Modification Report

Westlink Industry Park - Stage 1 (Modification 6)

1030-1048 & 1050-1064 Mamre Road, 59-62 & 63 Abbotts Road, 290-308 Aldington Road, Kemps Creek

Submitted to the Department of Planning, Housing and Infrastructure on behalf of ESR Developments (Australia) Pty Ltd

Prepared by Ethos Urban, a Colliers Company.

4 March 2025 | 2200446

'Gura Bulga'
Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

'Dagura Buumarri'
Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.

'Gadalung Djarri'
Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

In March 2025, Ethos Urban took a major step toward future growth by partnering with leading professional services firm, Colliers. While our name evolves, our commitment to delivering high-quality solutions remains unchanged—now strengthened by broader access to property and advisory services and expertise.

Contact:	Christopher Curtis Director	ccurtis@ethosurban.com

This document has been prepared by:		**This document has been reviewed by:**	
Reuben Jacobson, Lachlan Jones	4 March 2025	Christopher Curtis	4 March 2025

Version No.	**Date of issue**	**Prepared by**	**Approved by**
1.0 (DRAFT)	21/02/2025	RJ, LJ	CC
2.0 (FINAL)	04/03/2025	LJ	CC

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Contents

Figures

Tables

Appendices

Appendix		Author
A.	**Updated Project Description**	*Ethos Urban*
B.	**Statutory Compliance Table**	*Ethos Urban*
C.	**Amended Architectural Drawings**	*Nettletontribe Architects*
D.	**Amended Landscape Drawings**	*Site Image*
E.	**Amended On-Lot Civil Drawings**	*AT&L*
F.	**Traffic and Transport Statement**	*Ason Group*
G.	**Noise Memorandum**	*SLR Consulting*
H.	**Air Quality Memorandum**	*SLR Consulting*
I.	**BCA Assessment Report**	*BM+G*
J.	**Fire Engineering Review**	*Affinity Fire Engineering*

1.0 Introduction

This Modification Report has been prepared on behalf of ESR Developments (Australia) Pty Ltd ('ESR Australia & New Zealand' or 'the Applicant') to support a Modification Application pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify the approved Westlink Industry Park – Stage 1 (Westlink Stage 1) State Significant Development Application (SSDA) (SSD-9138102) located at 1030-1048 & 1050-1064 Mamre Road, 59-62 & 63 Abbotts Road, 290- 308 Aldington Road, Kemps Creek (the Site).

The Modification Application seeks consent for design amendments to Warehouse 3 (Lot 3) (previously known as Warehouse 4) to facilitate the operational requirements of the future customer, a national logistics company who are seeking to expand into Sydney. The proposed modifications include an increase to the ancillary office Gross Floor Area (GFA) and subsequent decrease in warehouse GFA due to the office and dock office replacing loading zone area inside the warehouse footprint, as well as additional parking and other miscellaneous design changes. A detailed description of the proposed modifications is provided in **Section 3.0**.

Specifically, the Modification Application seeks to:

- Increase the size of the ancillary office area for Warehouse 3 and introduce a dock office to facilitate the operational requirements of the future customer, resulting in the following GFA changes:
  - Increase the ancillary office GFA from 480m^2 to 2,400m^2 (+ 1,920m^2), with the additional area located within the warehouse footprint, including the introduction windows on the northern façade;
  - Decrease the warehouse GFA from 16,945m^2 to 15,120m^2 (- 1,825m^2), due to the increase in office area;
  - Addition of a dock office comprising 70m^2 (+ 70m^2) of GFA along the eastern warehouse wall; and
  - Overall increase in total Warehouse 3 GFA from 17,425m^2 to 17,590m^2 (+ 165m^2), due to office area and dock office replacing loading zone area (excluded from GFA calculations).
- Increase in car parking provision and changes to the crossover arrangements, including:
  - Increase car parking from 85 to 146 (+ 61) by adapting the southern hardstand area to meet customer requirements, including supporting safety features such as fencing and pedestrian accessways; and
  - Addition of a new light vehicle entry/exit at the southern end of the Access Road frontage, and subsequent movement of the southern heavy vehicle driveway further to the north.
- Miscellaneous changes, including:
  - Fit-out for warehouse including racking and office to customer requirements; and
  - Relocation of battery charging bays to facilitate additional ancillary office area.
- Modification to Conditions, including administrative amendments to identify Warehouse 3 (Lot 3), previously known as Warehouse 4 (Lot 4), in alignment with the subdivision plan.

This Modification Report describes the proposed modifications and provides an assessment of the relevant matters contained in Section 4.55(1A) of the EP&A Act. It has been prepared with regard to the Department of Planning Housing and Infrastructure's (DPHI's) *State Significant Development Guidelines – Preparing a Modification Report*. It is also accompanied by several supporting technical reports and assessments (see **Appendices**).

1.1 The Applicant

The Applicant's details are presented in **Table 1** below.

Table 1 Applicant Details

Applicant:	ESR Developments (Australia) Pty Ltd
Address:	Level 13, 39 Martin Place, Sydney NSW 2000
ABN:	88 625 766 109
Contact:	Grace Macdonald, NSW Planning Manager – ESR Australia & New Zealand • Phone – 0411 599 155 • Email – grace.macdonald@esr.com

1.2 Background

1.2.1 The Site

The Site is located at the southern end of the MRP, which sits within the broader Western Sydney Employment Area (WSEA) and the Western Sydney Aerotropolis. It was rezoned in 2020 as part of the gazettal of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*, now the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP), with the Site now zoned IN1 General Industrial.

The Site comprises five (5) separate allotments under ESR Australia & New Zealand ownership, identified as 1030-1048 & 1050-1064 Mamre Road, 59-62 & 63 Abbotts Road and 290-308 Aldington Road, Kemps Creek (Lot 111, 112, 113, 114, and 115 in DP253503). It is accessed via Abbotts Road and Mamre Road to the west, and Aldington Road to the north.

A Site Aerial Map illustrating the Site and its immediate surrounding context is provided in **Figure 1** below.

Figure 1 Site Aerial Map

Source: Nearmap, edits by Ethos Urban

1.2.2 Approved Development

Westlink Stage 1 (SSD-9138102) relates to land identified as 1030-1048 & 1050-1064 Mamre Road, 59-62 & 63 Abbotts Road and 290-308 Aldington Road, Kemps Creek (the Site). It was approved by the Department of Planning, Housing and Infrastructure (DPHI) on 21 April 2023 for the following:

> *Construction of the first stage of an industrial estate including bulk earthworks, subdivision, construction, fit out and operation of two warehouse buildings and ancillary office space with a total gross floor area of 81,317m^2, landscaping, construction of estate roads and external road upgrades, site servicing and stormwater infrastructure.*

The SSDA has been subject to five (5) previous modifications with this Modification Application representing the sixth (6th) modification (MOD 6). The latest modifications to Lot 3 were approved under MOD 2, with a summary of previous Modification Applications provided in **Table 2** below.

Table 2 Summary of Previous Modification Applications

Modification	Description	Status
MOD 1 – Bulk Earthworks Fill Location	• Amend the approved bulk earthworks to enable excess fill from the excavation for Lot 1 (Warehouse 1) and Lot 3 (Warehouse 3) building pads to be used for the filling of the future Lot 5.	Withdrawn
MOD 2 – Lot 4 Trunk Drainage and Warehouse Design	• Reduce the approved trunk drainage channel width and subsequent amendments to the design of Warehouse 3 and stormwater infrastructure; and • Amend the private access road length and design.	Approved
MOD 3 – Warehouse 1 minor design changes	• Various minor design amendments to Warehouse 1 to meet future customer requirements.	Approved
MOD 4 – Northern Boundary Retaining Wall	• Amend the design of the retaining wall along the northern boundary, adjacent to Warehouse 1, due to changes in levels on the neighbouring site.	Assessment
MOD 5 – External Road Upgrades	• Construction of external road upgrades including Mamre Road and Abbotts Road intersection works, widening of Abbotts Road and widening of a section of Aldington Road.	Approved

The currently approved Estate Plan, approved under MOD 2, is presented in **Figure 2** below.

Figure 2 Approved Estate Plan (MOD 2)

Source: Nettletontribe Architects

1.2.3 Westlink Industry Park

Westlink Stage 1 (SSD-9138102) forms part of the Westlink Industry Park currently being developed by ESR Australia & New Zealand in the southern portion of the Mamre Road Precinct (MRP). It is envisaged to be an integrated, world-class industrial logistics estate providing innovative solutions for a wide variety of high-profile customers with national or international operations.

The current Westlink Industry Park masterplan with Lot 3 outlined in red is presented in **Figure 3**. It is noted that Warehouse 3 was previously known as Warehouse 4, with the warehouse and lot references updated to align with the subdivision plan for consistency. The broader Westlink Industry Park comprises seven (7) development lots with a total GFA of approximately 300,000m^2. The delivery of development lots is being staged with Lot 3 currently being constructed and a description of all stages provided in **Table 3** following.

Figure 3 Westlink Industry Park Masterplan

Source: Nettletontribe Architects

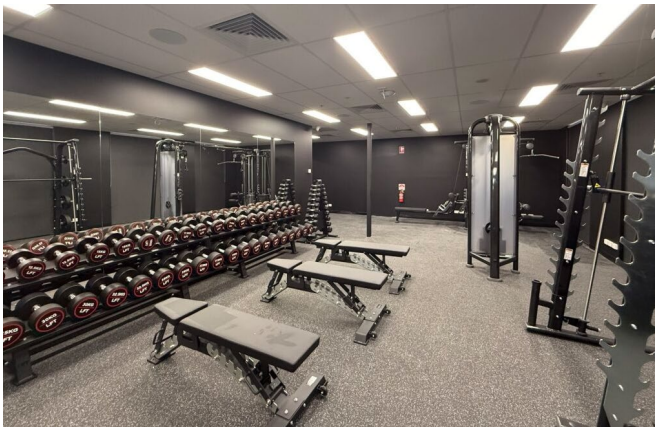
Table 3 Westlink Industry Park – Staging Summary

Lot	Warehouse	Gross Floor Area	Application No.	Status
Lot 1	Warehouse 1	63,857m^2	SSD-9138102	Approved / Under Construction
Lot 2	Warehouse 2	12,000m^2	DA24/0734	Under Assessment
Lot 3	Warehouse 3	17,460m^2	SSD-9138102	Approved / Under Construction
Lot 4	Warehouse 4A	15,640m^2	SSD-77255706	EIS Test of Adequacy
	Warehouse 4B	15,600m^2		
	Warehouse 4C	16,960m^2		
	Warehouse 4D	19,950m^2		
Lot 5	Warehouse 5A	23,650m^2	SSD-77255474	EIS Test of Adequacy
	Warehouse 5B	33,590m^2		
Lot 6	Warehouse 6	37,490m^2	SSD-46983729	Under Assessment
Lot 10	Warehouse 10A	26,390m^2	DA24/0703	Under Assessment

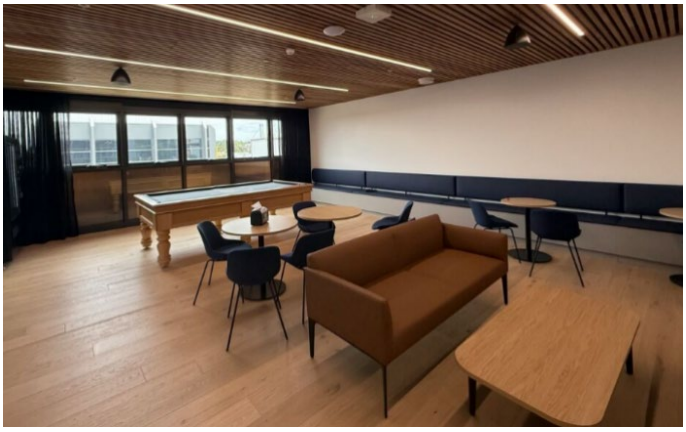
1.2.4 Future Customer

In late 2024, the Applicant secured an agreement with the future customer for the lease of Warehouse 3 at the Westlink Industry Park. The future customer is a privately owned courier and truck company operating across Australia, providing a broad range of freight delivery services and accommodating various transport needs.

The customer intends to expand and have an office and warehouse facility in Sydney. They require areas to support the management and coordination of logistics operations with a key focus on employees. The expanded office fit-out seeks to comfortably accommodate its employees. The customer's aspiration is to have a fit-out with high-quality materials and finishes, incorporating modern layouts and a high level of amenity, including gyms, breakout rooms, end-of-trip facilities, and large lunch areas. Reference photos (refer to **Figure 4**) of an existing warehouse and office which illustrates the high quality fit-out and amenity for workers, which is used as inspiration for Warehouse 3 fit out.

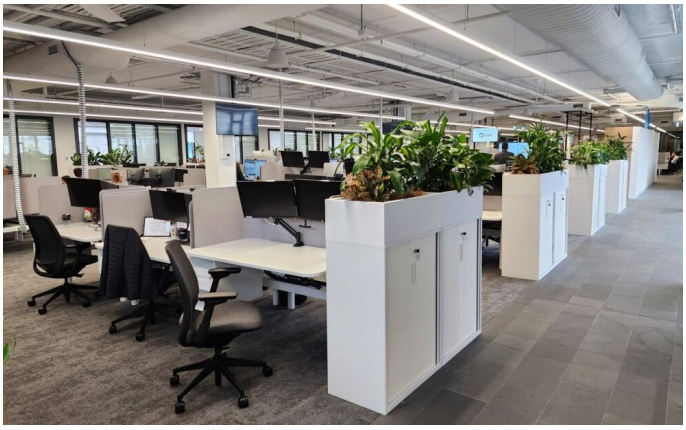


Gym Room



Collaboration and Leisure Area

Kitchen and Lunch Space



Office Space

Figure 4 Future Customer – Office Fit-out Precedent

Source: ESR Australia & New Zealand

1.3 Analysis Of Alternatives

There has been consideration for multiple alternatives as part of the designed development phase by the Applicant in consultation with the future customer, as presented in **Table 4** below.

Table 4 Analysis of Alternatives

Option	Analysis
Option 1 – Retain Existing Approved Design	Retaining the existing approved design is not appropriate or feasible as it will not meet the operational needs of the future customer. The future customer is seeking to utilise Warehouse 3 to expand and have an office and warehouse facility in Sydney, including as a base for technical staff and critical equipment to support the operation of the logistics business across the State.
Option 2 – Alternative Design	A detailed design process has been undertaken between the Applicant and future customer to determine the most appropriate design that meets the requirements of the future

Option	Analysis
	customer. Timing of delivery played an important factor given the Warehouse 3 is under construction. The process involved starting from a shell, progressing to an indicative fitout, then room requirements, then detailed design, before the finalisation of the amended Architectural Drawings (**Appendix C**). The process undertaken ensured that the optimal design was achieved with alternative designs therefore not considered to best meet the operational requirements or aspirations of the future customer.
Option 3 – As Proposed to be Modified	The proposed modifications best accommodate the necessary design amendments to support the future customer's operational requirements for a new warehouse and office and supporting logistics operations across NSW. It has included significant collaboration and design development to date between the future customer and ESR Australia & New Zealand, as well as the Lot 3 builder, to determine the best overall outcome.

2.0 Strategic Context

The strategic context of the development, as proposed to be modified, remains substantially the same as approved on 21 April 2023. Since then, construction of the approved development has commenced with the site infrastructure works and Lot 1 development nearing completion at the time of writing, and construction now well underway on Lot 3 which is due to complete in the second half of 2025.

The proposed modifications do not alter the alignment of Lot 3 with the relevant strategic planning context for the following reasons:

- It will continue to provide industrial employment floorspace for the purposes of a *Warehouse or distribution centre* within a designated industrial precinct, consistent with the MRP Structure Plan;
- It will continue to leverage the Site's proximity to key freight transport corridors in Western Sydney, as well as Western Sydney International (Nancy-Bird Walton) Airport (WSI Airport); and
- It will continue to support the protection of industrial land and increased efficiency of freight and logistics in the Greater Sydney Region and Western Sydney, consistent with the *Greater Sydney Region Plan – A Metropolis of Three Cities* (Region Plan) and *Our Greater Sydney 2056 – Western City District Plan* (District Plan).

3.0 Description of the Modifications

This section describes the proposed modifications to the approved development under Westlink Stage 1 (SSD-9138102). It also outlines why the development, as proposed to be modified, is substantially the same development as that originally approved.

3.1 Overview

The Modification Application seeks consent for design amendments to Warehouse 3 (Lot 3) (previously known as Warehouse 4) to facilitate the operational requirements of the future customer. The proposed modifications includes an increase to the ancillary office Gross Floor Area (GFA) and subsequent decrease in warehouse GFA due to the office and dock office replacing loading zone area inside the warehouse footprint, as well as additional parking and other miscellaneous design changes.

Specifically, the Modification Application seeks to:

- Increase the size of the ancillary office area for Warehouse 3 and introduce a dock office to facilitate the operational requirements of the future customer, resulting in the following GFA changes:
  - Increase the ancillary office GFA from 480m^2 to 2,400m^2 (+ 1,920m^2), with the additional area located within the warehouse footprint, including the introduction windows on the northern façade;
  - Decrease the warehouse GFA from 16,945m^2 to 15,120m^2 (- 1,825m^2), due to the increase in office area;
  - Addition of a dock office comprising 70m^2 (+ 70m^2) of GFA along the eastern warehouse wall; and
  - Overall increase in total Warehouse 3 GFA from 17,425m^2 to 17,590m^2 (+ 165m^2), due to office area and dock office replacing loading zone area (excluded from GFA calculations).
- Increase in car parking provision and changes to the crossover arrangements, including:
  - Increase car parking from 85 to 146 (+ 61) by adapting the southern hardstand area to meet customer requirements, including supporting safety features such as fencing and pedestrian accessways; and
  - Addition of a new light vehicle entry/exit at the southern end of the Access Road frontage, and subsequent movement of the southern heavy vehicle driveway further to the north.
- Miscellaneous changes, including:
  - Fit-out for warehouse including racking and office to customer requirements; and
  - Relocation of battery charging bays to facilitate additional ancillary office area.
- Modification to Conditions, including administrative amendments to identify Warehouse 3 (Lot 3), previously known as Warehouse 4 (Lot 4), in alignment with the subdivision plan.

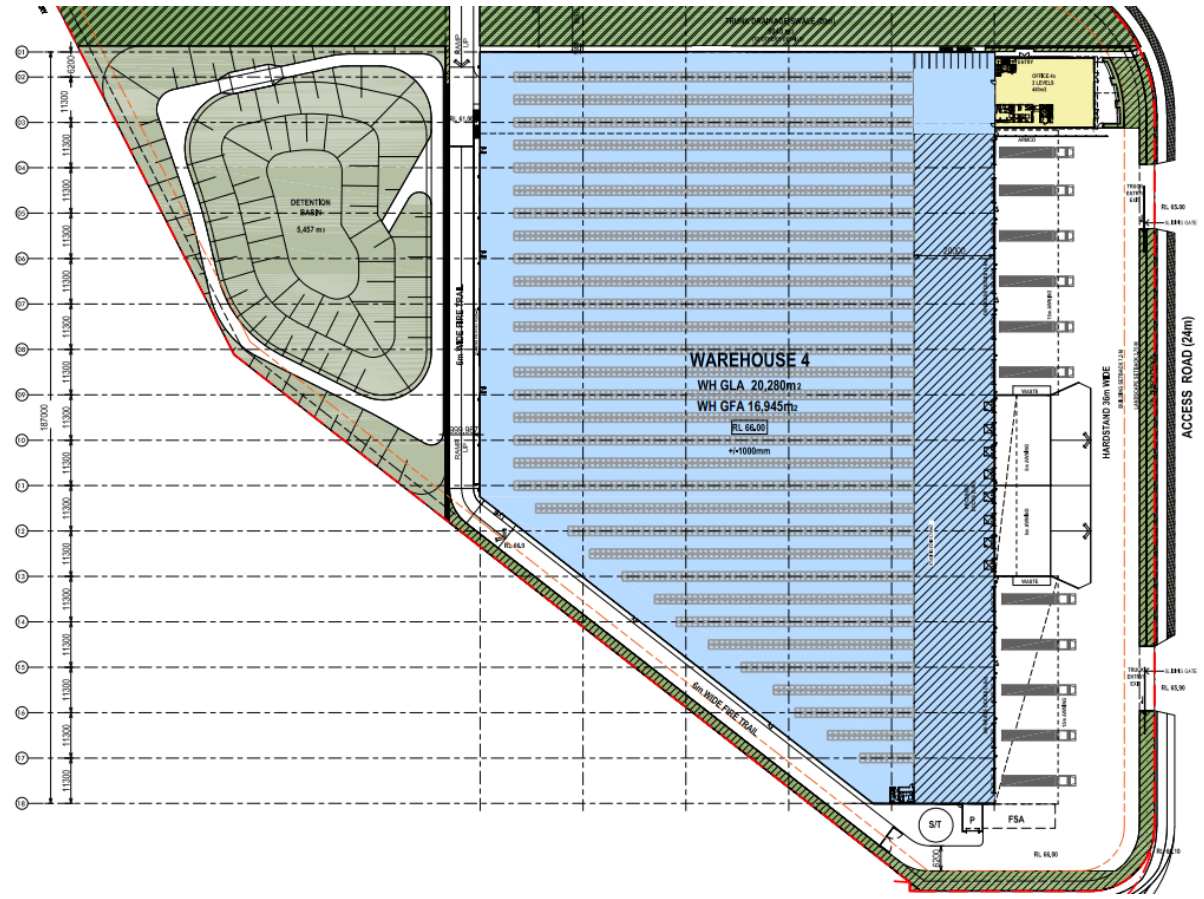
The proposed modifications are depicted on the amended Architectural Drawings prepared by Nettletontribe Architects included at **Appendix C**. The proposed modifications are described in detail in the following sections, with an updated project description has been provided at **Appendix A**.

It is noted that other changes are depicted on the proposed drawings and not clouded. These have been approved by BM+G through CC documentation and include changes to the firefighting infrastructure, rainwater tanks, waste area, and incorporation of an emergency backup generator on the hardstand.

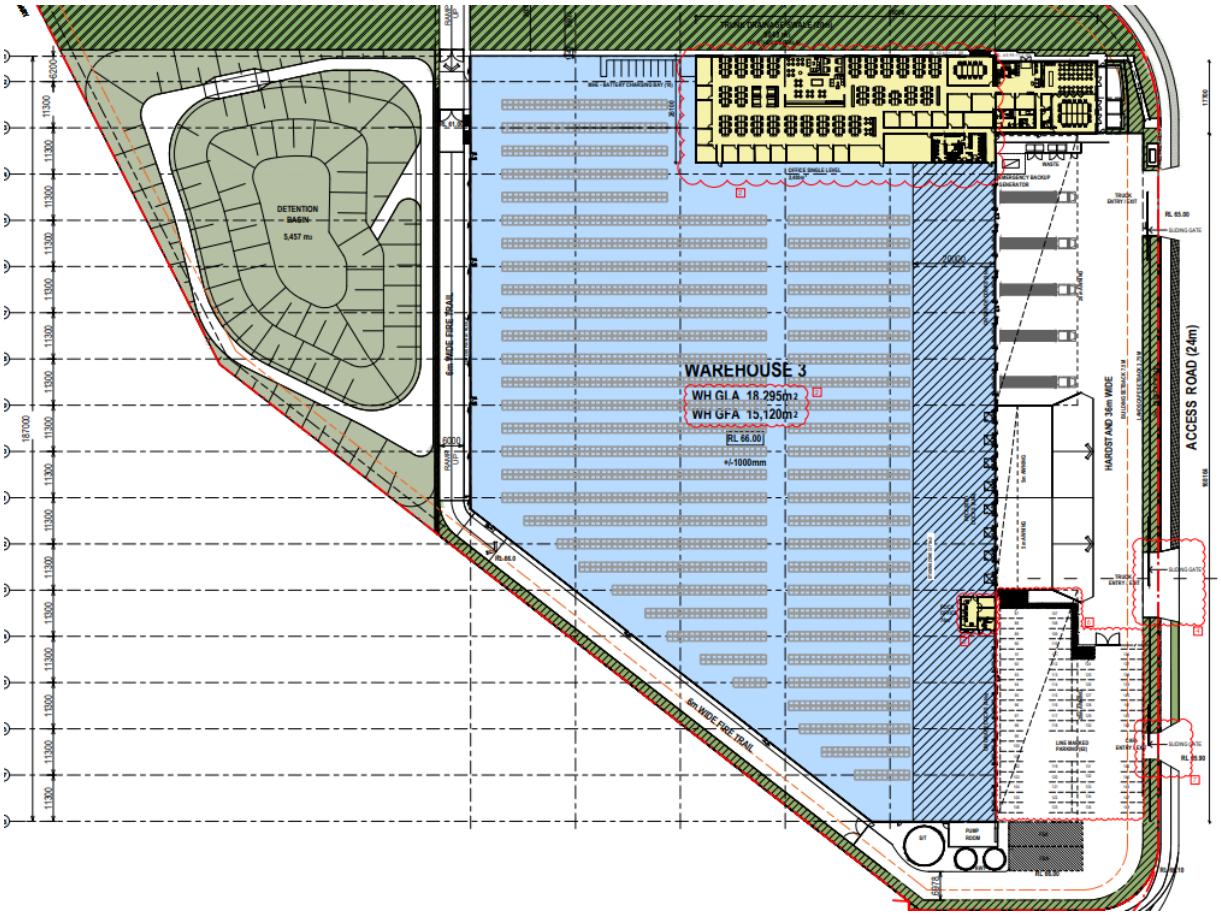
A comparison of the key approved development and proposed modification components is provided in **Table 5**, with a comparison of the approved and proposed Lot 3 Site Plan provided in **Figure 5** on the following page.

Table 5 Comparison of Key Development Information – Approved and Proposed

Item	Component	Approved	Proposed	Change
Gross Floor Area	**Warehouse**	16,945m^2	15,120m^2	- 1,825m^2
	Office	480m^2	2,400m^2	+ 1,920m^2
	Dock Office	-	70m^2	+ 70m^2
	Total	**17,425m^2**	**17,590m^2**	**+ 165m^2**
Warehouse / Office Area Ratio		97% / 3%	84% / 16%	- 13% / +13%
Car Parking		85	146	+ 61



Approved Lot 3 Site Plan



Proposed Lot 3 Site Plan

Figure 5 Comparison of Approved and Proposed Lot 3 Site Plan

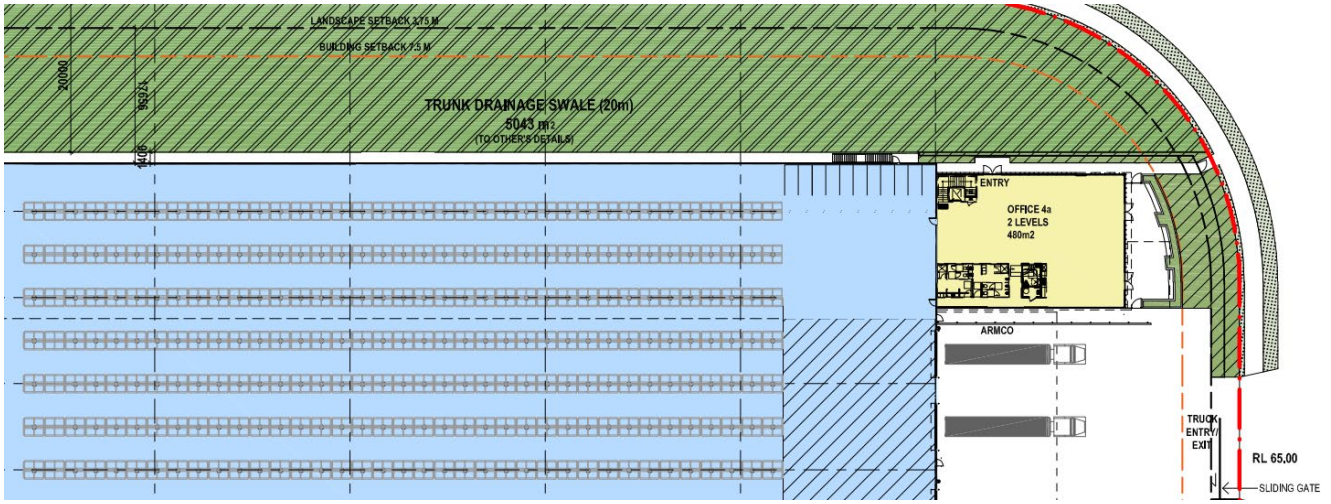
Source: Nettletontribe Architects

3.2 Ancillary Office Area and Dock Office

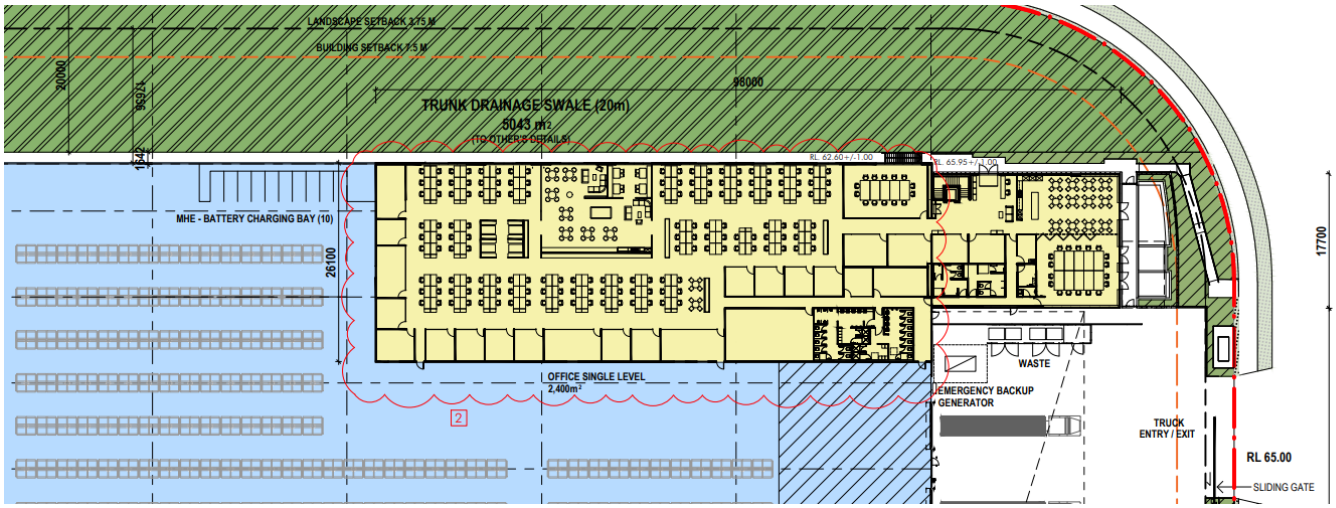
3.2.1 Ancillary Office Area

The proposed modifications seek to expand the ancillary office area from 480m^2 to 2,400m^2 (+ 1,920m^2) to facilitate the operational requirements of the future customer. It will support the provision of larger workstations, enhanced recreational and break areas, and improved staff amenities.

The proposed changes to the ancillary office area includes the conversion of the north-eastern corner of the warehouse to an expanded single-level ancillary office area. The expanded office area includes a large open office area with dedicated office areas and meeting rooms throughout, as well as a large amount of staff amenities including large lunch and collaboration areas and a gym. Further, natural light will be provided through windows to the north and south within the warehouse. A comparative illustration of the approved and proposed office space footprints and layout is provided in **Figure 6** below.



Approved Lot 3 Office Footprint



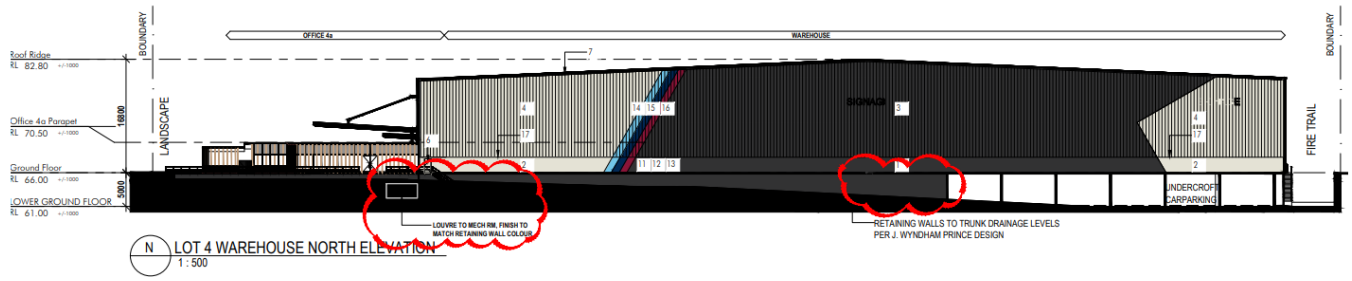
Proposed Lot 3 Office Footprint

Figure 6 Comparison of Approved and Proposed Lot 3 Office Footprint

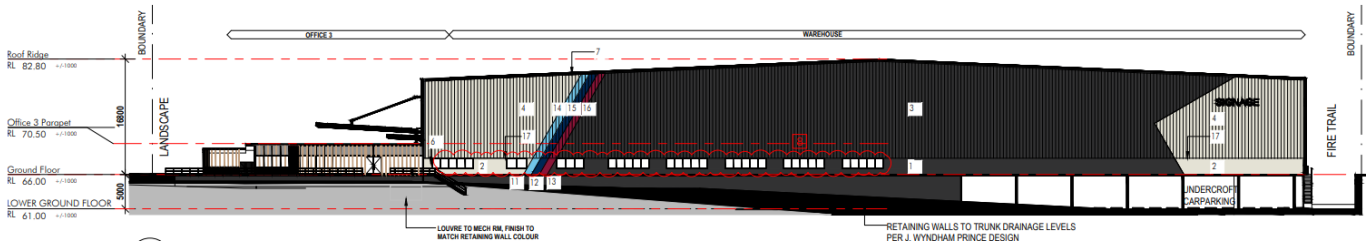
Source: Nettletontribe Architects

The proposed increase in ancillary office area into the warehouse footprint has subsequently resulted in a decrease of the warehouse GFA from 16,945m^2 to 15,120m^2 (-1,825m^2). The proposed design is aligned with the aspirations of the future customer, with a detailed design process occurring prior to determining the best outcome to achieve future operation objectives. It is noted a void will be located between the office roof and the roof of Warehouse 3, with this space not proposed to be used for warehouse use and will include mechanical equipment for the office such as air conditioner units.

The proposed changes associated with the ancillary office area also include the incorporation of windows along the associated area of the northern elevation. It will enable natural light within the enlarged office area with views of the naturalised trunk drainage channel to be delivered along the northern boundary of Lot 3. A comparative illustration of the approved and proposed northern elevation is provided in **Figure 7** below.



Approved Warehouse 3 Northern Elevation



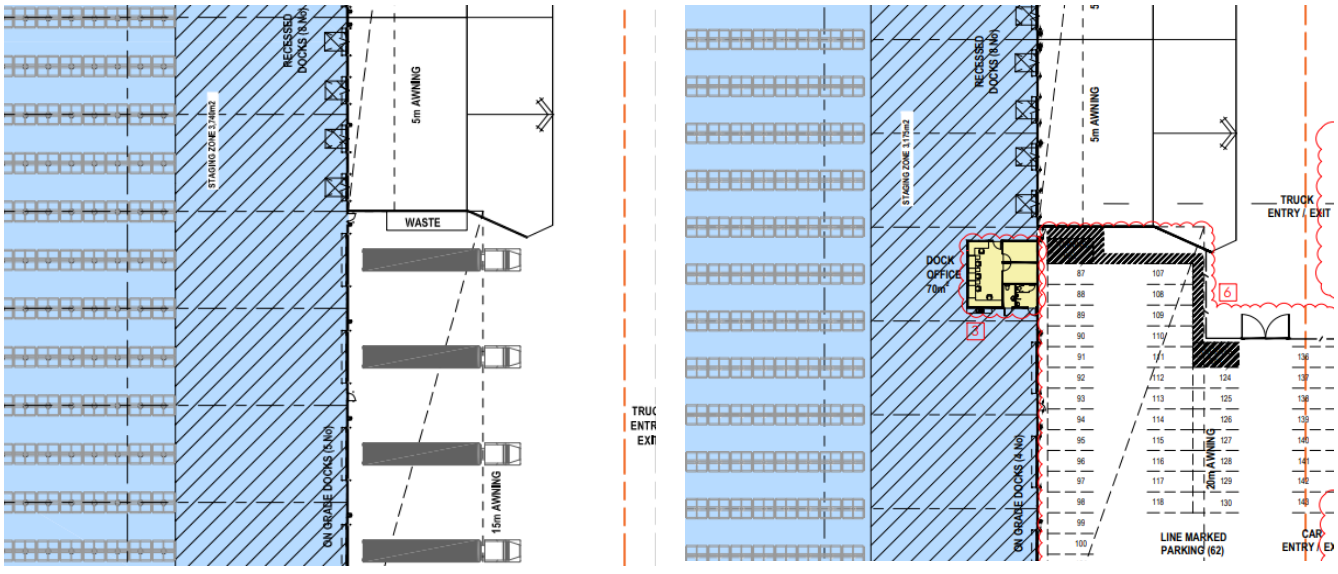
Proposed Warehouse 3 Northern Elevation

Figure 7 Comparison of Approved and Proposed Warehouse 3 Northern Elevation

Source: Nettletontribe Architects

3.2.2 Dock Office

The proposed modifications include the addition of a dock office, as requested by the future customer, to support operations on the loading dock. It includes 70m² of ancillary office GFA and will adjoin the eastern warehouse wall, resulting in the removal of one (1) roller shutter door and an increase in overall GFA as it replaces area previously dictated as loading zone area. A comparative illustration of the approved and proposed Lot 3 Site Plan is provided in **Figure 8** below.



Approved Lot 3 Site Plan

Proposed Lot 3 Site Plan

Figure 8 Comparison of Approved and Proposed Warehouse 3 Site Plan – Dock Office

Source: Nettletontribe Architects

3.2.3 Summary

In summary, the total GFA has increased by approximately 165m² due to the enlarged ancillary office space and new dock office replacing existing loading zone area (excluded from GFA calculations). As such, the increase in GFA does not involve any substantial physical changes to the approved building footprint or envelope, as it utilises existing area within the approved building footprint.

3.3 Car Parking and Driveways

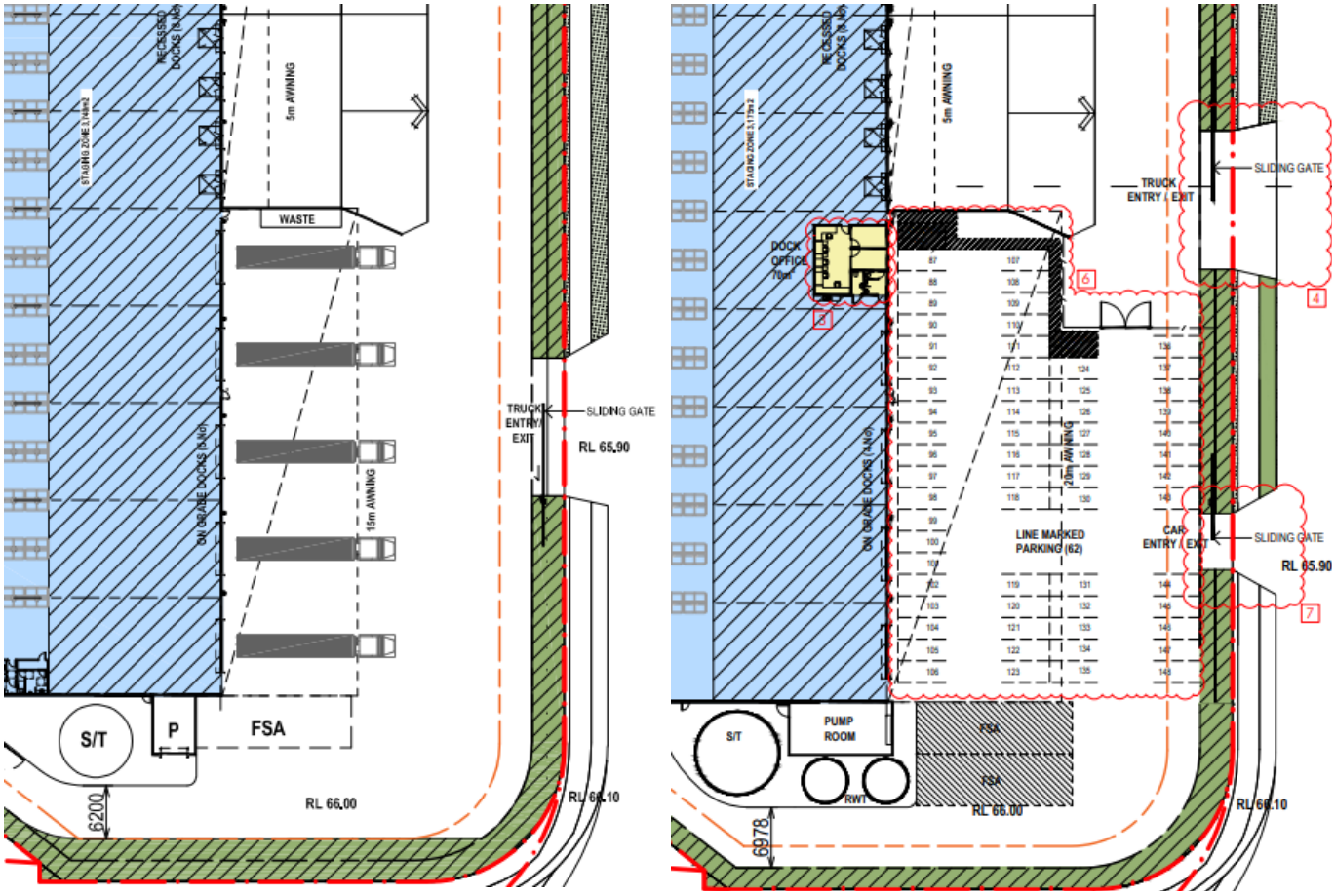
In order to support the additional ancillary office space and the operations of the future customer, the car parking provision is proposed to increase from 85 to 146 (+ 61) car parking spaces. The additional car parking spaces are proposed to be located along the southern portion of the Lot 3 hardstand area, with the area proposed to be converted from a heavy vehicle loading area to a dedicated light vehicle area (refer to **Figure 9**).

It includes supporting safety features such as fencing to separate the car parking area from the heavy vehicle area and pedestrian access ways to support safe pedestrian access. Pedestrian access from the car parking is available directly to the warehouse adjacent to the dock office, or to the office via the pedestrian pathway along the Access Road to the east, as illustrated in **Figure 10**.

It is noted the on-grade loading docks along the southern portion of the Lot 3 hardstand area are not proposed to be removed to future proof the warehouse. It is also noted that expansion of the Lower Ground Floor car park is not possible or feasible given the on-site civil works have progressed past the stage in which expansion is possible. The additional car parking has resulted in the need to provide one (1) additional accessible car parking spaces, with the additional space provided on the Lower Ground Floor car parking which has been subsequently reconfigured.

A new light vehicle entry/exit driveway is proposed adjacent to the southern portion of the hardstand to support access to the new car parking area. In addition, the approved southern heavy vehicle driveway is proposed to be moved to the north to enable heavy vehicle access that is not impeded by the new car park area. The proposed changes to the driveways has been incorporated onto the amended On-Lot Civil Drawings prepared by AT&L and included at **Appendix E**. As a result of the proposed modifications, minor changes are proposed to the approved landscape design, as depicted in the amended Landscape Drawings prepared by Site Image at **Appendix D**.

A comparative illustration of the approved and proposed southern hardstand and driveway design is presented in **Figure 9** below.



Approved Lot 3 Site Plan

Proposed Lot 3 Site Plan

Figure 9 Comparison of Approved and Proposed Warehouse 3 Site Plan – Car Parking and Hardstand

Source: Nettletontribe Architects

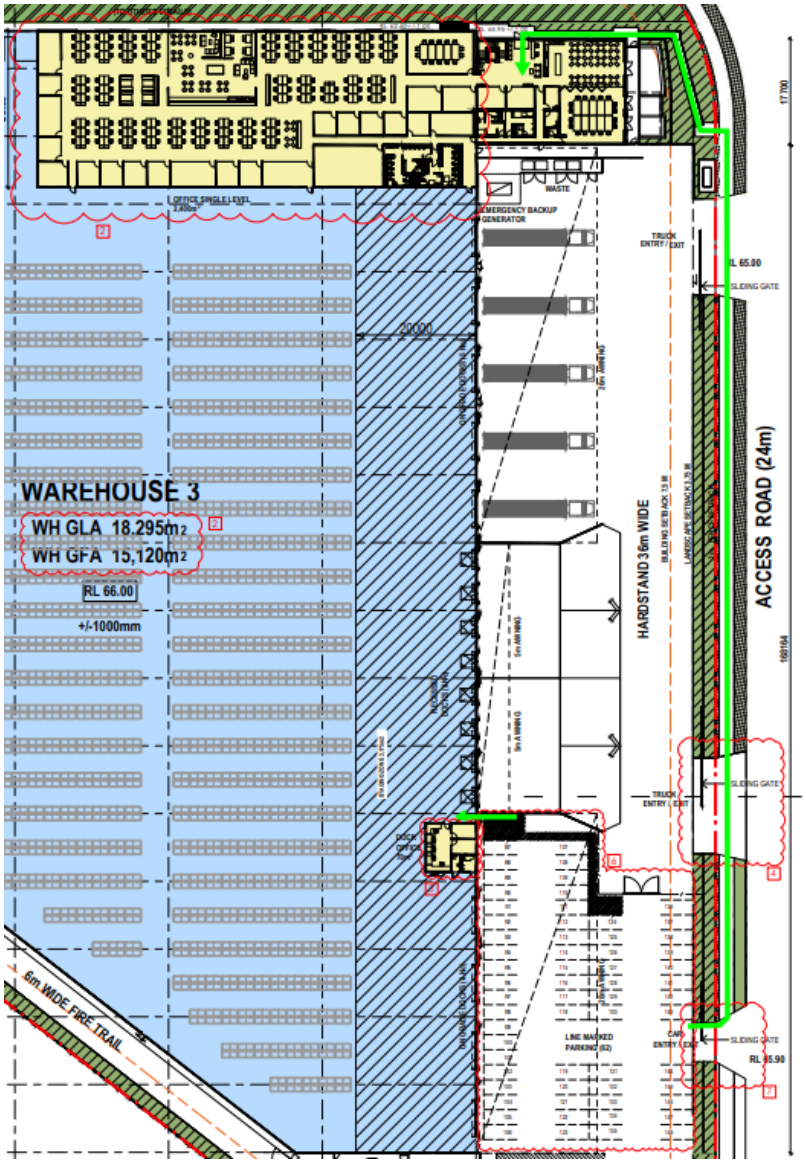


Figure 10 Pedestrian Access Plan

Source: Nettletontribe Architects, edits by ESR Australia & New Zealand

3.4 Miscellaneous

Fit-out of Warehouse and Office

The proposed modifications include the fit-out of the warehouse and ancillary office, as indicated on the amended Architectural Drawings (**Appendix C**).

Battery Charging Bays

Due to the proposed expansion of the ancillary office area, the battery charging bay is proposed to be relocated within Warehouse 3, further west from the approved position. The battery charging bay remains positioned along the northern façade of the warehouse, now situated adjacent to the western wall of the expanded ancillary office area.

Other Changes

We noted that other changes are depicted on the amended Architectural Drawings (**Appendix C**), and are not clouded. These have been approved by BM+G through CC documentation, and therefore not proposed under this Modification Application. The amended Architectural Drawings (**Appendix C**) therefore only depict the proposed modifications requiring approval, with the clouding of all changes not appropriate given the number of minor changes approved through CC documentation.

The design changes approved by BM+G through CC documentation include changes to the firefighting infrastructure, rainwater tanks, waste area, and incorporation of an emergency backup generator on the

hardstand. Specifically, it includes an increased area and provision of firefighting equipment and rainwater tanks at the southern of the Site, including expansion to the fire standard area, pump room, septic tank, and rainwater tanks. Further, the waste area has moved to the northern end of the hardstand and increased in area.

The other changes also include the provision of an emergency backup diesel generator on the northern end of the Lot 3 hardstand area. The indicative generator is a single 800 kW CU1102TV - CU1102TVSC-20 unit contained within a 20 foot container and supported by an external 2,000L fuel tank. It would only be used in the event of an electrical power outage and during maintenance which would occur every six (6) months during the daytime period for typically less than 1 hour. Its purpose is to support the critical infrastructure and operations of the future customer in the event of an electrical power outage, including continued operation of computer servers and networks that will be located on-site and essential to national operations. The noise and air quality impacts of the generator have been assessed to confirm no impacts will occur, with discussion included in **Section 6.0**.

3.5 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. It includes amendments to the maximum GFA, approved plans, and administrative changes to the identification of Warehouse 3 (Lot 3), previously Warehouse 4 (Lot 4). Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italics*** below.

Schedule 1

Development: Construction of the first stage of an industrial estate including bulk earthworks, subdivision, construction, fit out and operation of two warehouse buildings and ancillary office space with a total gross floor area of ~~**81,282**~~ ***81,447***m^2, landscaping, construction of estate roads and external road upgrades, site servicing and stormwater infrastructure.

Schedule 2

Part A – Administrative Conditions

Limits Of Consent

A6. The maximum GFA for development on the site must not exceed the limits in Table 1.

Land Use	Maximum GFA (m^2)
Warehouse or distribution centres	~~**79,031**~~ ***77,241***
Ancillary offices	~~**2,286**~~ ***4,206***
Total	~~**81,317**~~ ***81,447***

Part B – Specific Environmental Conditions

Operational Traffic Management Plan

B3A. Prior to the commencement of operation of Warehouse ***4 3***, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for Warehouse ***4 3*** to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by Condition C5 and must:

Landscaping

B38. Within six months of the date of this consent, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must:

(c) ensure adequate planting is implemented to provide screening between the basin and retaining wall on Lot ***4 3*** (as shown in the landscape plans titled Kemps Creek Logistics Park SSDA Report Landscape Concept plan, prepared by Site Image and dated 14 February 2023);

Operational Noise Limits

B53. The Applicant must ensure that noise generated by:

(b) all fixed external mechanical plant for the warehouse building on Lot ***4 3*** does not exceed a cumulative sound power level of LAeq(15min) 86 dB(A); and

Part D – External Road Works

Internal Access Roads

D10. Prior to the commencement of operation of Warehouse ***4 3***, the Applicant must construct and operate the north-south internal road works shown in Figure 1 in Appendix 1 to the satisfaction of the relevant road authority.

Timing

D17. The Applicant must execute a Voluntary Planning Agreement with Council to complete the remaining stages of the Abbotts and Aldington Road widening works, within 12 months of the date of consent of SSD-9138102-Mod-5 and prior to the issue of an occupation certificate for warehouse ***4 3***.

D18. The Applicant must complete the External Road Works to the satisfaction of the relevant roads authorities prior to operation of warehouse ***4 3***.

D20. The Applicant must not:

(a) undertake any subsequent development, including exempt or complying development, on the Stage 1 site shown in Figure 1 in Appendix 1; and

(b) commence operation of warehouse ***4 3***;

until the External Road Works are completed to the satisfaction of the Planning Secretary.

Appendix A

Table 4 Schedule of Approved Plans

Drawing No.	Title	Issue	Date
Architectural Drawings prepared by Nettletontribe Architects			
DA102	Estate Plan – Stage 1	~~**P28**~~ ***P32***	~~**22/02/2024**~~ ***14/02/2025***
DA104	Lower Ground Floor Plan – LOT ***4 3***	~~**P9**~~ ***P11***	~~**21/04/2024**~~ ***14/02/2025***
DA106	Ground Floor Plan – LOT ***4 3***	~~**P29**~~ ***P33***	~~**21/06/2024**~~ ***03/03/2025***
DA108	Roof Plan – LOT ***4 3***	~~**P13**~~ ***P15***	~~**13/12/2023**~~ ***11/02/2025***
DA124	Elevations – LOT ***4 3***	~~**P14**~~ ***P15***	~~**21/04/2024**~~ ***03/03/2025***
Tree Canopy Plan prepared by Site Image			
STAGE1_SK001	Tree Canopy Plan	~~**G**~~ ***A***	~~**13/05/2024**~~ ***25/02/2025***

4.0 Statutory Context

This section identifies the relevant statutory context in relation to the Modification Application for Westlink Stage 1 (SSD-9138102). The relevant statutory context is outlined and assessed in **Table 6** below.

Table 6 Statutory Context

Statutory Requirement	Assessment
Power to Grant Consent	Section 4.55(1A) of the EP&A Act enables a consent authority to modify a development consent if: *(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 any period prescribed by the regulations or provided by the development control plan, as the case may be.* **Minimal Environmental Impact** The proposed modifications are of minimal environmental impact as: • The design changes are a result of future customer operational requirements, primarily internal, and do not impact on any external receivers; and • The proposed design changes are minor in nature and therefore will not result in any perceptible environmental impact. An assessment of the anticipated impacts of the proposed modifications is provided in **Section 6.0**, which is supported by input from technical consultants (see **Appendices**). As such, the consent authority can be satisfied that the Modification Application constitutes minimal environmental impact, and subsequently approve the proposed modifications under Section 4.55(1A) of the EP&A Act. **Substantially the Same Development** The development, as proposed to be modified, is substantially the same development as that originally approved, in that: • The proposed modifications are relatively minor in nature and are in response to the operational requirements of the recently secured future customer for Lot 3, who require specific design changes to accommodate their aspirations for Lot 3 and their employees; • The Lot 3 development remains as originally approved in terms of its intended use, being a *Warehouse or distribution centre*, as well as overarching design principles; • The proposed increase in ancillary office GFA does not exceed 20% of the total GFA for Lot 3; • The proposed modifications do not alter the key components of the approved development, being an industrial estate with supporting infrastructure; • The operational elements of the development remain generally unchanged, with modification elements purely being a refinement to ensure the efficient operation of the development by the future customer; and • The proposed modifications only present a marginal increase in the GFA and are located within the existing building envelope. As such, the consent authority can be satisfied that the development, as proposed to be modified, is substantially the same development as that originally approved. The Modification Application can therefore be lawfully made under Section 4.55(1A) of the EP&A Act.
Permissibility	The proposed modifications do not seek to alter the use of the approved land use. As discussed in **Section 1.2.4**, the future customer is a privately owned courier and taxi truck company operating across Australia, providing a broad range of freight delivery services and accommodating various transport needs. The use of Lot 3 by the future customer will therefore align with the definition of the *Warehouse or distribution centre* use under the Standard Instrument.
Other Approvals	The proposed modification does not relate to any 'other approvals'.

Statutory Requirement	Assessment	
Mandatory Matters for Consideration	*State Environmental Planning Policy (Industry and Employment) 2021*	The development remains consistent with relevant provisions of the Industry and Employment SEPP with an assessment of the relevant matters provided at **Appendix B**.
	State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 3 of the Resilience and Hazards SEPP applies to development which falls under the policy's definition of 'potentially hazardous industry' or 'potentially offensive industry'. Specifically, Section 3.12 stipulates that the consent authority must consider matters relating to potentially hazardous and offensive development. The Proposal is not classified as 'potentially hazardous industry' as it would not store dangerous goods in excess of the screening thresholds set out in DPHI's Applying SEPP 33 guideline. It is also not classified as a 'potentially offensive industry'. Specifically, the 2,000L diesel tank accompanying the emergency back-up generator is below 5 tonnes and more than 2m away from the Site boundary. It is therefore below the relevant screen levels established under the Applying SEPP 33 guideline.
	Mamre Road Precinct Development Control Plan	The development remains consistent with relevant provision of the MRP Development Control Plan (DCP) with an assessment of the relevant matters provided at **Appendix B**.

5.0 Community Engagement

This section describes the engagement undertaken during the preparation of the Modification Report as well as any engagement to be carried out following the preparation of the Modification Report.

5.1 Engagement Carried Out

Following the approval of Westlink Stage 1 development in April 2023, the Applicant has consulted with other relevant government agencies in relation to the approved development and border delivery of the Westlink Industry Park. However, these discussions have not involved the proposed design changes forming part of this Modification Application. It is noted that the Modification Application will be referred to any relevant government agencies and publicly exhibited by DPHI if required, but the proposed changes are not expected to impact any external parties.

5.2 Engagement To Be Carried Out

The Applicant will continue working with agencies and surrounding landowners as required through the design refinement and construction process. Throughout the Modification Application process, the Applicant will remain open to consultation and/or feedback from any relevant parties.

6.0 Assessment Of Impacts

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *"it is satisfied that the proposed modification is of minimal environmental impact"*. Under section 4.55(3) the consent Authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The Environmental Impact Statement (EIS) submitted with the originally approved SSD Application assessed the following environmental impacts of the proposed development, and in particular, the following elements of the development are not considered to require further environmental assessment or consideration due to the minor nature of the design development changes proposed as part of this modification:

- Infrastructure requirements;
- Visual impact;
- Soils and water;
- Hazards and risk;
- Biodiversity;
- Heritage;
- Aboriginal cultural heritage;
- Contamination and geotechnical;
- Bushfire;
- Air quality;
- Waste management;
- Flooding;
- Ecological sustainable development; and
- Social and economic impacts.

The following assessment considers the relevant matters under Section 4.15(1) of the EP&A Act and those elements of the proposed modification requiring additional assessment beyond that considered in the original EIS and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

6.1 Operational Traffic and Parking

A Traffic and Transport Statement has been prepared by Ason Group and is included at **Appendix F**. It assesses the potential for additional impacts on the surrounding road network as a result of the proposed modifications, as well as the compliance of the proposed car parking changes with the relevant requirements.

6.1.1 Operational Traffic Impact

The Traffic and Transport Statement (**Appendix F**) assesses the future traffic generation of Lot 3 of the Westlink Industry Park, taking into consideration the vehicle trip estimates associated with the daily estimated operations of Capital Group. As such, the development, as proposed to be modified, is estimated to generate 40 vehicle trips in the morning network peak hour and 58 vehicle trips in the afternoon peak hour.

The approved development (assessed under MOD 2), was estimated to generate 29 vehicle trips in the AM peak hour and 26 vehicle trips in the PM peak hour. On this basis, the modified scheme is estimated to generate an increase of up to 11 vehicle trips during the AM peak hour and 32 vehicle trips during the PM peak hour. This is minor and equates to about one vehicle trip every few minutes.

The traffic impact assessment associated with the proposal is detailed below and considers the following scenarios:

- **Ultimate Arrangement** – The yields and road network adopted for the MRP Modelling Assessment which informed the MRP DCP, of which development of the site was considered. This investigated future year scenarios of 2031 and 2036.
- **Interim Arrangement** – The MRP Modelling Assessment (and MRP DCP) did not provide for a staging strategy. As such, the operation of the road network in 2026 (i.e. the "interim scenario" considered as part of the LOG-E assessment, which is detailed further in the Stage 1 Westlink) has also been investigated.

Ultimate Arrangement (2031, 2036)

The traffic modelling in the ultimate arrangement allowed for 55% of a site area to be developable GFA, equating to a 23,869m^2 GFA allowance for Lot 3. The proposed modifications include a total Lot 3 GFA of 17,590m^2, within the thresholds previously assessed as part of the ultimate arrangement.

Interim Arrangement (2026)

The road network adopted for the LOG-E modelling assessment considered the traffic generation associated with each of the development sites and associated Development Applications illustrated in **Figure 11**. Given this modelling formed the basis for the approval of Westlink Stage 1 (SSD-9138102) as well as the 200 Aldington Road Estate/ Fife Stockland Estate (SSD-10479), and all parameters were agreed with TfNSW, the LOG-E model has been adopted as the base in which to assess the modification against. The model assumes the proposed intersection upgrades at the Abbotts Road and Mamre Road intersections and Aldington Road are complete.

As part of the LOG-E modelling methodology, the following vehicle trips rates were endorsed by TfNSW:

- Road network AM peak – 0.23 trips per 100m^2;
- Road network PM peak – 0.24 trips per 100m^2; and
- Daily – 2.91 trips per 100m^2.

As part of the LOG-E modelling methodology, TfNSW provided the following assessment parameters on 4 November 2021 specific to the baseline LOG-E modelling:

- All intersections must be Level of Service C or better;
- Individual legs cannot fail;
- Degree of Saturation should not exceed 90%;
- Queue lengths should be accommodated for within lanes; and
- Cycle time of 120 seconds.

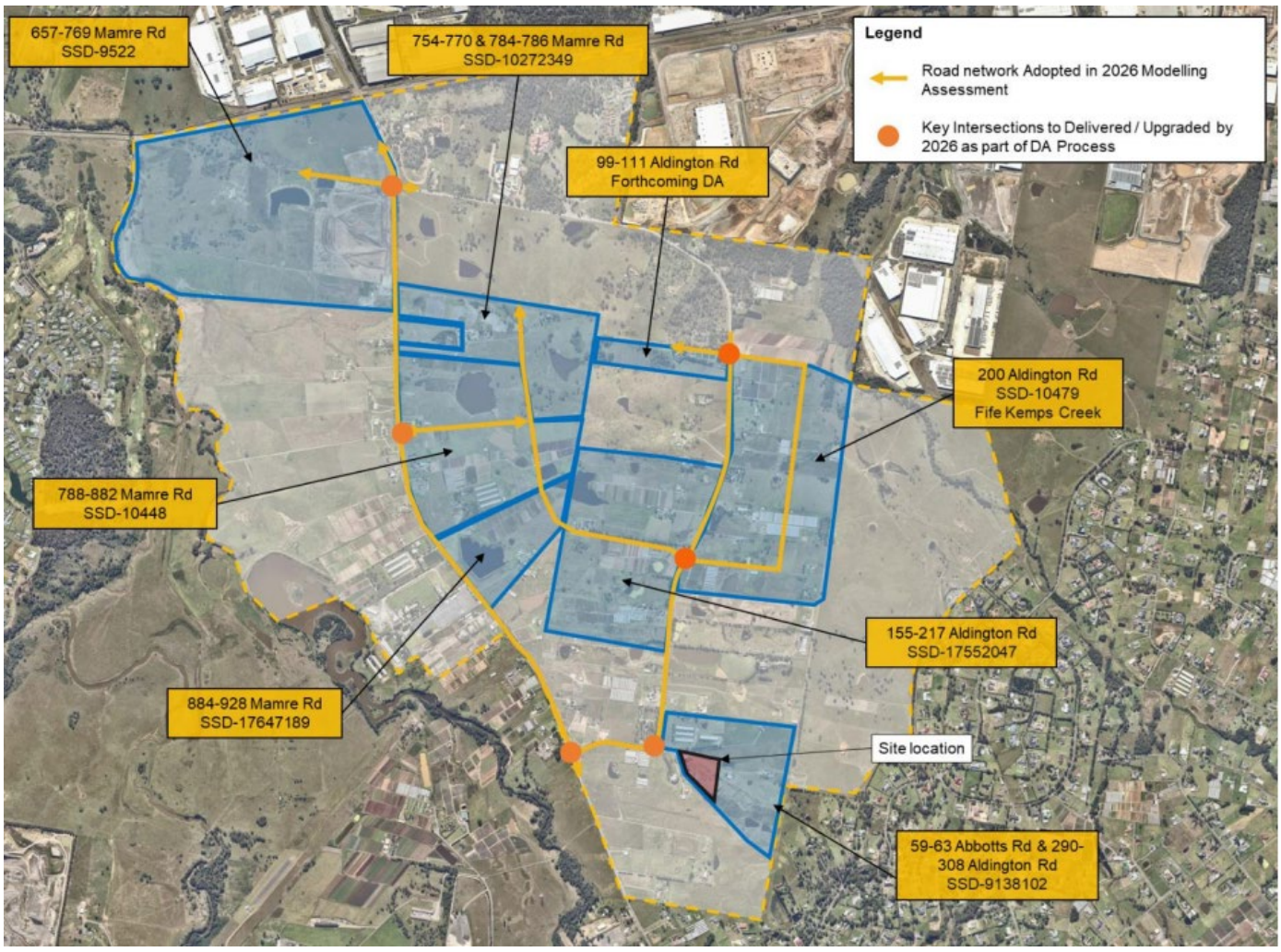


Figure 11 2026 Interim Modelling Assessment Road Network

Source: Ason Group

The LOG-E assessment results, as most recently revised, is presented in **Table 7** below.

Table 7 Revised LOG-E Modelling Key Intersection Operation

Intersection	Control	Period	DOS	Delay	LOS
Mamre Road / Abbotts Road	Signal	AM	0.47	14.9	B
		PM	0.54	14.4	A
Aldington Road / Abbotts Road	Signal	AM	0.28	22.2	B
		PM	0.29	28.2	B

Source: Ason Group

In order to assess the traffic impact of the proposed modification, the LOG-E assessment results have been updated to include the Lot 3 development, as proposed to be modified, with the cumulative traffic generated by other developments in the MRP not considered within the LOG-E model. These other developments include:

- Lot 4 Westlink Estate (SSD-77255706) 75,000m^2 warehouse and office GFA;
- Lot 5 Westlink Estate (SSD-77255474) 61,420m^2 warehouse and office GFA;
- Lot 10 Westlink Estate/ 1 Abbotts Road (DA24/0703) 41,465m^2 warehouse and office GFA; and
- Icon Estate at 253-267 Aldington Road (SSD-23480429) 45,530m^2 warehouse and office GFA.

The modelling results of the proposed modifications and other developments not considered in the LOG-E model are summarised in **Table 8** below.

Table 8 Revised LOG-E Modelling Key Intersection Operation – with Development

Intersection	Control	Period	DOS	Delay	LOS
Mamre Road / Abbotts Road	Signal	AM	0.58	21.2	B
		PM	0.64	23.2	B
Aldington Road / Abbotts Road	Signal	AM	0.45	20.3	B
		PM	0.41	28.9	C

Source: Ason Group

Based on the results in **Table 8** above, the Lot 3 development, as proposed to be modified, will have an acceptable impact on the operation of the key intersections in 2026 under the interim arrangement. It is noted that the primary Mamre Road/ Abbotts Road intersection would operate at LOS B and the Aldington Road/ Abbotts Road intersection would operate at LOS C during the weekday PM peak (with the development having a very minor contribution to this) due to minor increases to average delays, though would still operate within the acceptable levels, with spare capacity.

It is important to note that while the average delay and level of service has slightly changed during the weekday PM peak, the change amounts to a mere 0.7 second delay. The change in level of service is also largely due to the inclusion of the other four warehouses to the 2026 model with the Lot 3 GFA representing only 7.3% of the combined GFA across all warehouses (inclusive of Lot 3). The remaining development of the Westlink Industry Park will be delivered at a later date after Lot 3 and is still subject to approval.

Furthermore, the trip rates endorsed for the LOG-E model are noticeably higher than the trip rates in the recently released Guide to Transport Impact Assessment 2024. Ason Group and TfNSW are currently working to revise and update the endorsed models to reflect the new rates, which would result in an improvement to intersection performance across the broader MRP.

On this basis, with the LOG-E proposed intersection upgrades at the Abbotts Road intersections at Mamre Road and Aldington Road, the proposed modification would have a minor impact on the surrounding road network with the moderate traffic volumes able to be readily incorporated.

6.1.2 Car Parking

The updated parking requirements for Lot 3 in accordance with the car parking rates established under the *Mamre Road Precinct Development Control Plan* (MRP DCP) is provided in **Table 9** below.

Table 9 Car Parking Assessment

Land Use	Gross Floor Area	Requirements	Requirement
Warehouse	15,120m^2	1 space per 300m^2	50
Ancillary Office	2,470m^2	1 space per 40m^2	62
Total			**112**

The application of the MRP DCP parking rates results in the requirement to provide a minimum of 112 parking spaces on Lot 3. The proposed modifications seek to increase the car parking provision on Lot 3 from 85 to 146 (+ 61) by adapting the southern hardstand area. Therefore, the development, as proposed to be modified, complies with the MRP DCP.

The access arrangements, on-site car parking, loading docks and hardstand areas have been designed in compliance with relevant Australian Standards. The Traffic and Transport Statement (**Appendix F**) includes updated vehicle swept paths which demonstrate suitable access and demonstrate appropriate design and layout with regard site access arrangements, internal circulation, parking, loading bays and hardstand area.

Further, the updated heavy vehicle driveway arrangement includes capacity for 20m articulated vehicles and up to 30m A-Double vehicles (30m Performance Based Standards (PBS) Level 2 Type B vehicle) to enter the site, manoeuvre as required and exit in a forward direction.

6.2 Operational Noise

A Noise Memorandum has been prepared by SLR Consulting and included at **Appendix G**. It assesses if the proposed modifications will impact the surrounding noise environment during operation, with consideration for the approved Design Noise Verification Report (DNVR) in accordance with Condition B54 for the Development Consent for Westlink Stage 1 (SSD-9138102).

The assessment assumes the noise receivers and operational noise limits outlined in the Development Consent for Westlink Stage 1 (SSD-9138102). It also considers the updated estimated traffic generation as a result of the proposed modifications, as well as the modified layout and subsequent changes to the modelled noise source emissions locations, as illustrated in **Figure 12** below.

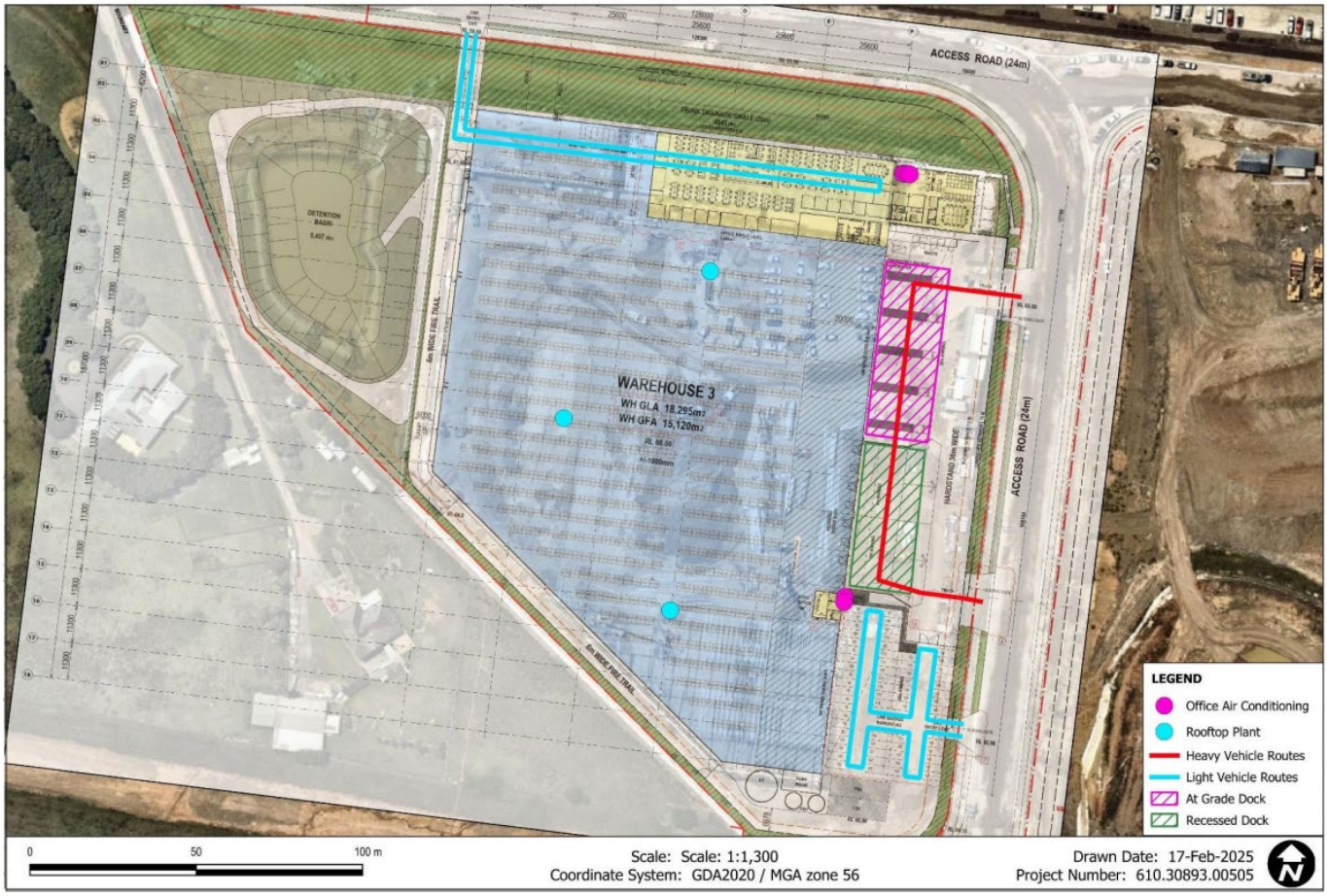


Figure 12 Modelled Noise Source Locations

Source: SLR Consulting

It is noted that the use of the emergency backup generator would not form part of normal operations and as a result has not been included in the realistic peak 15-minute operations.

SLR Consulting have undertaken revised noise modelling for the proposed modifications with a summary of the predicted realistic peak noise levels as result of the proposed modifications in comparison to the DNVR presented in **Table 10** below.

Table 10 Operational Noise Assessment

Receiver	Period	Noise Limit (dBA)	Predicted $L_{Aeq(15minute)}$ Noise Level (dBA)		Exceedance (dB)	Compliance
			Approved DNVR	MOD 6		
Residential Southeast (most affected)	Day	36	30	29	-	Yes
	Evening	31	26	29	-	Yes
	Night	27	29	29	2	No
	Day	36	<20	<20	-	Yes

Receiver	Period	Noise Limit (dBA)	Predicted $L_{Aeq(15minute)}$ Noise Level (dBA)		Exceedance (dB)	Compliance
			Approved DNVR	MOD 6		
Residential Northwest (most affected)	Evening	31	<20	<20	-	Yes
	Night	27	<20	<20	-	Yes
BAPS Temple	When in use	33	31	31	-	Yes

The revised modelling indicates that noise levels remain generally consistent with the approved DNVR for daytime and night-time periods. It is noted that there are some differences during the evening period due to an increase in the on-site vehicle volumes associated with the future customer on Lot 3, in comparison to the DNVR.

Nighttime exceedances at the most affected southeast residential receiver are predicted to be up to 2 dB and are controlled by vehicle movements associated with the operations of Lot 1 as opposed to Lot 3, consistent with the predictions presented in the DNVR.

A sleep disturbance assessment was subsequently undertaken which indicates that maximum noise levels from the operation of the development, as proposed to be modified, are predicted to comply with sleep disturbance screening level at the nearest receivers in all cases, consistent with the outcomes of the DNVR.

In conclusion, the Noise Memorandum (**Appendix G**) concludes that the outcomes of the revised noise modelling indicates the noise emissions from the development, including expected minor exceedances, are consistent with the results of the DNVR.

6.3 Operational Air Quality

An Air Quality Memorandum has been prepared by SLR Consulting and included at **Appendix H**. It assesses the potential air quality impacts of the emergency backup generator located at the northern end on the hardstand, as described in **Section 3.4**.

In order to determine the potential air quality impacts of the generator, several dispersion analysis assessments for developments utilising diesel generators for emergency back-up power were conducted. The assessments considered the sensitive receivers surrounding the Site, as well as the existing background air quality data from the past five (5) years within the region.

SLR Consulting determined that the generator is unlikely to result in cumulative concentrations significantly greater than the criterion at a 30m distance , and further dispersion will likely reduce concentrations at the receptors located 40 to 50m away. In addition, the assessment undertaken assumed the generators ran continuously through the year, from which that maximum was predicted. The generator is likely to operate for approximately 2 hours a year for maintenance and therefore the likelihood of this maximum occurring at a sensitive receptor is very low.

At the time of writing, information on the historical power interruptions at the Site is unavailable. A study conducted by SLR for a similar facility in Eastern Creek observed the following for that site:

- The site had two power interruptions in the past ten years;
- Each interruption consisted of the loss of one of four feeder supplies;
- The two interruptions lasted for 13 minutes and 21 minutes, respectively; and
- Loss of one feeder to that site did not require all generators to be used to provide emergency power.

Assuming that the performance of the future network supplying the power is similar to the existing network performance, it can be concluded that the actual likelihood of an exceedance of the air quality criteria at nearby sensitive receptors due to the emergency operation of the generation is negligible.

6.4 Regulatory Compliance

6.4.1 Building Code of Australia

A BCA Assessment Report has been prepared by BM+G and included at **Appendix I**. It assesses the proposed modification against the relevant provisions of the Building Code of Australia 2022 (BCA), identifying any amendments or matters that are required to be addressed by performance solutions.

Having reviewed the amended Architectural Drawings (**Appendix C**), BM+G concluded key compliance issues have been identified that require further resolution, either by way of fire engineered Performance Solutions or plan amendments prior to the Construction Certificate stage. Notwithstanding the above, it is considered that the development, as proposed to be modified, can readily achieve compliance with the BCA subject to resolution of the matters identified in the BCA Assessment Report (**Appendix I**).

6.4.2 Fire Engineering

A Fire Engineering Review has been prepared by Affinity Fire Engineering and included at **Appendix J**. It assesses whether the proposed modifications are capable of achieving the fire safety performance requirements under the National Construction Code (NCC) 2022.

Having reviewed the amended Architectural Drawings (**Appendix C**), Affinity Fire Engineering concluded the architectural amendments are considered to be minor in relation to the fire life safety aspects of the design and are capable of achieving the performance requirements of NCA 2022.

6.5 Reasons Given for Granting Consent

The key reasons given by DPHI for granting consent to Westlink Stage 1 (SSD-9138102) were as follows:

- *The development would provide a range of benefits for the region and the State as a whole, including a capital investment value of $128 million and generation of 160 full-time equivalent construction jobs and 212 operational jobs.*
- *The development is permissible with development consent under State Environmental Planning Policy (Industry and Employment) 2021.*
- *The development is consistent with NSW Government policies including the Greater Sydney Region Plan – A Metropolis of Three Cities, the Western City District Plan, and the Mamre Road Precinct Structure Plan.*
- *The impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards.*
- *The issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the development and the conditions of consent.*
- *Weighing all relevant considerations, the development is in the public interest.*

The development, as proposed to be modified, remains consistent with the reasons given for granting consent by DPHI for SSD-9138102. Further, it will support the creation of the jobs by enabling the necessary design changes to facilitate the efficient operation of the future customer.

7.0 Justification of the Modified Project

The Modification Application seeks to modify the approved Lot 3 development to facilitate the operational requirements of the future customer. In accordance with Section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- The proposed modifications are of minimal environmental impact; and
- Substantially the same development as development for which the consent was granted.

Further, the proposed modifications are justified with regard to key matters, as outlined in **Table 11** below.

Table 11 Justification of the Modified Project

Matter	Assessment
Project Design	The design of the development, as proposed to be modified, remains substantially the same as that approved. The proposed modifications will support the delivery of a high-quality office space that delivers high amenity for workers and visitors. Further, the proposed amendments to the northern elevation will support natural light into the expanded office and increase the permeability of the façade from the public domain.
Strategic Context	The strategic context of the development remains substantially the same as approved on 21 April 2023. Specifically, the proposed modifications do not alter the alignment of Lot 3 with the relevant strategic planning context for the following reasons: • It will continue to provide industrial employment floorspace for the purposes of a *Warehouse or distribution centre* within a designated industrial precinct, consistent with the MRP Structure Plan; • It will continue to leverage the Site's proximity to key freight transport corridors in Western Sydney, as well as Western Sydney International (Nancy-Bird Walton) Airport (WSI Airport); and • It will continue to support the protection of industrial land and increased efficiency of freight and logistics in the Greater Sydney Region and Western Sydney, consistent with the Region Plan and District Plan.
Statutory Context	The development, as proposed to be modified, is consistent with Section 4.55 (1A) of the EP&A Act as it is of minimal environmental impact and is substantially the same development. The proposed modifications are of minimal environmental impact as: • The design changes are a result of future customer operational requirements, primarily internal, and do not impact on any external receivers; and • The proposed design changes are minor in nature and therefore will not result in any perceptible environmental impact. An assessment of the anticipated impacts of the proposed modifications is provided in **Section 6.0**, which is supported by input from technical consultants (see **Appendices**). The development, as proposed to be modified, is substantially the same development as that originally approved, in that: • The proposed modifications are relatively minor in nature and are in response to the operational requirements of the recently secured future customer for Lot 3, who require specific design changes to accommodate their aspirations for Lot 3 for their employees; • The Lot 3 development remains as originally approved in terms of its intended use, being a *Warehouse or distribution centre*, as well as overarching design principles; • The proposed increase in ancillary office GFA does not exceed 20% of the total GFA for Lot 3; • The proposed modifications do not alter the key components of the approved development, being an industrial estate with supporting infrastructure; • The operational elements of the development remain generally unchanged, with modification elements purely being a refinement to ensure the efficient operation of the development by the future customer; and • The proposed modifications only present a marginal increase in the GFA and are located within the existing building envelope. As such, the consent authority can be satisfied that the development, as proposed to be modified, is substantially the same development as that originally approved and constitutes minimal environmental impact. The Modification Application can therefore be lawfully made under Section 4.55(1A) of the EP&A Act. The broader statutory context of the development remains unchanged from that approved on 21 April 2023, as demonstrated by the Statutory Compliance Table (**Appendix B**).

Matter	Assessment
Stakeholder Views	The proposed modifications represent minor changes to Lot 3 of the Westlink Industry Park to support the operational requirements of the future customer, and are not expected to impact on stakeholder views. It is noted that this Modification Application will be referred to government agencies and publicly exhibited by DPHI if required, but the proposed changes are not expected to impact any external parties. The Applicant will continue working with agencies and surrounding landowners as required through the design refinement and construction process. Throughout the Modification Application process, the Applicant will remain open to consultation and/or feedback from any relevant parties.
Likely Impacts of the Proposal	The development, as proposed to be modified, does not have any greater built environment, natural environment or social and economic impact to that of the approved development. The modified project will provide an efficient layout suitable for the operational purposes of the customer to carry out their national business.
Suitability of the Site	The development, as proposed to be modified, is suitable for the Site for the following reasons: • It continues to provide for industrial uses, in the form of the approved *Warehouse or distribution centre* land use, as envisaged by the MRP Structure Plan; • It provides for the appropriate street network as outlined in the Mamre Road Development Control Plan; and • It utilises the site for employment purposes consistent with the objectives of the IN1 General Industrial zone.
Public Interest	The development, as proposed to be modified, is in the public interest for the following reasons: • It constitutes the orderly and economic development of the site by utilising additional site area for employment purposes; • It provides for employment opportunities and jobs within an area identified as appropriate for the land use; and • It is consistent with the Industry and Employment SEPP and other relevant statutory provisions.

For the reasons above, the Modification Application is considered supportable and is therefore recommended for approval.