

ASSESSMENT REPORT

Printing Warehouse and Distribution Facility Erskine Park Penrith MP 08_0016 MOD 2

1. INTRODUCTION

This report is an assessment of a request to modify the Project Approval (MP 08_0016) for a printing, warehouse and distribution facility at Lenore Drive, Erskine Park.

The request has been lodged by Urbis Pty Ltd on behalf of The Trust Company (Australia) Ltd pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to increase the size of Warehouse 1 on the site.

2. SUBJECT SITE

The subject site is located in the Western Sydney Employment Area (WSEA) (see **Figure 1**), approximately 19 kilometres from Penrith and 10 kilometres from the proposed Western Sydney Airport site.

The WSEA was established by the NSW Government to deliver land for industry and employment, providing local jobs for Western Sydney residents.

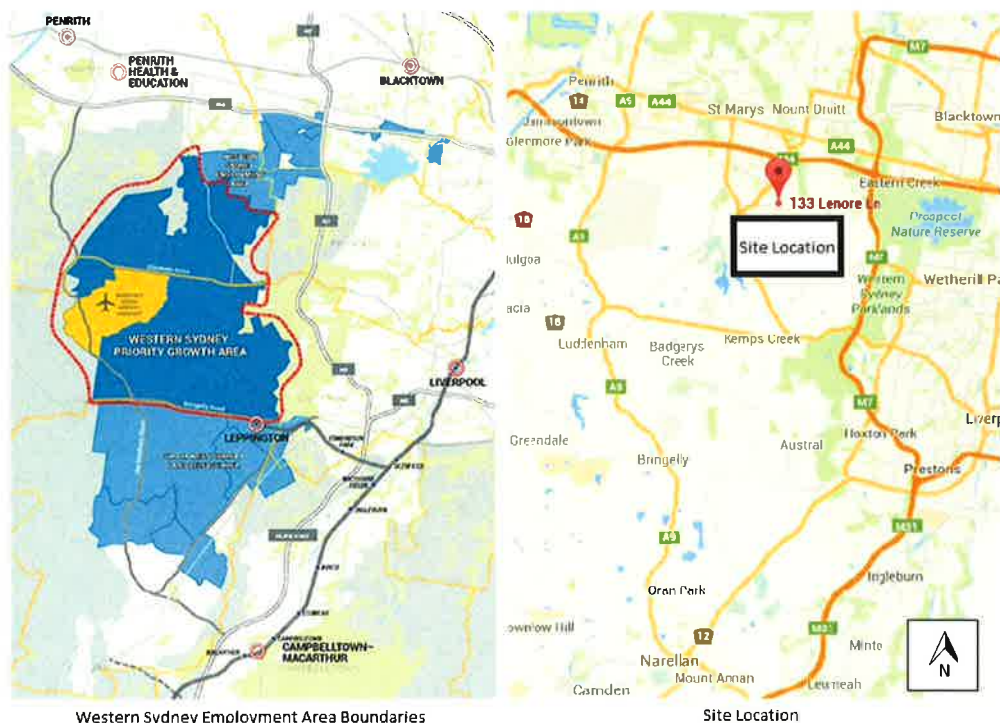


Figure 1: Site Location

The site is predominantly surrounded by industrial uses with a residential area to the north of the site. This modification application relates to the southern part of the site only, known as Warehouse 1 (see **Figure 2**). This part of the site is currently vacant and cleared of vegetation.



Figure 2: Subject Site

3. APPROVAL HISTORY

On 12 July 2010, Project Approval (MP08_0016) was granted under delegation for a Printing, Warehouse and Distribution Facilities Project.

The proposal has been modified on one occasion to:

- remove the printing use from the approval and vary the site layout;
- remove the internal segregation between warehouse unit 2 and 3 (now referred to as Warehouse 2)
- addition of a 1,920m² storage area to Warehouse 2 to house dangerous goods;
- additional truck loading facilities on the northern side of Warehouse 2;
- an increase in the overall building height of Warehouse 2 by 0.75m; and
- reduction in building footprint of Warehouse 2 from 55,621m² to 49,702m².

Warehouse 2 has been constructed and operations have commenced on the site.

4. PROPOSED MODIFICATION

On 11 January 2016, the Proponent lodged a section 75W modification application (MP 08_0016 MOD 2) seeking approval to amend the Major Project approval as it relates to Warehouse 1, including:

- increase the approved floor space from 3,655sqm to 7,547sqm, accommodating:
 - 6,912sqm warehouse; and
 - 635sqm office across two levels.
- modification to the internal and external design of the warehouse;
- modification to the design of the vehicular access arrangements on site;
- modification to the landscape concept;
- increase the number of onsite parking from 24 spaces to 75 spaces;
- increase the building height from 12.06m to 13.7m; and
- amend the approved stormwater concept as a result of the increased floor plate.

The hours of operation remain as approved, 24 hours a day, seven days a week.

The proposed external elevation changes can be seen in **Figure 3 and 4** and internal changes in **Figure 5**.

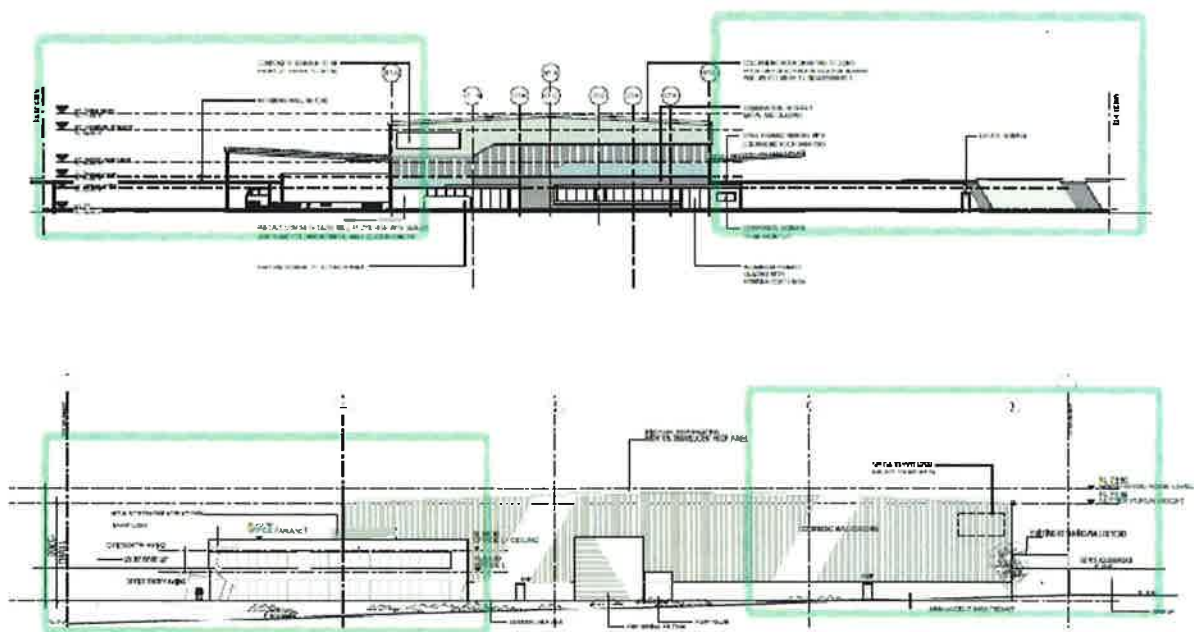


Figure 3: Comparison between the approved (top) and proposed (bottom) Southern Site Elevations
(Base source: proponents EIS)

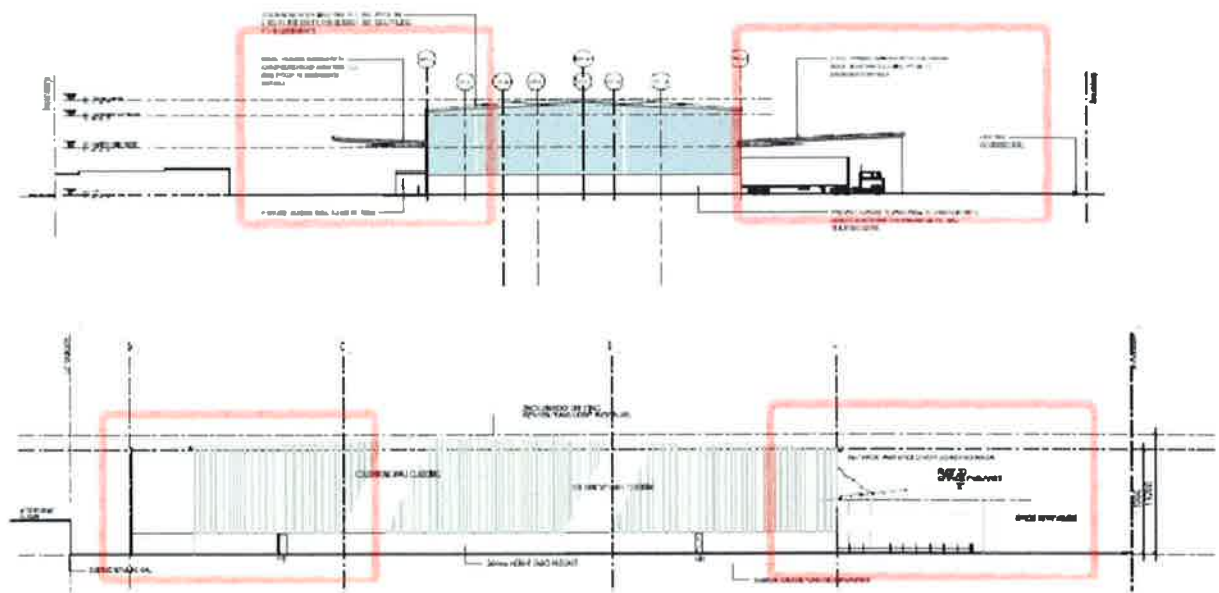


Figure 4: Comparison between the approved (top) and proposed (bottom) Northern Site Elevations
(Base source: proponents EIS)

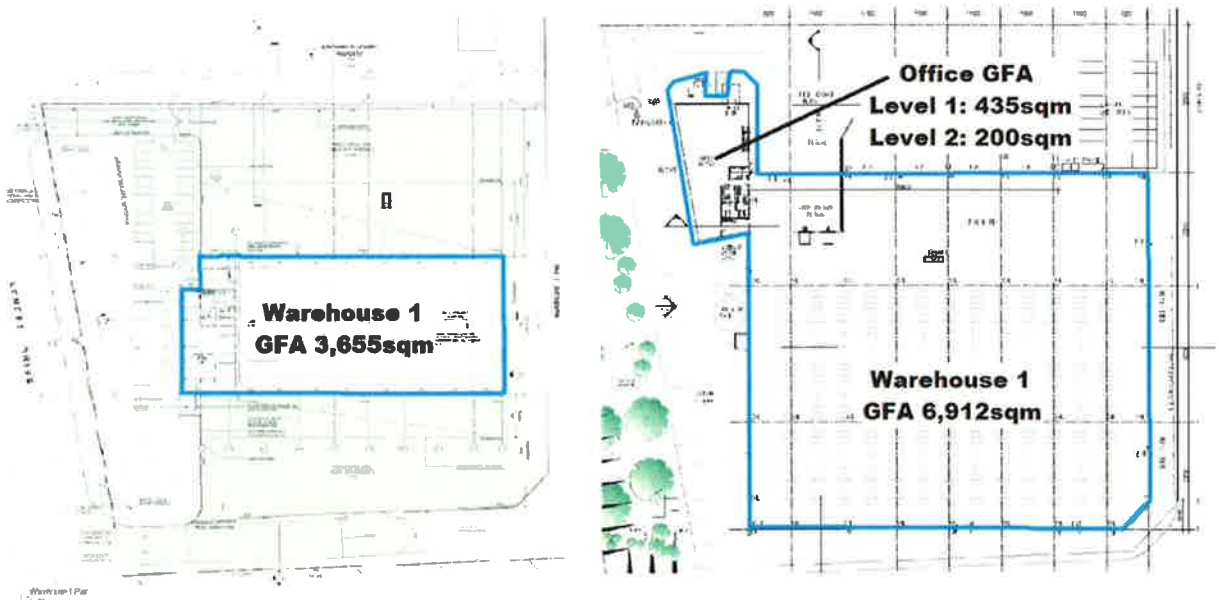


Figure 5: Comparison between the approved footprint (left) and approved (right)
(Base source: proponents EIS)

5. STATUTORY CONSIDERATION

5.1 Section 75W

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

5.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Acting Director Modification 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 Department made the modification application publicly available on its website, and consulted with Penrith City Council, Office of Environment and Heritage (OEH), Roads and Maritime Services (RMS), Sydney Water, Transgrid and previous submitters about the proposed modification.

Penrith City Council raised no objection to the proposal however outlined measures to encourage Urban Design improvements on the site, including breaking up the large expanses of wall, with additional architectural treatments, building articulation, fenestration and a variety of external finishes at the southern end of the eastern elevation to improve the building form. Council asked that sprinkler tanks also be relocated away from publicly visible areas and instead are integrated into the building and the front fencing should be located behind the landscaped setback and be of an open style.

Roads and Maritime Services raised no objection to the proposal however requested that car and truck driveway movements be limited to left in/left out at the western boundary of the site by physically closing the existing gap in the median island along Lenore Drive. It also requested confirmation that the stormwater discharge into the RMS owned drainage system does not exceed the predevelopment discharge. It also suggested other conditions, consistent with existing conditions within the approval.

Sydney Water raised no objection to the proposal and provided comments concerning water and wastewater requirements to be provided at the Section 73 application phase.

Transgrid raised no objection to the proposal, provided this modification was located in Warehouse 1. Any further development on Warehouse 2 would require further investigation from Transgrid due to the location of Easements in relation to Warehouse 2 and asked that Transgrid are notified of any amendments or modifications to future developments.

Endeavour Energy raised no objection to the proposal but outlined that electricity supply network will be investigated in detail when an application for electrical supply to the development is made.

Office of Environment and Heritage raised no objection to the proposed modification.

7.2 Other Issues

Table 1: Assessment of Other Issues

Issue	Consideration	Recommendation
<i>Building Height</i>	- The proposal seeks to increase the height of Warehouse 1 by 1.64m from 12.06m to 13.7m. - The proposed building height would exceed the Penrith City Council's DCP Height control of 12 metres, by 1.7 metres. - The Department notes the proposed height would be similar to the approved height of Warehouse 2 (13.73m), which was previously assessed as acceptable as it would not result in any adverse impacts on surrounding properties or the character of the area. - Although similar in height, Warehouse 1 (RL 73.50m) is situated on lower lying land and would sit 3.83m below Warehouse 2 (RL 77.33m). - The Department is therefore satisfied the proposed height increase to Warehouse 1 would be minor and in keeping with the height of other surrounding industrial properties. Further the Department is satisfied that the proposal would not result in any adverse visual or amenity impacts.	No additional conditions or amendments necessary.
<i>Noise</i>	- The Proponent submitted an Acoustic Assessment prepared by Acoustic Logic to assess the potential noise impacts associated with the proposal. - The Acoustic Assessment indicates the proposed modification: - would not result in a significant increase in noise emissions; and - is capable of complying with the noise limits set out in the approval. - The Department is satisfied the proposed modifications would not lead to any significant operational noise impacts beyond those already assessed and approved. - The Department also notes the approval includes a suite of conditions which require the Proponent to: - meet strict noise limits, - prepare and implement a Noise Management Plan and a Transport Code of Conduct; and - undertake noise impact verification reporting. - The Department is satisfied that the existing conditions would appropriately manage potential noise impacts associated with the proposal.	No additional conditions or amendments necessary.
<i>Traffic</i>	- The Transport Impact Assessment submitted with the modification predicts the proposal would result in 20 additional vehicle movements per hour. - Although this represents an increase in traffic movements to and from the site, the assessment found there is adequate capacity in the surrounding road network to cater for the additional vehicle movements. - The Department accepts the findings of the traffic assessment and is satisfied the proposal and would not result in any adverse traffic impacts.	No additional conditions or amendments necessary.
<i>Access</i>	- The RMS requested vehicle be limited to left in/left out movements at the western boundary of the site by physically closing an existing gap in the median island along Lenore Drive. - In response to this issue, the Proponent agreed to close the median strip to prevent right hand turns to and from the site. - Subject to the closure of the median strip, the Department is satisfied the proposed modification would not result in any adverse access impacts.	The Department has recommended a new Condition 3C requiring closure of the median strip.
<i>Car Parking</i>	- The Penrith City Council Development Control Plan 2014 specifies a parking requirement of 1 space per 100m² of GFA for warehouse and any ancillary office/administrative spaces. - Based on the proposed GFA of 7,547sqm the proposal would require approximately 75 car parking spaces. - Given the proposal seeks approval to increase the number of car spaces from 24 to 75 spaces, the Department is satisfied	No additional conditions or amendments necessary.

<i>Issue</i>	<i>Consideration</i>	<i>Recommendation</i>
	the proposal complies with Council's DCP and would provide sufficient onsite parking.	
<i>Stormwater, Control</i>	- The RMS outlined requirements to ensure post development discharge from the site into the Roads and Maritime drainage system, does not exceed the pre-development discharge. - To ensure stormwater discharge is appropriately managed and does not exceed predevelopment levels, the Department has incorporated the RMS requirements into a new condition.	The Department has recommended a new Condition 10A relating to stormwater discharge.
<i>Waste</i>	- The Proponent submitted a waste management plan (WMP) for the proposal, prepared by Mott McDonald. - The Department is satisfied that WMP adequately addresses the requirement of the Condition outlined in the original Project Approval.	The Department has recommended a new Condition 23C to ensure waste is managed in accordance with the WMP.

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the proposed modification is appropriate on the basis that:

- the proposal is in line with the strategic objectives of the WSEA in terms of providing jobs close to residents in Western Sydney;
- the proposal would not have any adverse urban design or amenity impacts and is in keeping the character of the surrounding industrial estate; and
- the proposal would not result in any adverse traffic or access impacts, and it complies with Council's car parking requirements.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is **RECOMMENDED** that the Acting Director Modification Assessments as delegate of the Minister for Planning:

- considers** the findings and recommendations of this report;
- approves** the application under section 75W, subject to conditions; and
- signs** the notice of modification (**Appendix A**).

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APPENDIX A: NOTICE OF MODIFICATION

A copy of the notice of modification can be found on the Department's website at:
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7455

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7455

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7455

3. Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7455