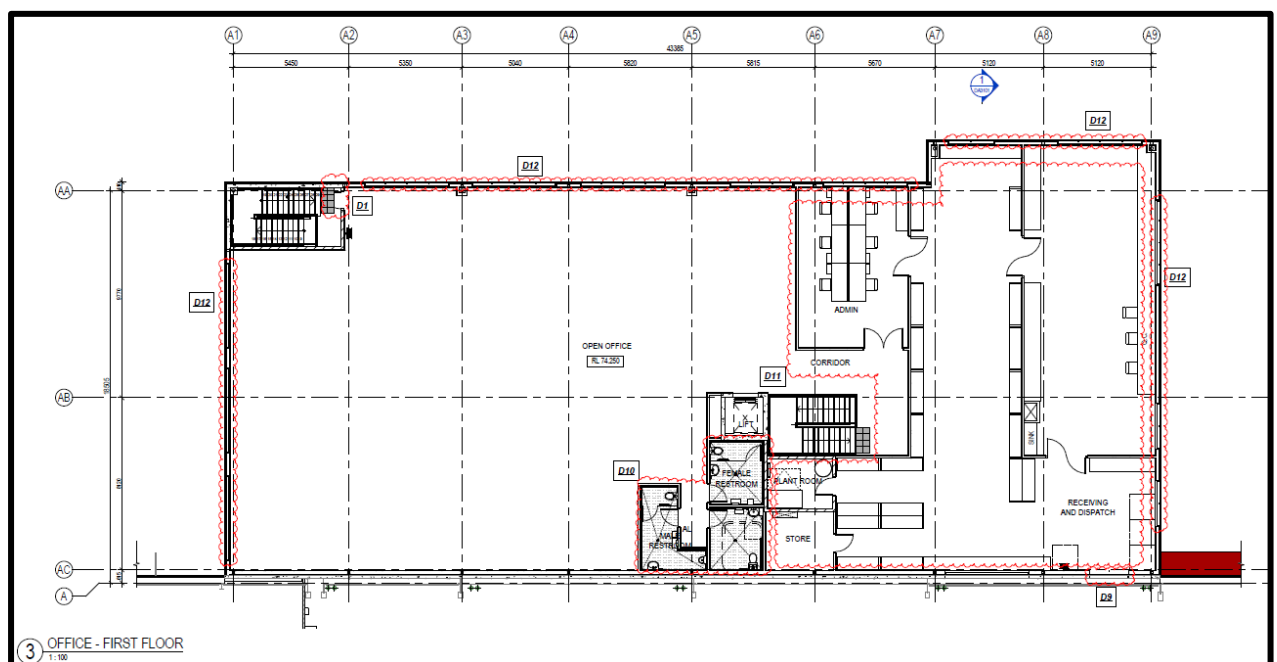


Figure 17: Proposed changes to first floor office building layout, notated and clouded in red.

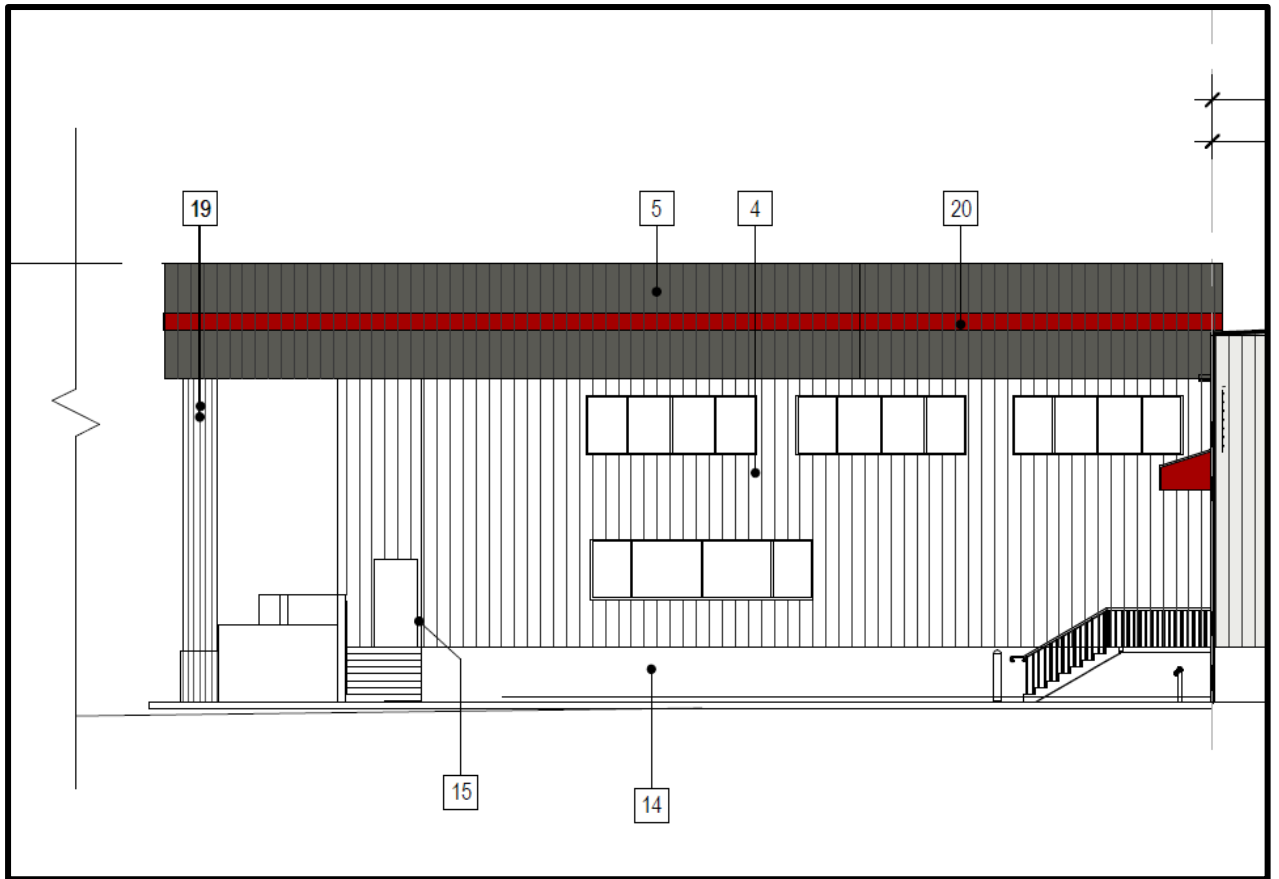


Figure 18: Approved office building south elevation.

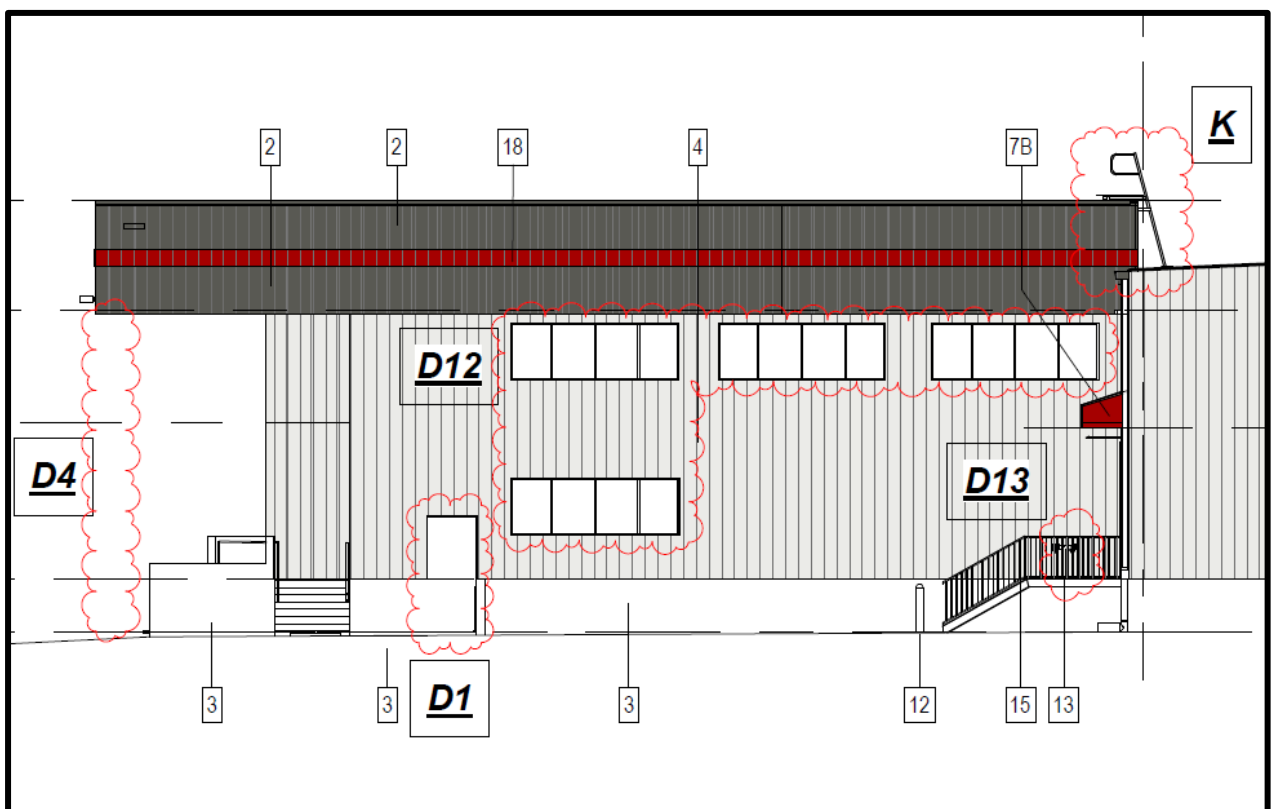


Figure 19: Proposed changes office building south elevation, notated and clouded in red.

5. Plant Room and Amenities

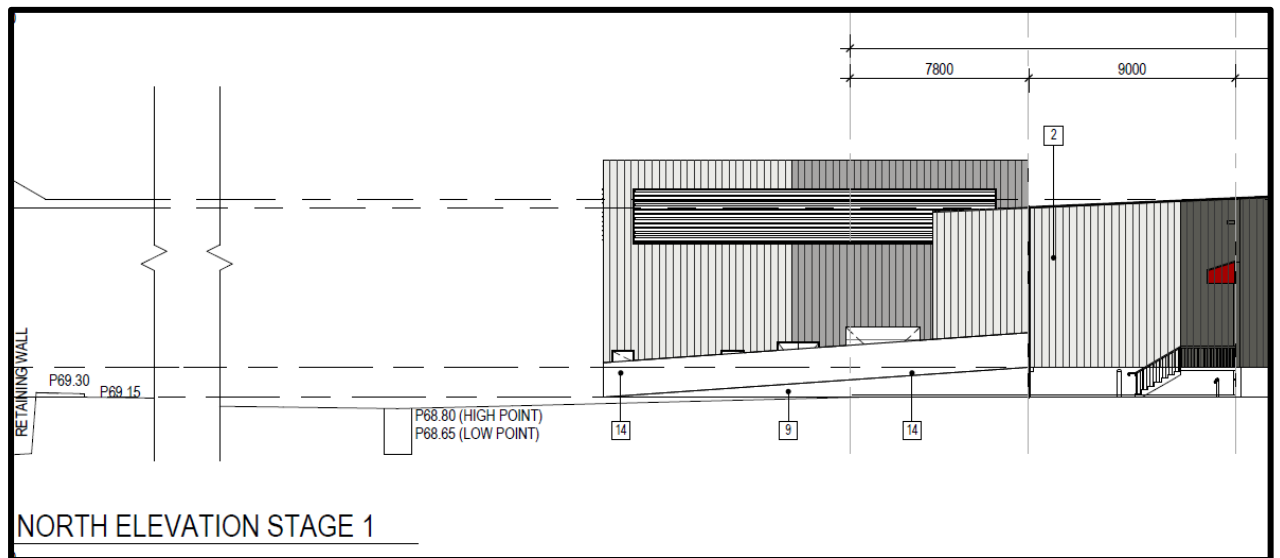


Figure 20: Approved to condenser platform level and plant room elevations.

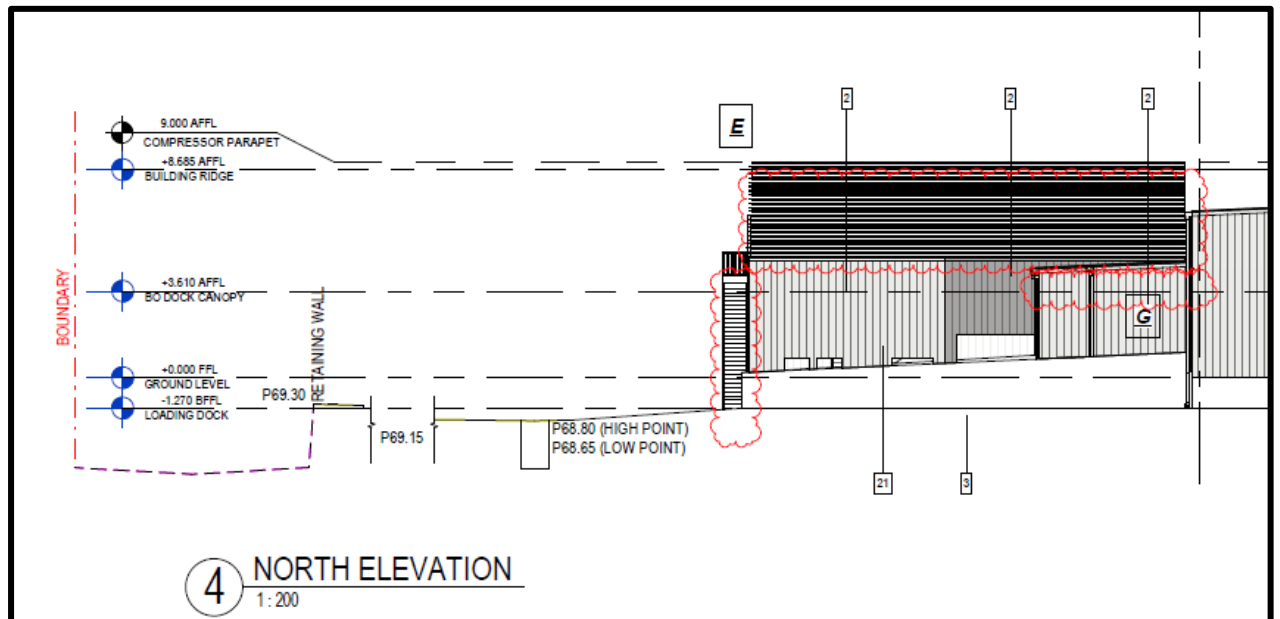


Figure 21: Proposed changes to condenser platform level and plant room elevations as notated and clouded in red.

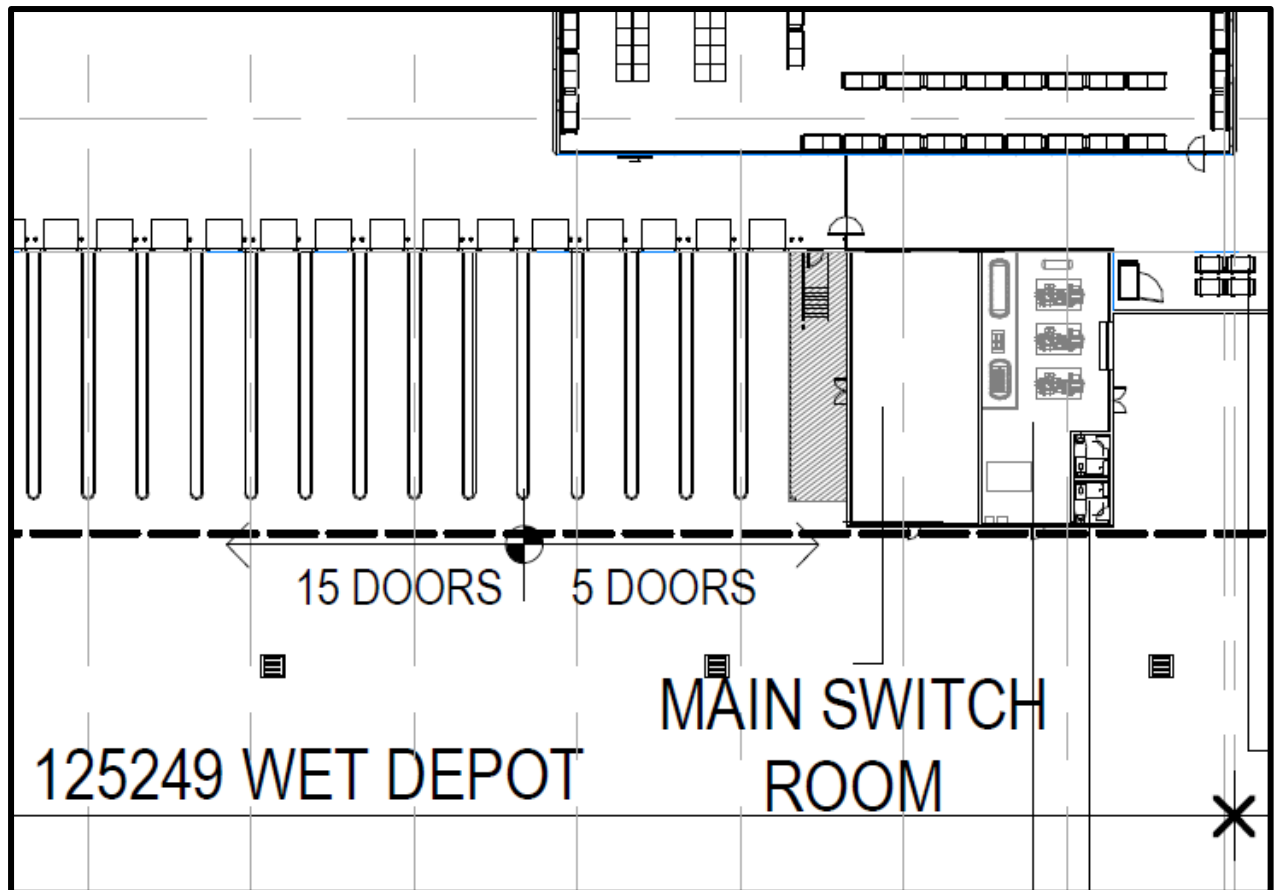


Figure 22: Approved plant room/main switch room layout.

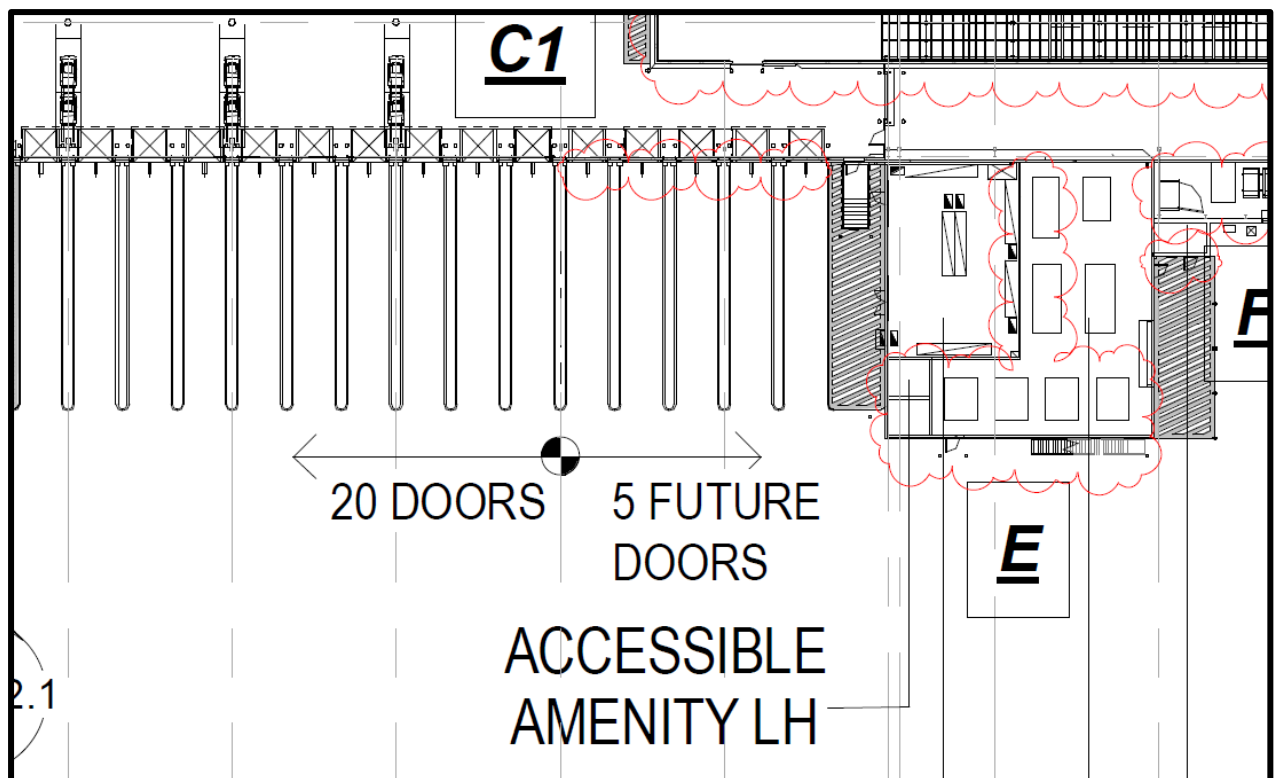


Figure 23: Proposed changes to plant room layout as notated and clouded in red.

6. Rain Water Treatment Plant Room

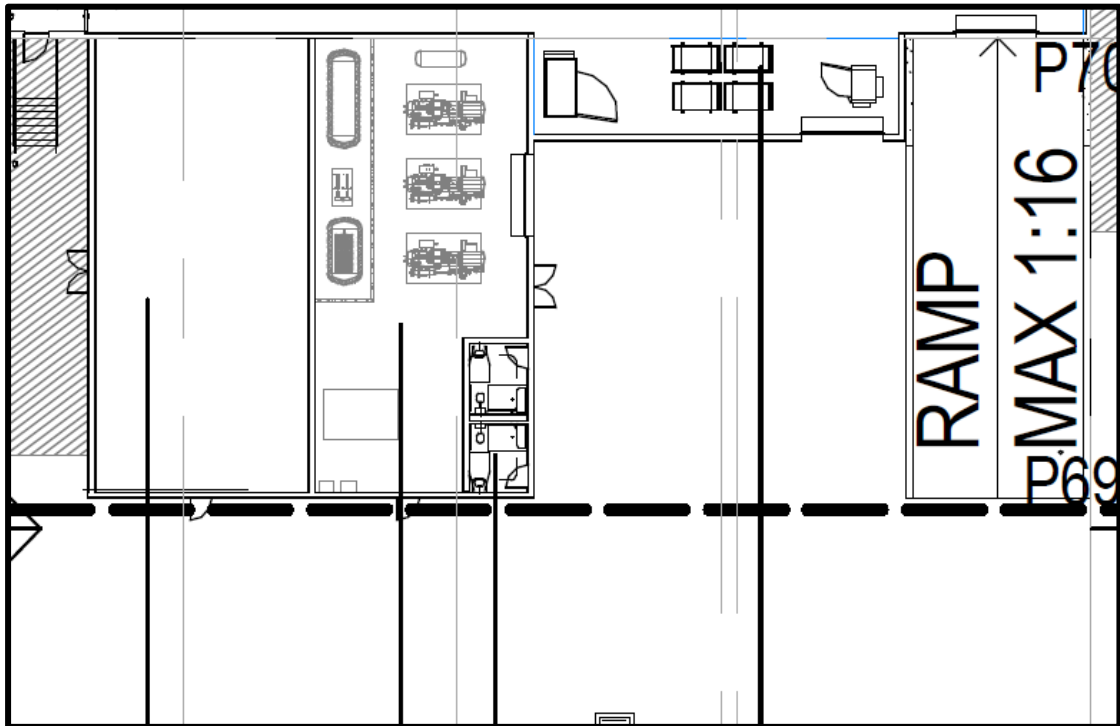


Figure 24: Approved main switch rooms.

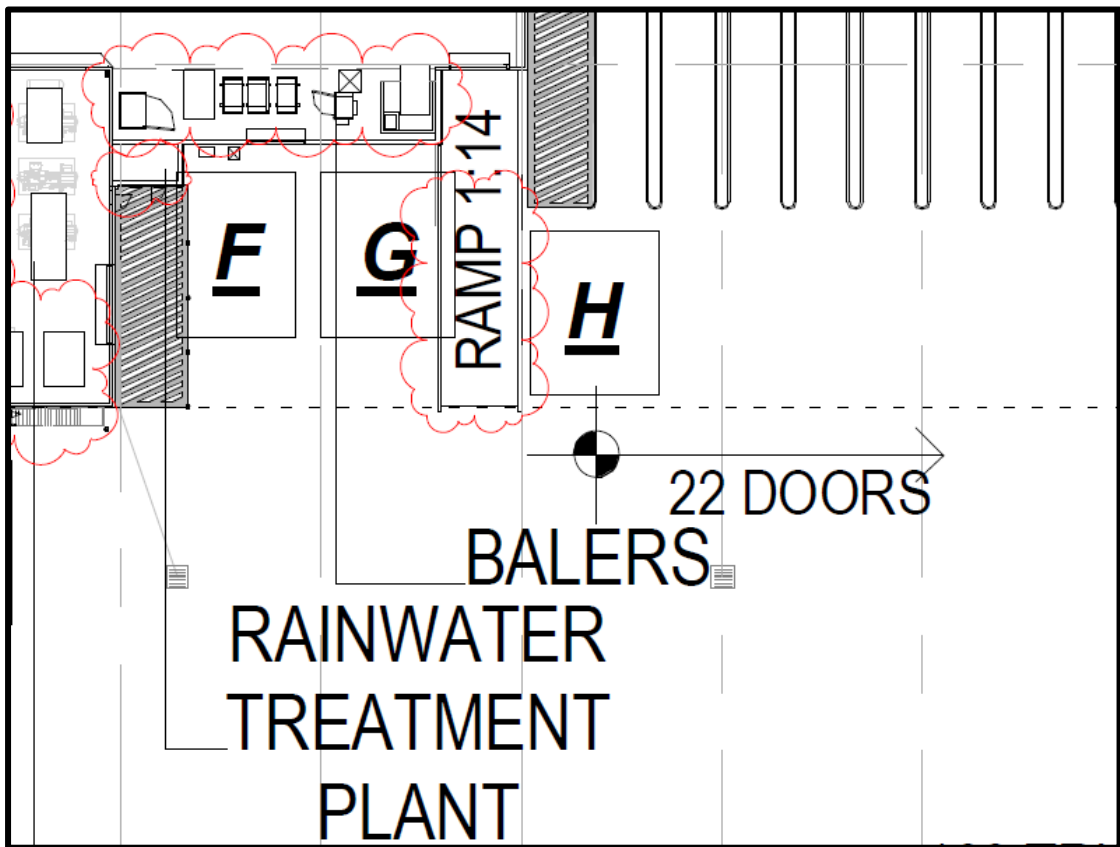


Figure 25: Proposed Rainwater treatment plant room as notated and clouded in red.

7. Baler Room Extension

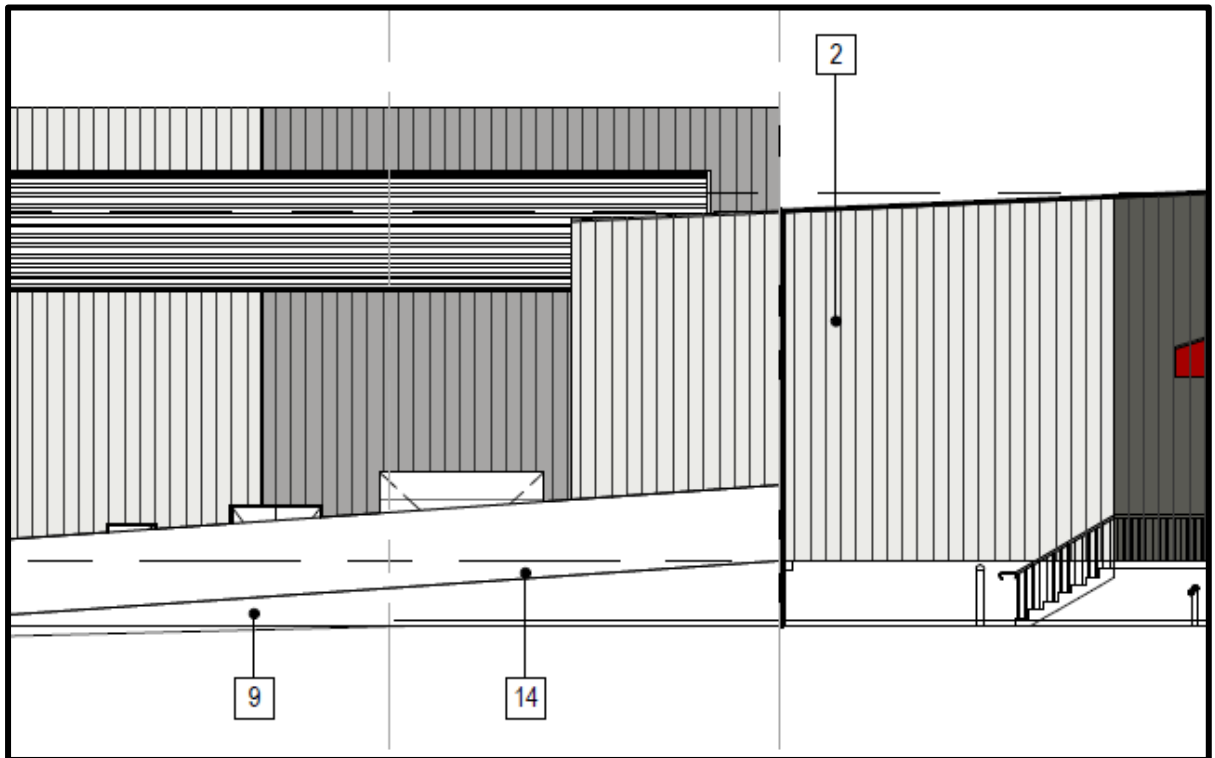


Figure 26: Approved roof over Baler room.

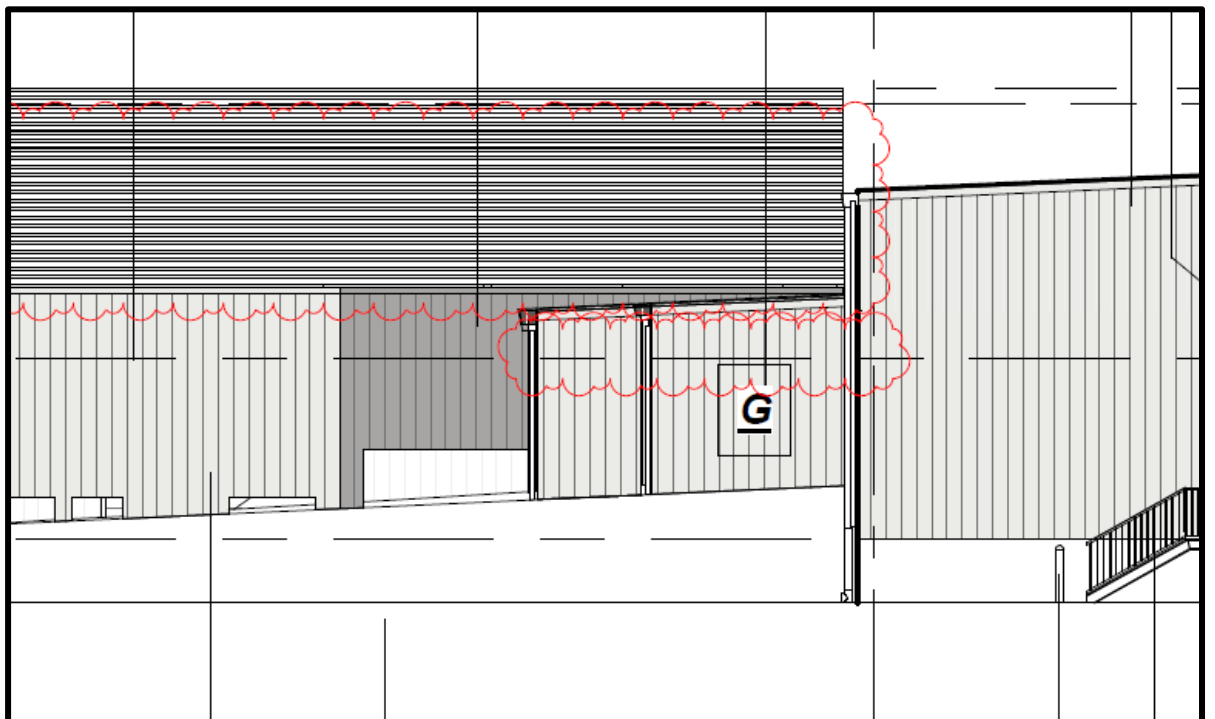


Figure 27: Proposed lowered roof over Baler room as notated and clouded in Red.

8. Baler Room access Ramp

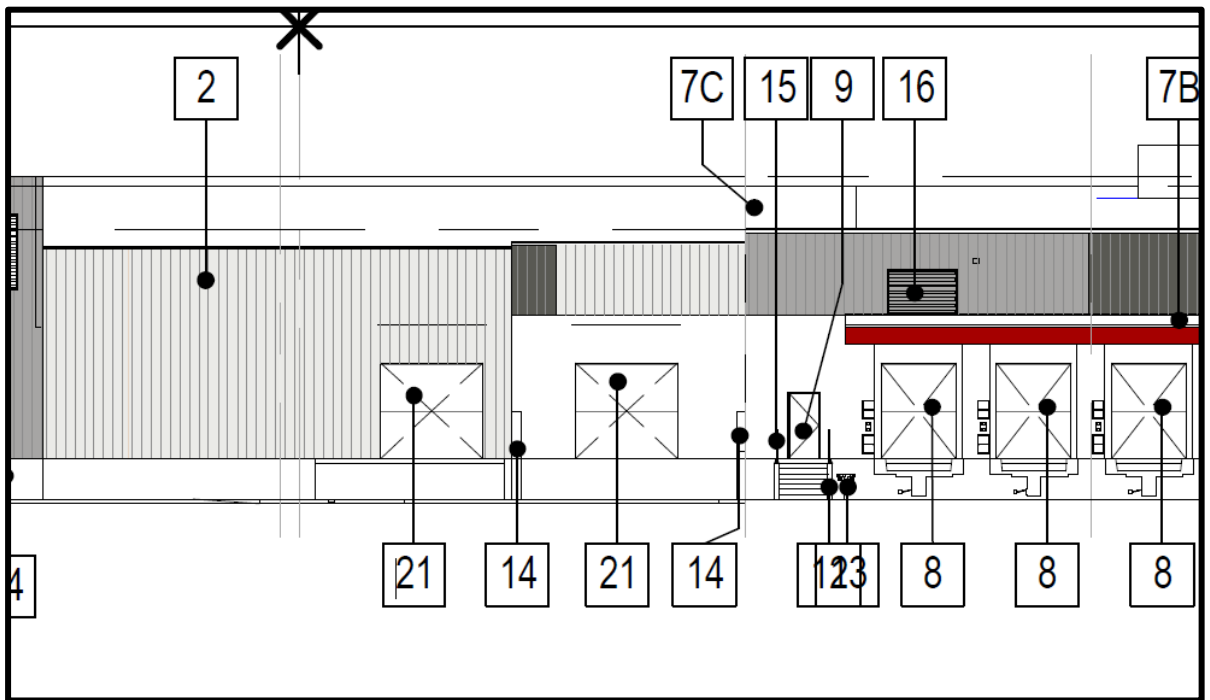


Figure 28: Approved Baler room Ramp – Eastern elevation (South End).

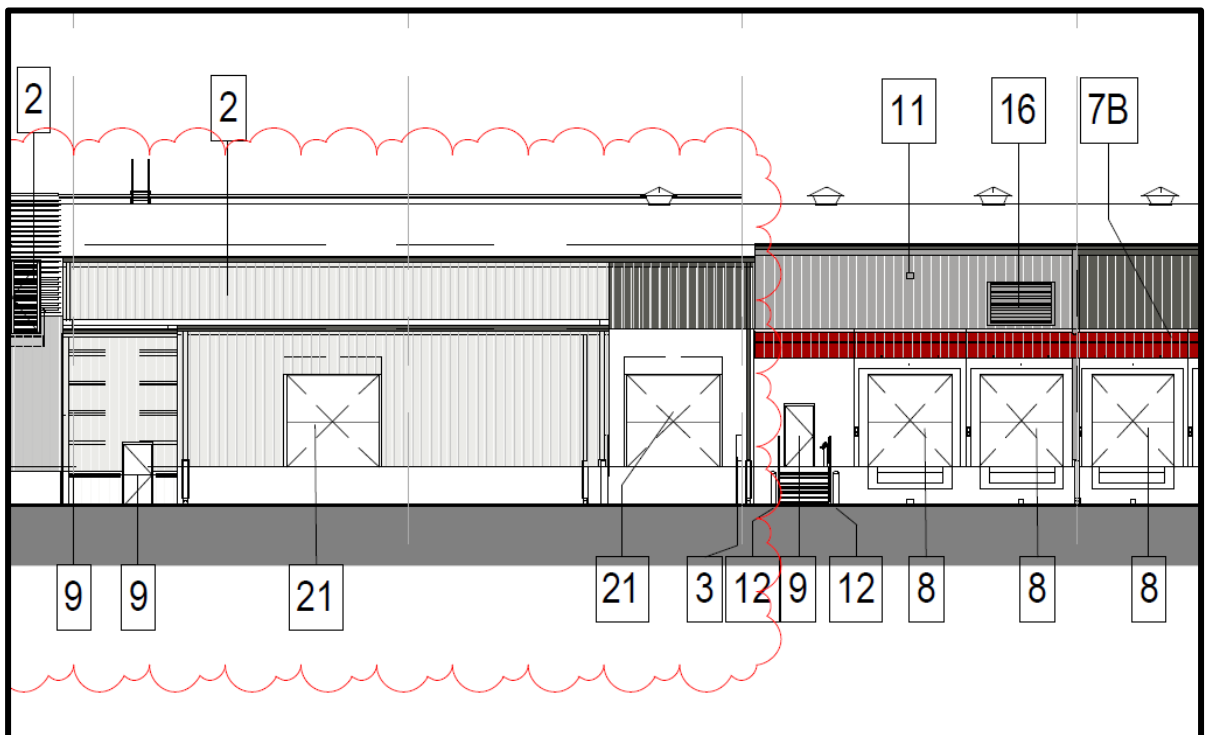


Figure 29: Proposed Baler room Ramp – Eastern elevation (South End) notated and clouded in red.

9. Driveway to Dry Depot

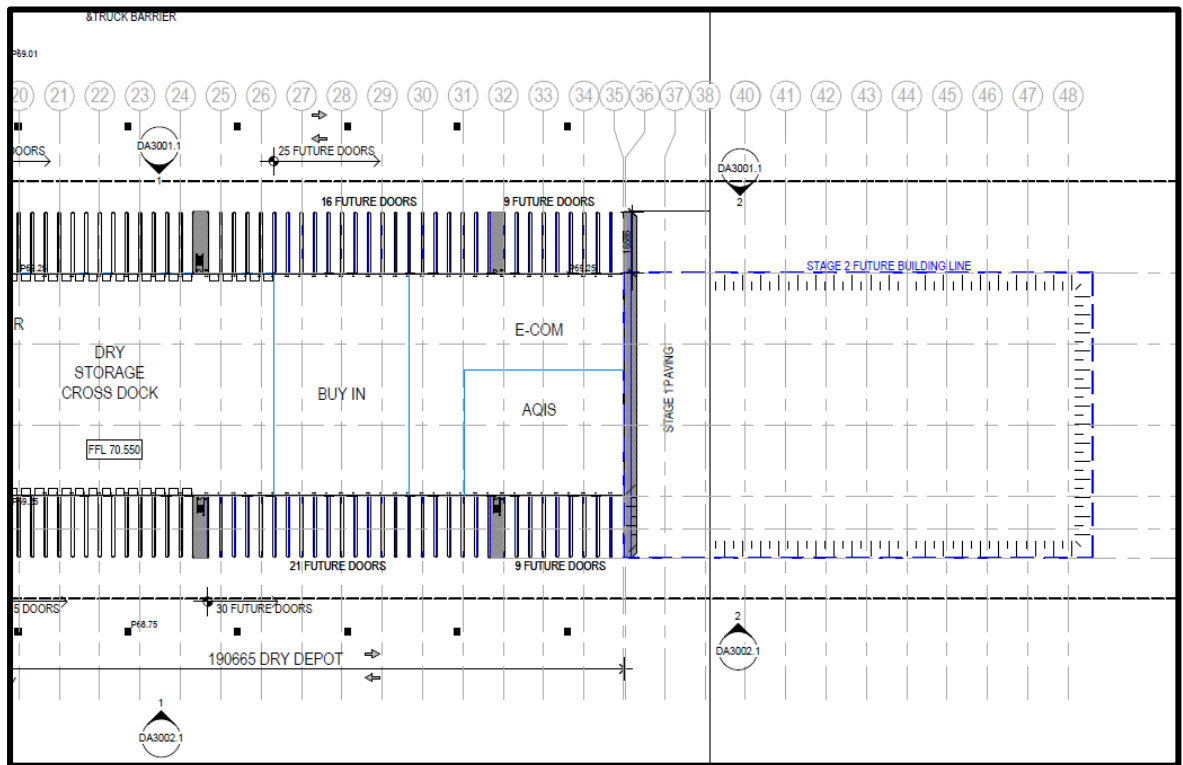


Figure 30: Approved paving layout at the north end of dry depot.

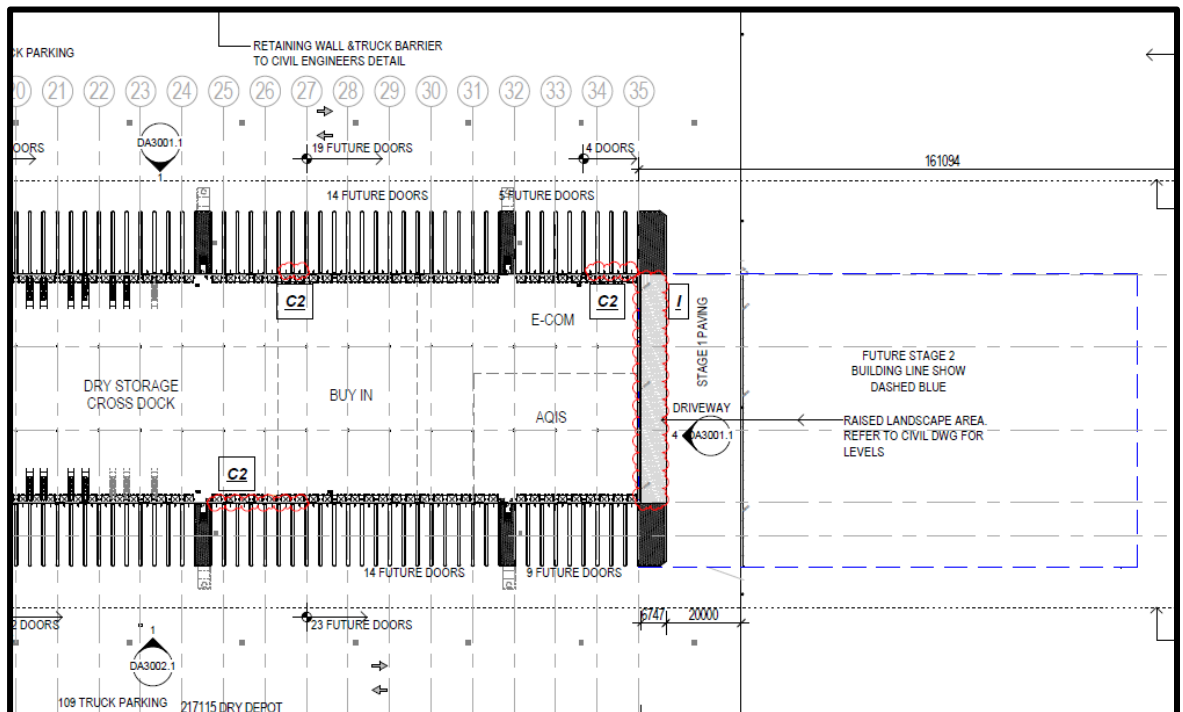


Figure 31: Proposed driveway relocation as notated and clouded in red.

10. Freezer layout

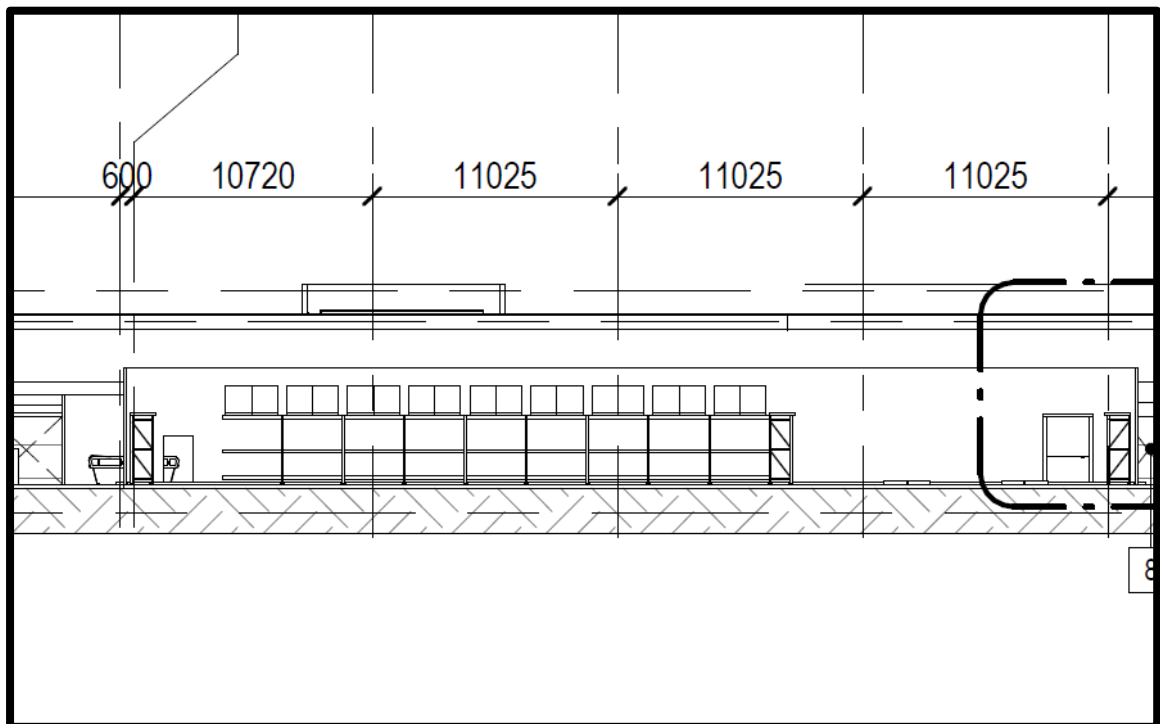


Figure 32 –Approved Section plan of freezer layout.

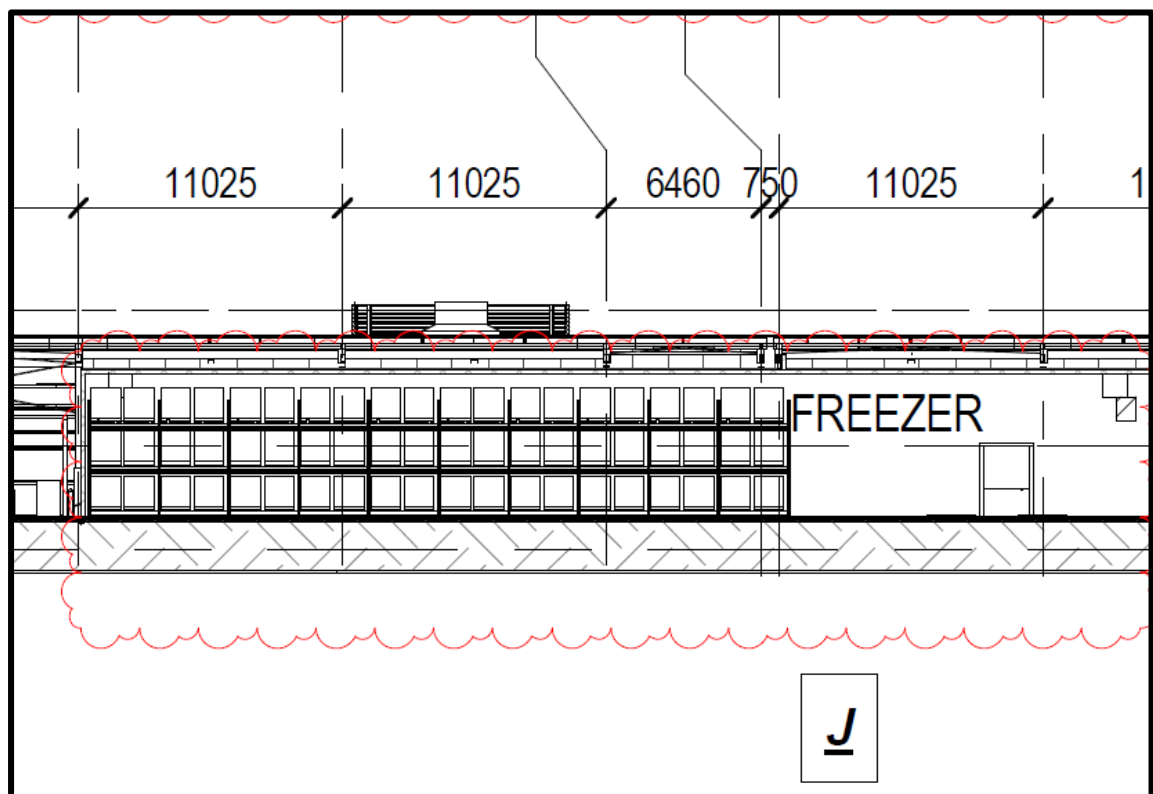


Figure 33 –Section plan of freezer layout as notated and clouded in Red.

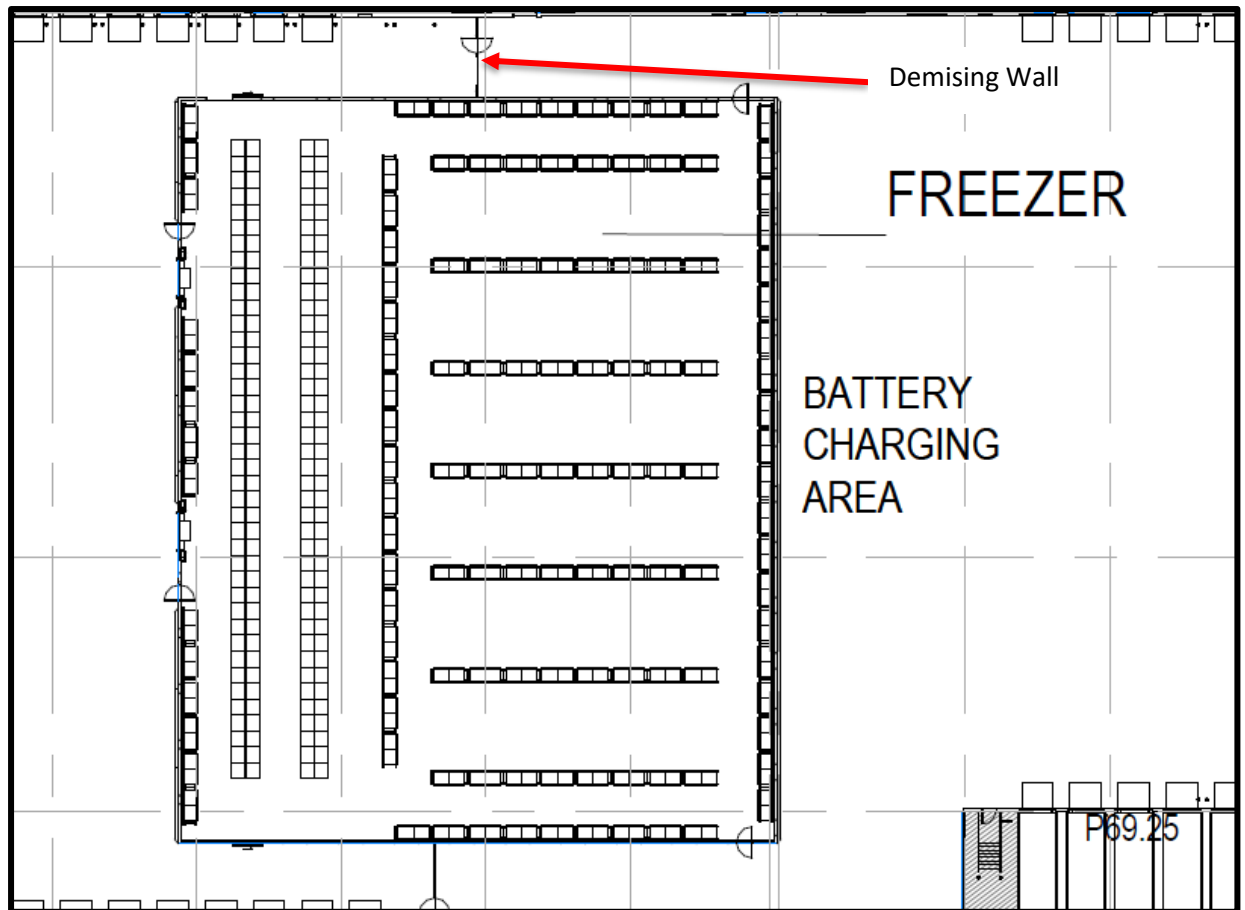


Figure 34 – Approved freezer layout and demising wall.

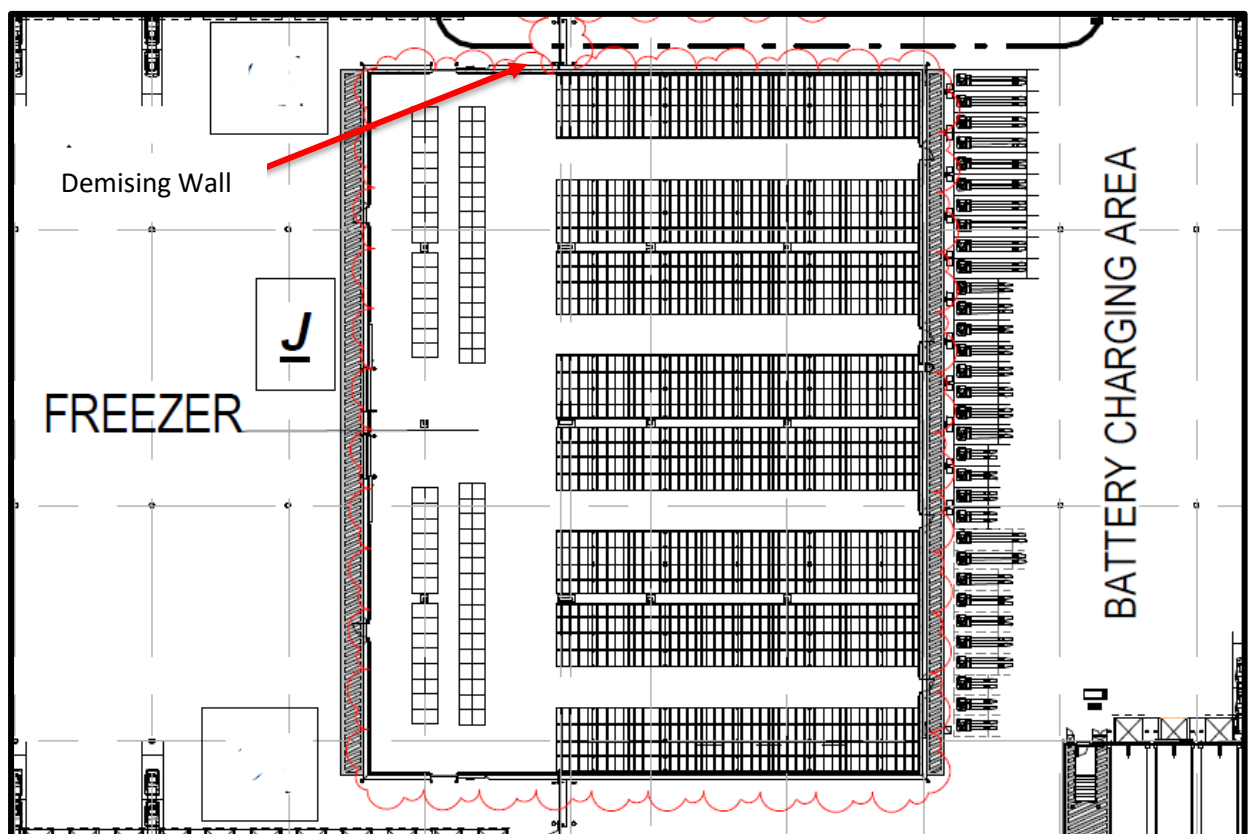


Figure 35 – Freezer layout revised and demising wall as notated and Clouded in Red.

11. Roof Amendments

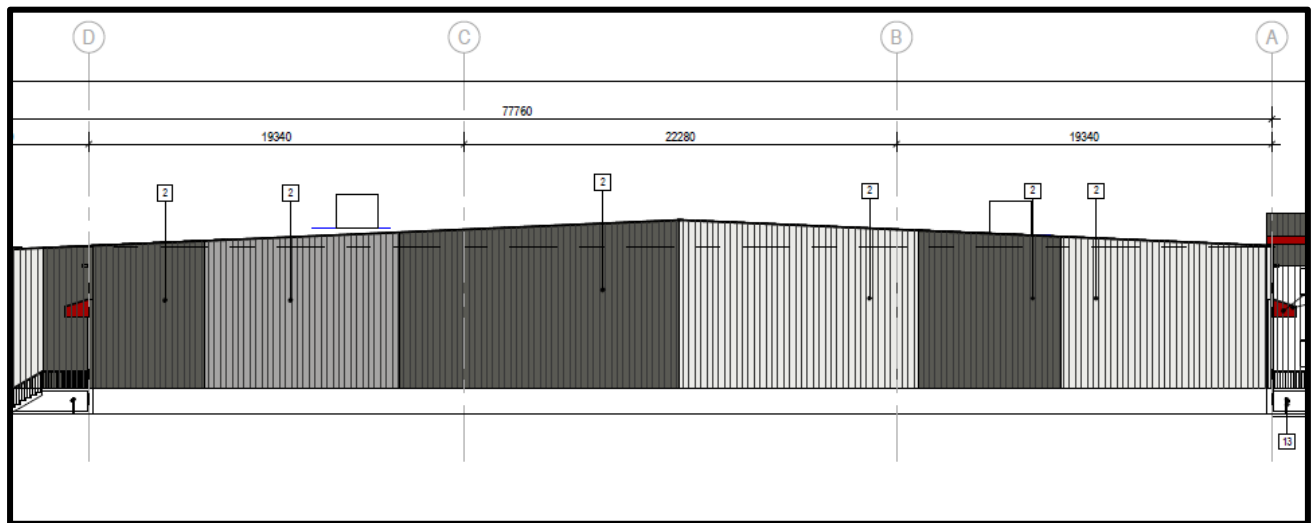


Figure 36 – Approved elevation plan of roof plan.

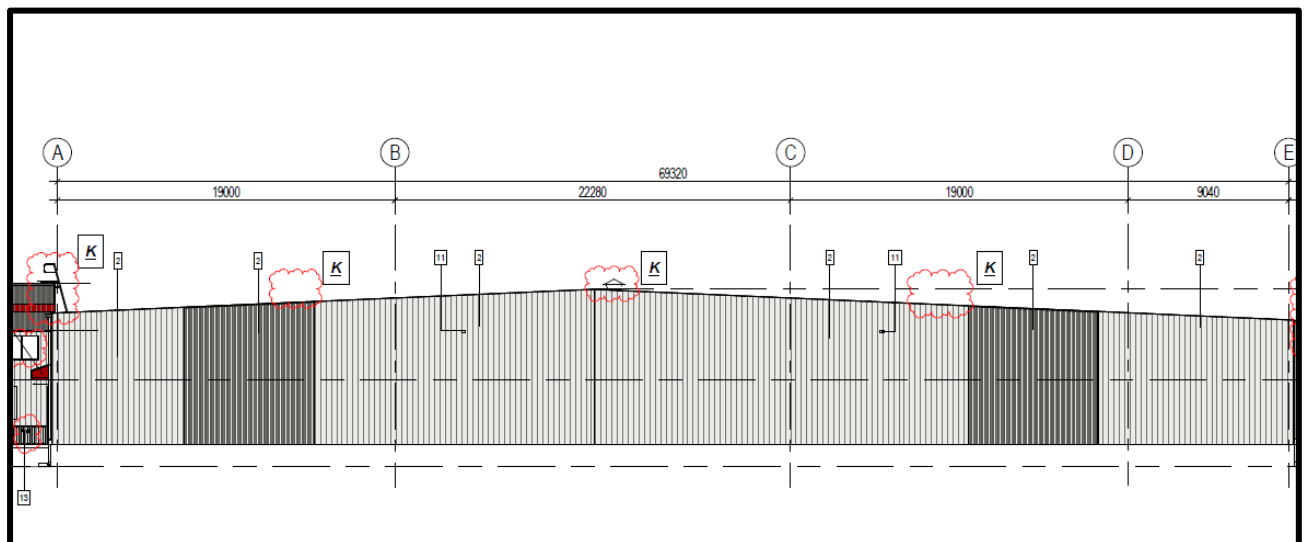


Figure 37 – Elevation plan of roof plan with changes as notated and Clouded in Red.

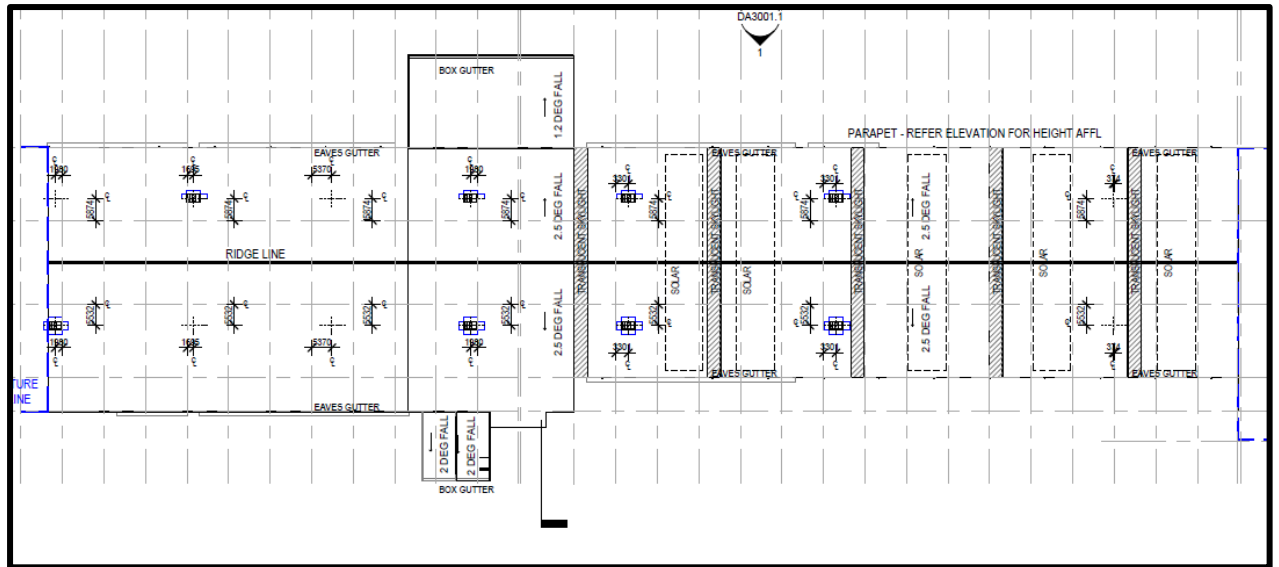


Figure 38 – Approved Roof Plan.

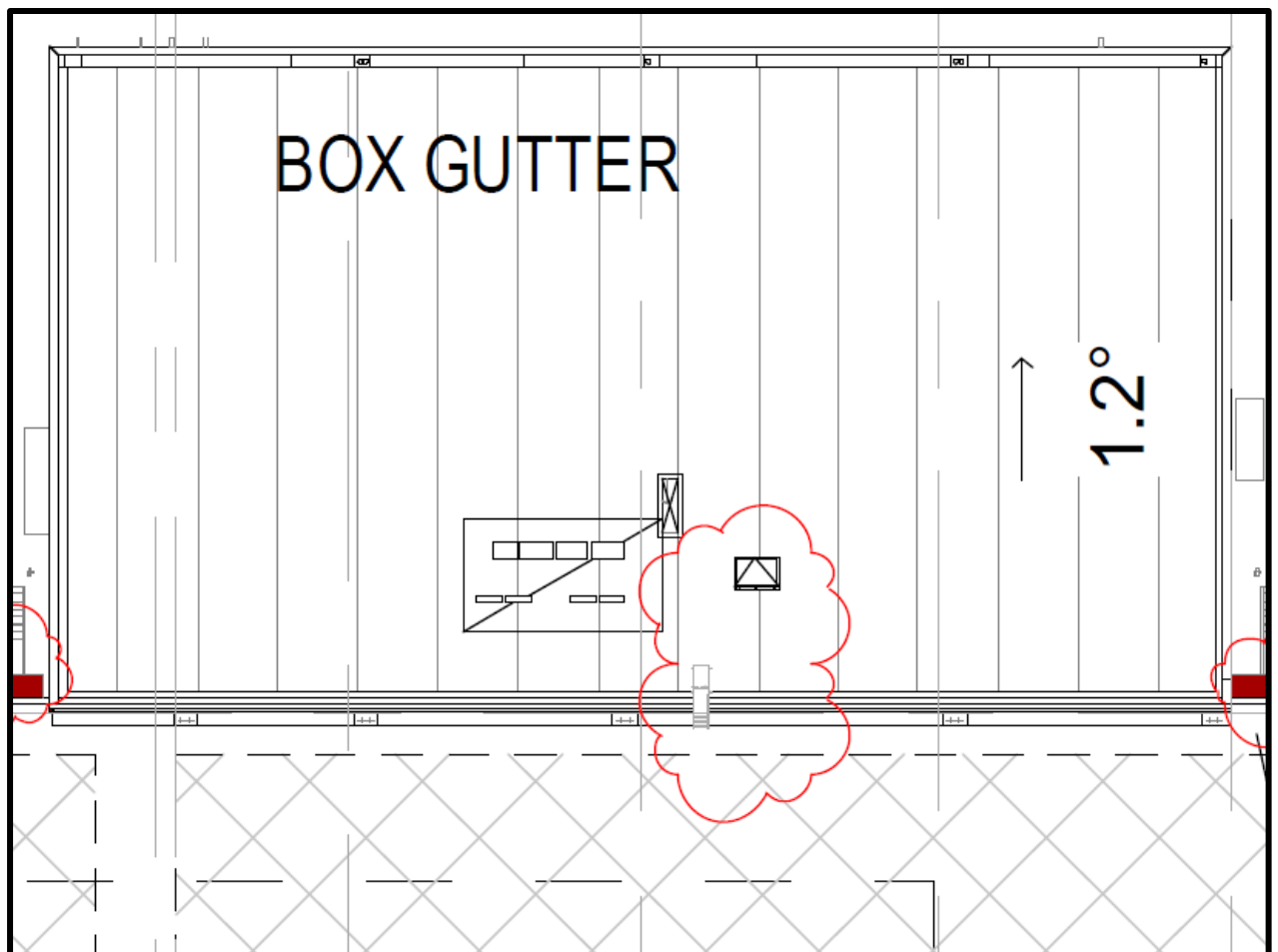


Figure 39 – Changes to Roof plan (roof access) as notated and Clouded in Red.