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WILLOW TREE
PLANNING

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

NSW Department of Planning & Environment
23-33 Bridge Street
Sydney NSW 2000

Attention: Kate MacDonald

Section 75w Modification Application (MOD 4) – Oakdale Central, Horsley Park (Lot 21 in Deposited Plan 1173181)

Dear Kate,

This Modification Application is submitted to the NSW Department of Planning & Environment (NSW DP&E) on behalf of Goodman Property Services (Aust) Pty Ltd and relates specifically to Lot 3 within the Oakdale Central Estate, Horsley Park.

Concept Approval was granted to MP_0065 on 2 January 2009 by the Minister for Planning and has subsequently been amended three (3) times.

This application represents the fourth modification to MP08_0065

The amendments sought have been assessed against the key Environmental Assessment Requirements throughout this report.

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

- **Appendix 1 – Updated Concept Plan**

Should you require further information, please contact the undersigned.

Yours Faithfully,

Andrew Cowan
Associate Director
Willowtree Planning Pty Ltd

1. OAKDALE CENTRAL ESTATE - CONCEPT PLAN BACKGROUND

Concept Approval was granted to MP08_0065 on 2 January 2009 for the establishment of Oakdale Central Estate including subdivision, earthworks, internal road layout, recreation and biodiversity land, seven industrial buildings, pad levels, external upgrades and infrastructure. A concurrent Stage 1 Project Application was also granted for the establishment of a DHL Logistics Hub and associated infrastructure which comprises 3 buildings being those on lots 1A and 2A (MP08_0066). Subsequent to the Concept and Project Approval, a number of modifications were carried out pursuant to Section 75W of the *Environmental Planning & Assessment Act 1979*.

The modifications to the Concept & Project approval are summarised below:

Table 1: Previous Approvals - Oakdale Central		
Modification No.	Date of Approval	Description
Mod 1 to Concept Plan and Project Approval MP08_0065 & mp08_0066	4 November 2010	Amendment of Concept Plan subdivision to change configuration and reduce the number of internal estate roads. The Project Approval was also amended so that stage 1 on lots 1A and 2A with two warehouse buildings on lot 2A being proposed in lieu of one larger building.
Mod 2 to Project Approval MP08_0066	17 February 2011	Due to the timing of notification of the Voluntary Planning Agreement (VPA) between the Minister for Planning, Goodman and the land Trustee for contributions towards regional transport infrastructure and services for lot 1A and 2A, entry into the VPA was amended prior to issue of occupation or subdivision certificate. The VPA was entered into on 25 March 2011 and has been amended to include the subject estate allotments, lots 1C, 2B and 3 so that it applies to the whole estate.
Mod 3 to Project Approval MP08_0066	8 July 2011	Minor amendments to warehouses 2 and 3 on lot 2A including changes to the appearance of the warehouses, site layout and quantum of floor space.
Mod 4 to Project Approval MP08_0066	20 September 2012	Modification of the Project Approval to re-orient and reposition the warehouse to be constructed on lot 1A, this involved rotating the building to 180 degrees and siting it in a similar position to that originally approved.
Mod 2 to concept plan and Mod 5 to Project Approval MP08_0065 and MP08_0066	5 March 2013	Modification of subdivision layout, shape and location of the estate stormwater basin, bulk earthworks, pad levels, staging and the importation of fill.
Mod 6 to Project Approval MP08_0066	10 May 2013	Relocation of the swing and sliding gates at the truck entry, increase of office floor space within the approved building footprint and provision of storage and workshop areas within the approved building footprint.
Mod 7 to Project Approval MP08_0066	Withdrawn	
Mod 8 to Project Approval MP08_0066	15 May 2014	Amendment to condition 18 of the Project Approval to allow Excavated Natural Material to be imported to the site.

Mod 3 to Concept Plan MP08_0065	18 March 2015	Amendment to subdivision plan to consolidate lots 3A/3B; Inclusion of a vehicle turning head within Oakdale South and inclusion of the detention basins within the biodiversity lots to enable physical use for on-site detention purposes.
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2. PROPOSED MODIFICATIONS

Customer feedback has indicated reduced demand within Oakdale Central for the single 88,295sqm facility that was approved on Lot 3 under SSD 6078. There currently demand for smaller tenancies on Lot 3, providing an opportunity to develop separate tenancies rather than the single warehouse building, all comprising warehouse, ancillary office space, hardstand and car parking.

As a result, a Section 96 Modification Application (Mod 4) has been submitted to amend SSD 6078 and is pending approval. The resultant scheme seeks to deviate from the Concept Plan (as modified) with reference to Lot 3 specifically, thus a further modification is required.

The modifications sought to the Concept Plan are detailed below.

Table 2: Schedule of Proposed Changes		
Element	Approved	Proposed under Section 75W
Estate	The previous iteration approved an extension to the estate road in the form of turning head over the adjoining land (Lot 82 DP75204) equating to 0.25 hectares in area.	A further extension to the estate road is proposed that extends from the turning head into Lot 3 to service the future warehouse facilities
Building envelopes	Approval was previously granted for a building envelope of 88,295sqm which comprised a single facility on Lot 3	The Concept Plan as amended now seeks to provide building envelopes for four (4) separate facilities, equating to 86,195sqm.

The approved and proposed scheme for Lot 3 is provided in the below figures.

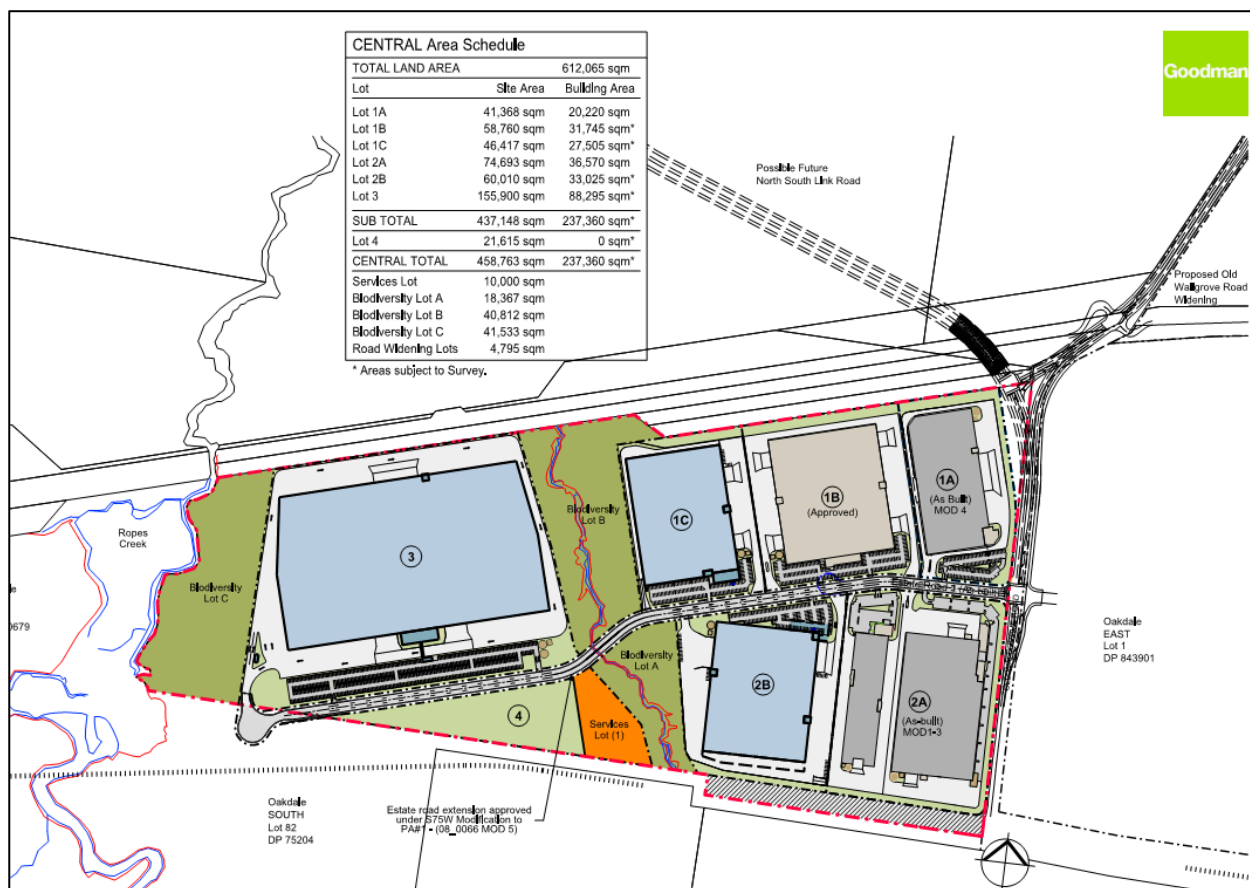


Figure 1: Approved Estate Masterplan



Figure 2: Proposed Estate Masterplan

The proposed plans are to form part of Modification 4.

Table 3: Plans and Documentation				
Architectural				
Drawing No.	Description	Author	Revision No.	Date
DA02	Estate Masterplan	SBA Architects	U	10 March 2016

3. ENVIRONMENTAL ASSESSMENT

The following environmental impacts have been considered as part of the subject Modification Application.

3.1 Traffic and Transport

It is considered that sufficient provision has been made in the layout and configuration under the revised Concept Plan to accommodate the parking rates stipulated under the Concept Plan.

The proposed extension of the estate road from Milner Avenue will provide all access to Lot 3A and the future car parks serving Lots 3B and 3D.

3.2 Soil and Water

No changes are proposed to the location of the stormwater basins approved under the Concept Plan. Stormwater quantity and quality outcomes will be addressed as part of built for development applications.

3.3 Biodiversity

The amended design shall not result in any encroachment on the biodiversity lots within the estate. Sufficient landscaping will be provided, that is generally consistent with the approved scheme, thus ensuring sufficient onsite planting and pervious areas.

3.4 Noise

No change is proposed to the thresholds established under the Concept Plan. Future development will be subject to rigorous noise modeling to ensure compliance.

3.5 Air Quality and Odour

No change is proposed to the thresholds established under the Concept Plan. Future development will be subject to rigorous air quality assessment to ensure compliance.

3.6 Heritage

The amended design will not result in any adverse impact in respect of heritage. All impacts in this respect have been sufficiently addressed as part of the original Concept Approval.

3.7 Visual

The proposed modification to the Concept Plan shall not result in any unacceptable visual impacts on the locality for the following reasons:

- Future buildings will be the generally same height as the approved buildings in the estate, being 13.7m.
- Future buildings will achieve a setback of at least 7.5m from the Lot 3 boundaries with a 2.5m landscape setback, as per the approved Concept Plan.
- Along the northern boundary there is a Water NSW easement – this easement is around 150m wide, thereby reducing any potential visual impact to the north as it limits the potential for any development in this zone.
- While the building setback to the south is reduced to a distance of 25m, building 3C (Warehouse 1 / 3C (Warehouse 2) will continue to present as a single building as currently approved on the site.
- Development to the east is part of Goodman's Oakdale Central estate, which incorporates uses for warehousing purposes. The visual impact from this aspect is considered to be acceptable as it will be generally consistent with the surrounding built form and approved land uses.
- To the west is a significant undevelopable riparian corridor, on land owned by Goodman. It is anticipated that there will be minimal visual impact from this area as it is undevelopable.

It is considered that the extent of changes proposed will not adversely affect the interface with the surrounding lands, or the aesthetic value of within the streetscape as viewed from Milner Avenue.

Landscaped buffers will be maintained to Milner Avenue to provide opportunity for mature vegetation that will contribute to the visual amenity.

Future development will be subject to rigorous visual assessment to ensure built form provides a high quality outcome.

4. LEGISLATIVE FRAMEWORK

4.1 Environmental Planning & Assessment Act 1979

Clause 12 of Schedule 6A of the *Environmental Planning & Assessment Act 1979* (EP&A Act) enables Section 75W of the EP&A Act to continue to apply to transitional Part 3A Concept Plans and Projects. As such, the aforementioned provisions apply to the subject proposal.

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

The proposed modifications to the Concept Plan accord with the objectives of SEPP WSEA, in that that the employment generating potential of the site will be retained. The location and siting of the future facilities will ensure that environmental impacts associated with future development are acceptable as established under the original Concept Plan Approval.

4.3 State Environmental Planning Policy (Infrastructure) 2007

With reference to Lot 3, the total building area is sought to be reduced from 88,295sqm to 86,195sqm. Traffic generation of future development is not anticipated to exceed previous modeling on that basis and all traffic impacts considered under the original Concept Plan approval have been accounted for.

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

Contamination of the site has previously been dealt with under the Concept Plan and subsequent application for earthworks. No further consideration is required as part of this Modification Application.

4.5 Oakdale Central Concept Plan

The following controls apply to the estate as approved under the Concept Plan.

Table 4: Oakdale Central Controls			
Control	Provision	Compliance	Comment
Lot Dimensions	- Min lot area 5,000m ² - Min built area 2,500m ²	Yes	All lots exceed minimum areas
Site Coverage	- Max 65%	Yes	All facilities are capable of complying with site coverage requirements.
Building Setbacks	- 20m link road - 15m collector road - 7.5m estate road - 5m rear setbacks (2.5m landscaping)	Yes	All facilities comply with setback requirements
Car Parking Provision	- Warehouse 1 per 200sqm - Office 1 per 40sqm	All future facilities are capable of providing the required parking as per the Concept Plan.	

5. CONCLUSION

The subject Modification Application seeks consent to modify the layout and footprint of facilities on Lot 3, along with including an extension to the estate road. These modifications shall not result in any unacceptable environmental impacts on the surrounding environment. As detailed throughout this report, the changes sought will result in the development being substantially the same as that for which consent was originally granted. Notable aspects of the proposal which confirm the development will be substantially the same include and shall result in minimal environmental impact:

- **Primary Land Use** – The warehousing and distribution use is not proposed to change as established under the Concept PLAN.
- **Gross Floor Area** – The overall building area (for Lot 3) is to be reduced from 88,295sqm to 86,195sqm
- **Car Parking** – All future development is capable of complying with the specified rates
- **Setbacks** – Sufficient setbacks shall be maintained ensure landscaped buffers can be achieved and separation is such that the visual amenity of the public domain is not compromised.
- **Traffic Generation** – Traffic generation shall not increase beyond that originally modeled under the Concept Plan.

Overall, the modified scheme will provide for a more suitable layout that responds to the requirements of the future tenant resulting in increased efficiencies for the site. The proposal does not result in intensification of the or reduction in the employment generating potential, consistent with the original Concept Approval.

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