

ASSESSMENT REPORT

OAKDALE CENTRAL INDUSTRIAL ESTATE MP 08_0065 MOD 6 and SSD 6078 MOD 7

1. INTRODUCTION

This report is an assessment of a request to modify the Concept Plan Approval (MP 08_0065) and the State Significant Development consent (SSD 6078) for the Oakdale Central Industrial Estate at Horsley Park which is a warehouse and distribution centre, within the Fairfield Local Government Area (LGA). The applications have been lodged by Willow Tree Planning, on behalf of Goodman Property Services (Aust) Pty Ltd (the Applicant), pursuant to section 75W and section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The applications seek approval for minor modifications to the warehouses on lots 3A and 3C.

2. SUBJECT SITE

The site is known as Oakdale Central Industrial Estate and is located on Old Wallgrove Road at Horsley Park within the Western Sydney Employment Area (WSEA). The site is located approximately 15 kilometres (km) west of the Parramatta CBD and 3 km west of the M7 Motorway and Western Sydney Parklands. The nearest residential properties are approximately 2 km to the north-west of the site. (**Figure 1**).

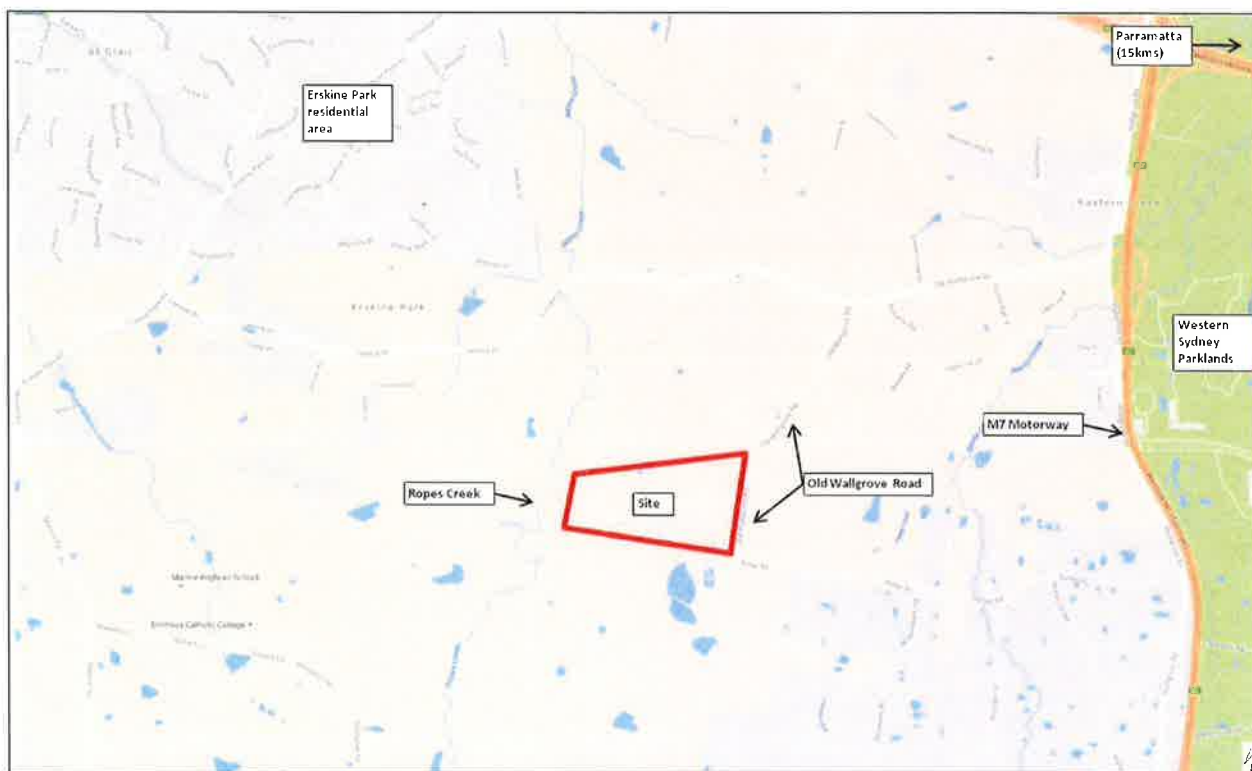


Figure 1: Location Plan

The land to the north and south of the site is a mixture of industrial uses and vacant paddocks. A large water pipeline and easement runs along the northern boundary of the site. Ropes Creek is located to the west and a quarry and industrial uses are located to the east.

The warehouses and buildings located within Lots 1 and 2 have been constructed and are accessed off a central east/west estate road that also connects to Lot 3.



Figure 2: Aerial View of the Site (Outlined in Red) and its Immediate Surroundings

3. APPROVAL HISTORY

On 2 January 2009, the then Minister for Planning approved the Oakdale Central Concept Plan (MP 08_0065) which permitted a range of employment generating uses including warehouses, distribution centres and freight logistics facilities (Concept Approval).

On 18 March 2015, SSD 6078 was approved under delegation for the construction and operation of three warehouse buildings on Lots 1C, 2B and 3 and supporting infrastructure (SSD Consent).

The Concept Approval has been previously modified on five occasions and the SSD Consent has been previously modified on six occasions, as summarised in **Tables 1** and **2**.

Table 1: Summary of modifications to the Concept Approval

MOD No.	Summary of Modifications	Approval Date
MP08_0065 MOD 1	Amendment to subdivision layout and reduction of the number of estate roads.	4 November 2010
MP08_0065 MOD 2	Amendment to subdivision layout, shape and location of stormwater basin, bulk earthworks, pad levels, staging and importation of fill.	5 March 2013
MP08_0065 MOD 3	Amendments to subdivision plan and inclusion of vehicle turning head and detention basin.	18 March 2015
MP08_0065 MOD 4	Amendments to the building envelopes on Lot 3 and extension of the Estate Road.	9 June 2016
MP08_0065 MOD 5	Amendments to building envelopes 34, 38 and 3C within Lot 3.	1 September 2016

Table 2: Summary of modifications to the SSD Consent

MOD No.	Summary of Modifications	Approval Date
SSD 6870 MOD 1	Amendments to the layout of the warehouse on Lot 1C	15 June 2015
SSD 6870 MOD 2	Amendments to the layout of the warehouse on Lot 2B and the inclusion of a Dangerous Goods Store (DGS)	30 June 2015
SSD 6870 MOD 3	Internal and external amendments to the warehouse on Lot 2B and an increase in the size of the DGS	3 August 2015
SSD 6870 MOD 4	Deletion of Condition 34 of the approval which requires screening and landscaping of the water tanks and plant rooms on Lot 2B	1 December 2015
SSD 6870 MOD 5	Modification to replace one warehouse on Lot 3 with five smaller warehouses (3A1, 3A2, 3C1, 3C2 and 3D), exclusion of part of Lot 3 from the approval site, and an extension to the Estate Road from Millner Avenue	8 June 2016
SSD 6870 MOD 6	Consolidation of Warehouse 3A-1 and 3A-2 from two to one building (retaining two tenancies); division of Warehouse 3C-1 and 3C-2 into three tenancies; reduction of 1,462m ² GFA; relocation and reconfiguration of car parking areas and reduction of 1 car parking space; reconfiguration and division of hardstand areas; and relocation of sprinkler tanks and pump rooms.	1 September 2016

4. PROPOSED MODIFICATIONS

The Applicant has lodged two applications (MP 08_0065 MOD 6 and SSD 6078 MOD 7) seeking the following modifications to the layout and configuration of the approved warehouse development on Lot 3.

The Concept Plan modification request (MOD 6) seeks approval to modify the following:

- minor change in GFA design and parking for warehouses on lot 3A;
- increase the office sizes for warehouses 3C - 2 and 3C – 3 on Lot 3C;
- relocate the dock office for warehouse 3C - 1 on Lot 3C; and
- the consolidation of “Services Lot (1)” into proposed Lot 4.

Please refer to **Figure 3** for the approved Concept Plan layout and **Figure 4** for the proposed Concept Plan layout.



Figure 3: Approved Estate Concept Plan

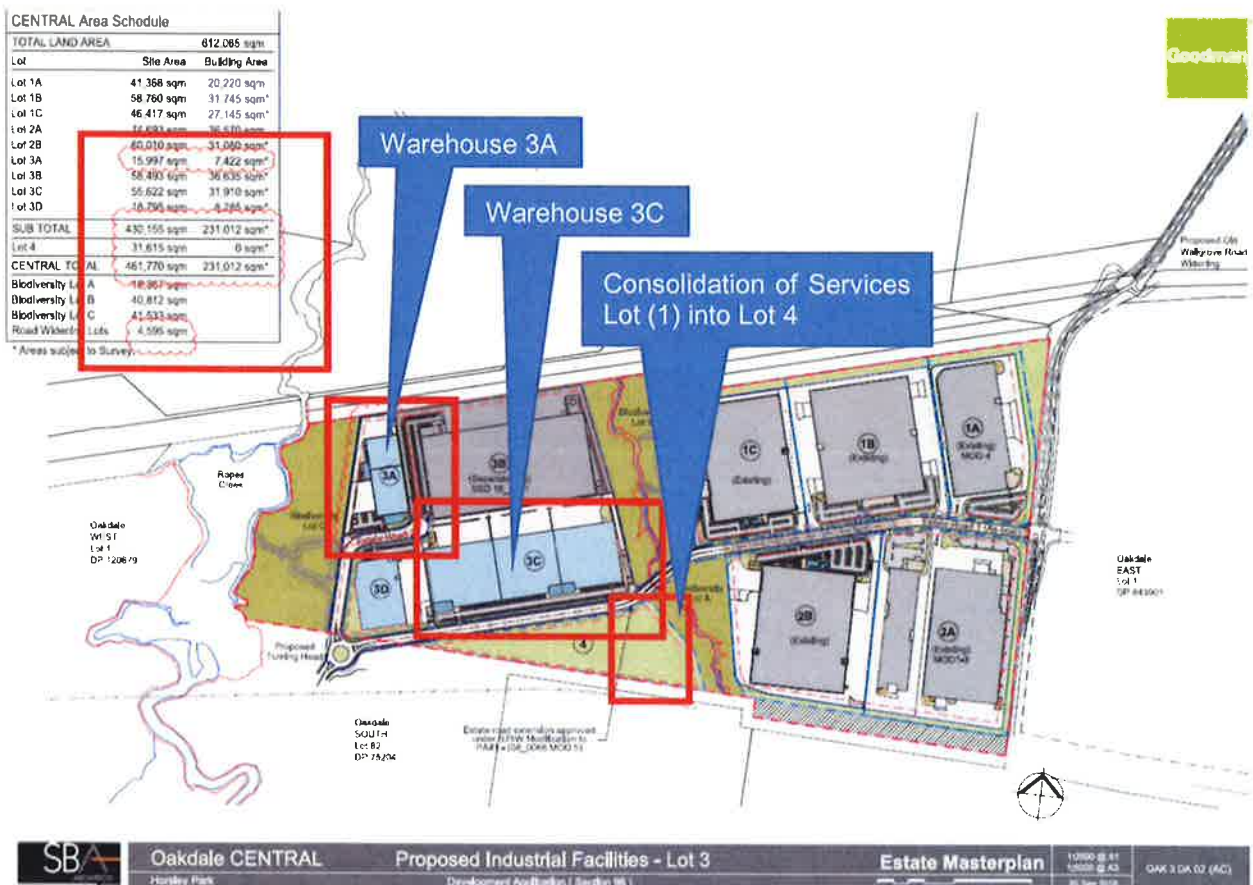


Figure 4: Proposed Estate Concept Plan

The SSD modification application (MOD 7) seeks approval for the following:

- Warehouse 3A-1:
 - increase the GFA from 3,825 m² to 4,000 m²;
 - reduce the office area from 550 m² to 500 m² on one level;
 - remove two recessed docks;
 - add one at grade dock;
 - reduce the car parks from 46 spaces to 37 spaces;
 - minor changes to office fit-outs; and
 - relocate the Warehouse 1 Dock Office on Lot 3C.
- Warehouse 3A-2:
 - reduced the GFA from 2,680 m² to 2,650 m² (no change to office area, now over one level);
 - reduce the number of recessed docks from two to one; and
 - reduce the car parks from 20 spaces to 16 spaces.
- Warehouse 3C:
 - increase the GFA from 31,910 m² to 32,010 m²;
 - 10 provisional car parking spaces to be provided (included in the car parking numbers); and
 - relocate the dock office in warehouse 3C-1.

The approved layout of the SSD 6078 approval is shown in **Figure 5** below.

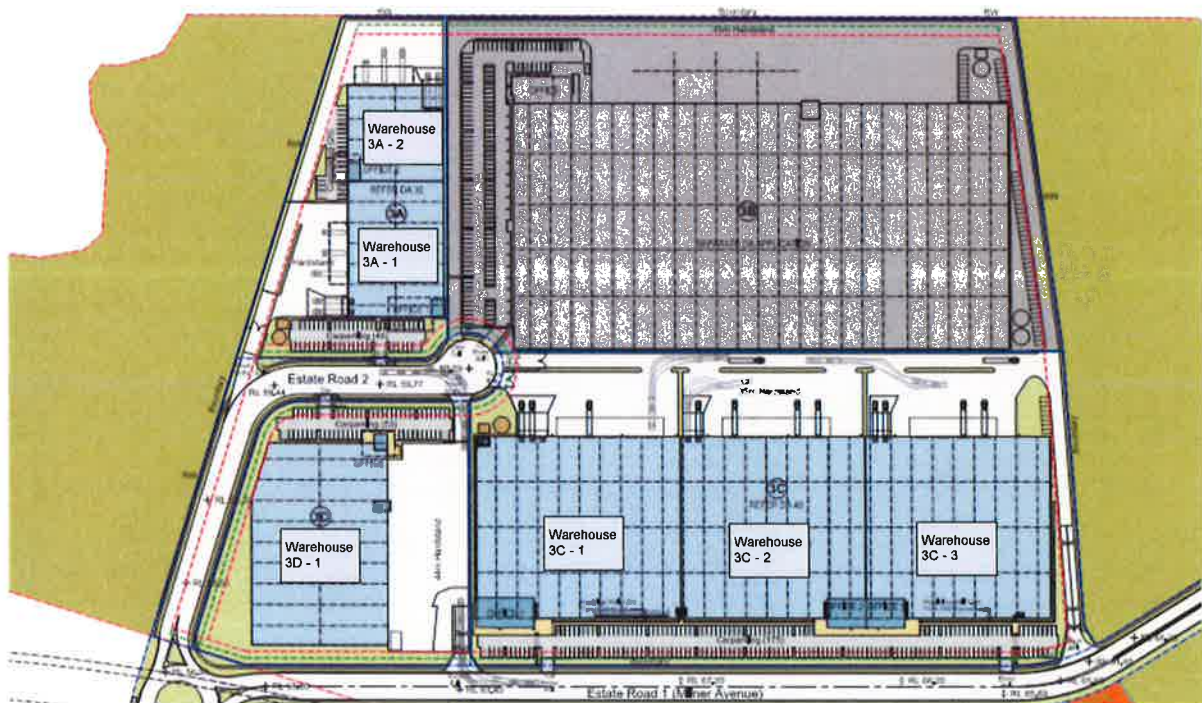


Figure 5: Approved Layout of the SSD 6078 Approval

The proposed modifications to the SSD 6078 approval is shown in **Figure 6** below.

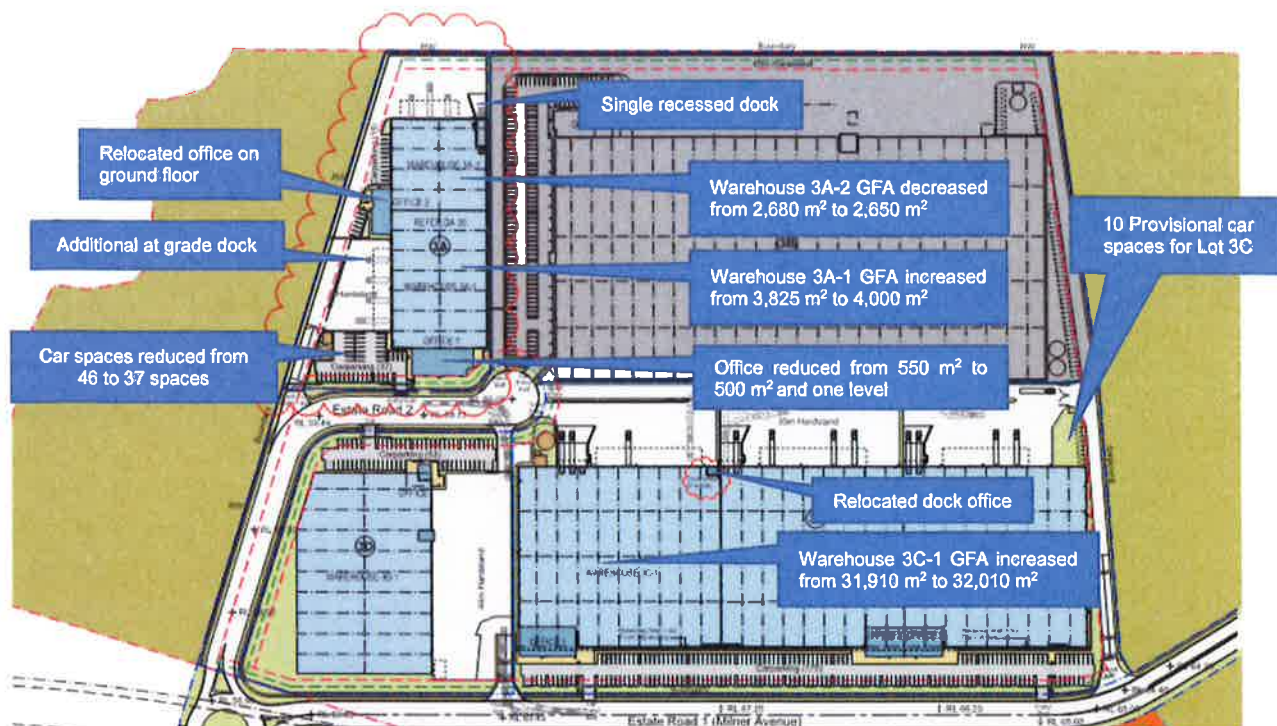


Figure 6: Proposed Layout of the SSD 6078 Modification Application

The Applicant has advised the proposed modifications are sought due to specific user design and layout requirements.

5. STATUTORY CONSIDERATION

5.1 Section 75W – Concept Plan Modification

The Concept Plan was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although Part 3A was repealed on 1 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former Section 75W of the Act.

The Department is satisfied the proposed changes are within the scope of section 75W of the EP&A Act, and do not constitute a new application.

5.2 Section 96 - Modification of SSD Approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications that seek modification approvals:

Table 3: Matters for Consideration

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact.	Section 7 of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied that the proposed modifications will have minimal environmental impacts.
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).	The proposed modification seeks approval for minor changes and does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal is substantially the same as the originally approved development.
The application has been notified in accordance with the regulations.	Due to the minor nature of the modification application, the Department did not consider it required formal exhibition in accordance with the regulations. However, the application was notified to the relevant Government Agencies and stakeholders. Details of the notification are provided in Section 6 of this report.
Any submission made concerning the proposed modification has been considered.	The Department received two submissions on the proposal. The issues raised in submissions have been considered in Section 7 of this report.

5.3 Environmental Planning Instruments (EPIs)

The following EPIs are relevant to the application:

- Fairfield Local Environmental Plan 2013;
- *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. 33 - Hazardous and Offensive Development*;
- *State Environmental Planning Policy No. 64 - Advertising and Signage*;
- *State Environmental Planning Policy No. 55 - Remediation of Land*;
- *Sydney Regional Environmental Plan 2013*; and
- *Sydney Regional Environmental Plan No.20 Hawkesbury - Nepean River*.

The Department undertook a comprehensive assessment of the redevelopment against the abovementioned EPIs in its original assessment. The Department has considered the above EPIs in relation to the modification applications and is satisfied the modification is generally consistent with the EPIs.

5.4 Consent Authority

The Minister for Planning is the consent authority for the application. Under the Minister's delegation of 16 February 2015, the Director, Industry Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The application was notified in accordance with the *Environmental Planning & Assessment Regulation 2000*. The modification request was made publicly available on the Department's website and referred to Fairfield Council for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

- **Fairfield Council** raised no objection to the Concept Plan modification or the SSD modification application.

There were no public submissions received on the proposal.

7. ASSESSMENT

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered:

- the SEE provided to support the proposed modification (see **Appendix B**);
- the Secretary's assessment report for the original development application and subsequent modification application;
- submissions from government authorities (**Appendix B**);
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of the issues associated with the modification application is provided in Table 4 below:

7.1 Other Issues

Table 4: Assessment

Issue	Consideration	Recommendation
<i>Modifications to the Concept Approval</i>	<ul style="list-style-type: none"> The Modification seeks approval to amend the layout of warehouses on Lots 3A and 3C. The Department has assessed the proposed modifications to Lots 3A and 3C and has concluded that: <ul style="list-style-type: none"> the revised building envelopes on Lot 3 are generally consistent with the type of development contemplated under the approved Concept Plan and Design Guidelines; the visual impacts of the amended building envelopes would be generally consistent with the approved warehouse development; and the modification would retain the employment generating potential of the site, consistent with the <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>. It is proposed to consolidate "Services Lot (1)" into Lot 4, increasing the area from 21,615 m² to 31,615 m². This lot is not necessary for the service provision in Oakdale Central and will be located in Oakdale West Estate. The lot was shown in the original concept plans as indicative only. The Department notes Council raised no objection to the proposed modifications. The Department's assessment concludes that the location and reconfiguration of warehouses would allow the Applicant to respond to market demands without resulting in any significant additional impacts. On this basis, the Department's assessment concludes that the proposed modifications to the Concept Approval are acceptable. 	No additional conditions or amendments necessary.
<i>Consistency of SSD modification with Concept Approval</i>	<ul style="list-style-type: none"> The Concept Approval includes key requirements / development controls for the site relating to lot dimensions, site coverage, minimum setbacks, and car parking. The Applicant has provided a Concept Approval consistency table with the modification application, which confirms that the modified development is consistent with the development controls of the Concept Approval. The Department has assessed the proposal against the relevant requirements / development controls of the Concept Approval. The Department notes that the proposed modifications are minor in nature and do not impact on the acceptability of the development. The Department's assessment concludes that the development will continue to be consistent with the Concept Approval. 	No additional conditions or amendments necessary.
<i>Design</i>	<ul style="list-style-type: none"> The proposal includes alterations to the design and appearance of the warehouse and office buildings as a result of the proposed amendments to the location and separation of buildings. No change is proposed to the height of the buildings. The Department considers that the proposed amendments are minor in nature and do not alter the overall building design approach. In addition the amendments would not reduce the architectural quality of the development or jeopardise the achievement of a high standard of warehouse design. The Department's assessment concludes that the modification maintains a high standard of design. 	No additional conditions or amendments necessary.
<i>Amendments to GFA</i>	<ul style="list-style-type: none"> The modification seeks approval for variations in the size of warehouses and associated office space in lots 3A and 3C, which result in an overall increase of 195 m² of warehouse and office space. The Department considers that the amendments would not have an adverse impact on the functionality or operation of the proposed buildings. The Department concludes that in the context of the entire development, the proposed changes are minor and the modification maintains an acceptable overall layout. 	No additional conditions or amendments necessary.
<i>Traffic and car parking</i>	<ul style="list-style-type: none"> The car parking provision has been revised to reflect the amended warehouse and office sizes which results in a reduction of 11 car parking spaces (mainly for warehouses 3A-1 and 3A-2). The modification continues to exceed the minimum number of car parking spaces for the site required by the RMS guidelines by 5 spaces (294 spaces are required and 299 are proposed). The proposed modification would not result in a change to the overall traffic generation associated with the development. 	No additional conditions or amendments necessary.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> The location and arrangement of car parking spaces has been amended throughout Lot 3 in response to the revised building layouts and sizes. The Department considers the new configuration to be acceptable. The Department's assessment concludes the proposal will continue to provide for sufficient on-site parking and the car parking areas are of an acceptable layout. 	
<i>Flooding and Stormwater management</i>	<ul style="list-style-type: none"> The modification does not propose material alterations to site levels. The Department's assessment concludes there no unacceptable flooding impacts would arise from the proposed modifications. 	No additional conditions or amendments necessary.
<i>Other impacts</i>	<ul style="list-style-type: none"> Warehouse 3A-1 (Lot 3A) has a proposed tenant Mulfords Plastics to operate within this warehouse. This is consistent with the approved use of the building for warehouse and distribution purposes. The proposed modification does not involve any changes to the construction or environmental management aspects of the proposal including noise, biodiversity, heritage, soil erosion and site contamination. In addition, the proposed modification does not involve any changes to the operational aspects of the proposal including air quality, noise, hazards or waste management. Existing conditions relating to the installation of traffic barriers and security fencing and incident notification to ensure protection of the Warragamba Pipelines corridor are retained and unaltered. The Department's assessment concludes that the modification is acceptable and notes that the proposal includes a suite of conditions which would appropriately manage and mitigate any residual impacts associated with the proposal. 	No additional conditions or amendments necessary.

8. CONCLUSION

The Department has assessed the modification request and application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modifications are acceptable as they would:

- enable the site to respond to market demand, without reducing the employment generation of the site;
- be generally consistent with the Oakdale Central Concept Approval;
- not result in any additional impacts in terms of traffic, parking, noise or flooding; and
- not result in any unacceptable visual impacts.


9. RECOMMENDATION

It is **RECOMMENDED** that the Director, Industry Assessments, as delegate of the Minister for Planning:


- considers** the findings and recommendations of this report;
- approve** MP 08_0065 MOD 6 under section 75W of the *Environmental Planning and Assessment Act 1979*;
- approve** SSD 6078 MOD 7 under section 96(1A) of the *Environmental Planning and Assessment Act 1979*, subject to conditions; and
- signs** the notices of modification (**Appendix A**).

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Approved by:


Chris Ritchie
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APPENDIX A: NOTICE OF MODIFICATION

The following notices of modification can be found on the Department of Planning and Environment's website as follows:

1. Concept Approval (MP08_0065 MOD 6)

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7967

2. SSD Consent (SSD 6078 MOD 7)

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7969