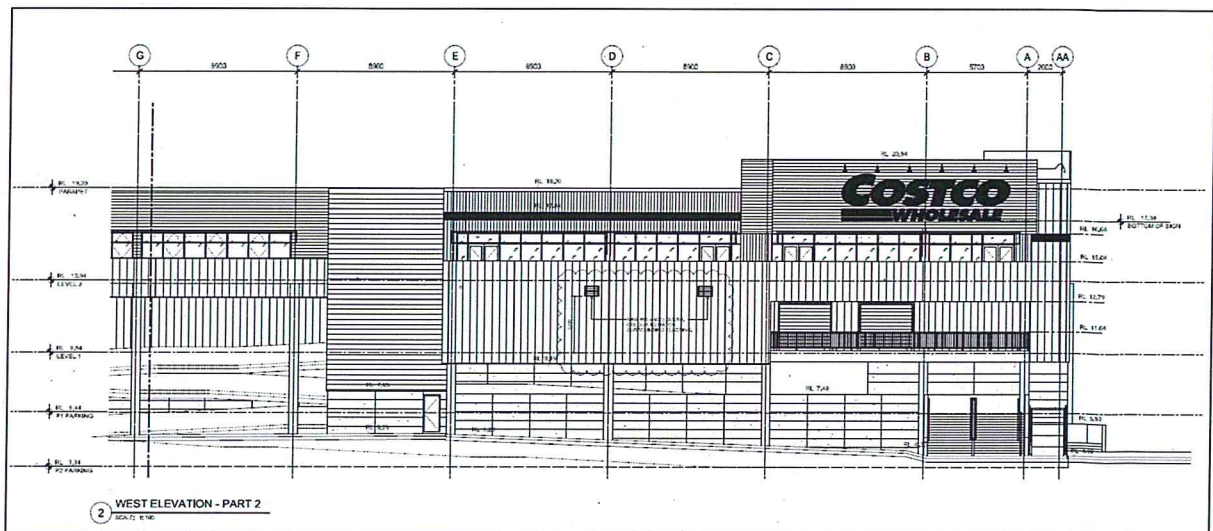


**MODIFICATION REQUEST:
(MP 09_0184 Mod 5)**

***Modification Request for Installation of
Ventilation Ducts along the Western Elevation
of the Costco Development at 17-21 Parramatta
Road, Auburn***



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

September 2012

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1. PURPOSE

To determine a modification request for the Costco Wholesale Retail Warehouse to provide for the installation of two louvred ventilation ducts along the western elevation of the existing building.

2. THE SITE

The site, at 17-21 Parramatta Road, Auburn, is located on the northern side of Parramatta Road (**Figure 1**). The site is approximately 19km west of the Sydney CBD, within the Auburn Local Government Area and comprises an area of 2.522 hectares over two parcels of land that are legally described as Lot 1 DP 214452 (19-21 Parramatta Road) and Lot 1 DP 522225 (17 Parramatta Road). The proponent for this request is Costco Wholesale Australia Pty Ltd. The site is currently operational.

Figure 1: Location of Subject Site



3. BACKGROUND

On 7 April 2010, the then Minister for Planning granted approval to a Concept Plan (MP 09_0102) that permitted the use of the site for retail, wholesale retail and commercial uses.

On 23 April 2010, the Planning Assessment Commission (PAC) granted approval to a Project Application (MP 09_0184) for the following:

- demolition of all existing buildings
- excavation of the site for the construction of the basement car parking area
- construction and use of a new three storey Costco Wholesale Retail Warehouse building comprising:
 - 13,727m² of retail area
 - 1,999m² of commercial office floor space for the Costco Australian Regional Headquarters
 - loading docks, car parking (745 spaces) and bicycle parking (48 bicycles)
- landscaping
- signage to the exterior of the building and

- infrastructure works comprising roadworks (including provision of a new signalised intersection at the existing Parramatta Road and Nyrang Street intersection), stormwater management works and utilities.

On 17 December 2010, the Director, Metropolitan Projects acting under delegated authority approved a modification to the project approval (MP09_0184 Mod 1) for changes to:

- the design and layout of the approved building, including a reduction in height of the roof and stairwell parapets, modifications to the materials and finishes of the building (i.e. external block wall finish replaced with textured precast concrete), reduction in overall parking spaces provided in basement level 2 and other internal alterations such as reconfiguration of rooms, alteration to trolley bay areas, addition of new egress stairs and plant rooms / vents and
- the timing of the dedication of the left turn deceleration lane off Parramatta Road.

A proposed modification to the project approval (MP 09_0184 Mod 2) for the retention of the existing pole advertising sign was withdrawn.

On 13 July 2011, the PAC, acting under delegated authority, approved a modification to the project approval (MP 09_0184 Mod 3) to allow an interim occupation certificate to be issued for the commercial office floor space (Costco Australia regional headquarters) component of the development in advance of completion of the whole development.

On 21 June 2012, the Deputy Director-General, Development Assessment and Systems Performance, acting under delegated authority approved a modification to the project approval (MP 09_0184 Mod 4) to modify the trading hours to 8am to 9pm Monday to Sunday.

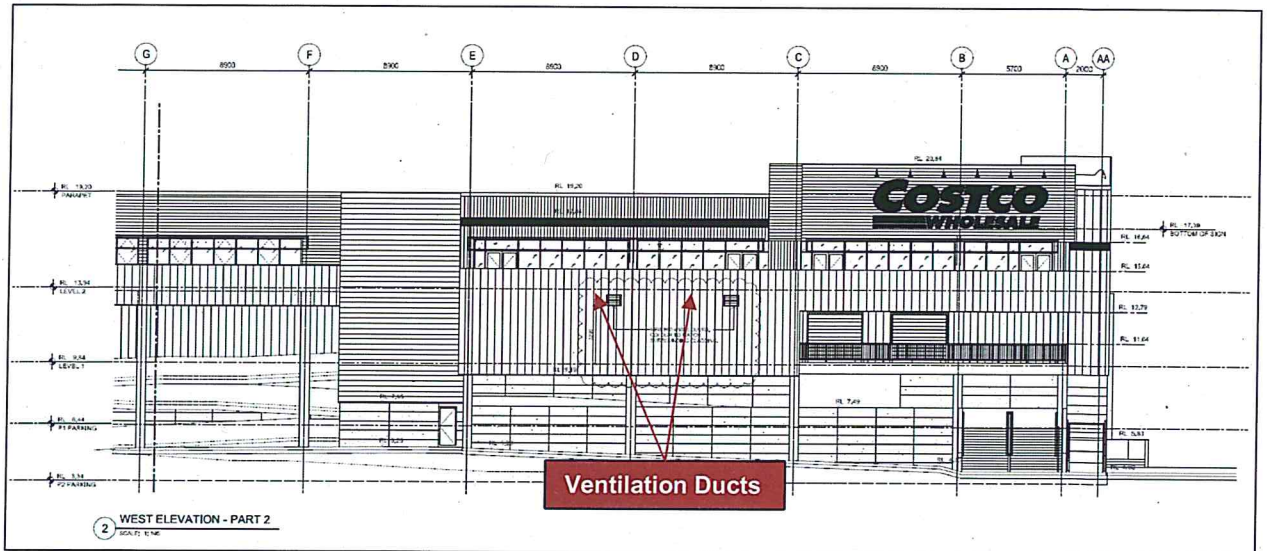
4. PROPOSED MODIFICATION

4.1 Modification Description

The proposed modification comprises the installation of two 800mm x 600mm louvred ventilation ducts on Level 1 of the western elevation of the Costco Wholesale Retail Warehouse building (**Figure 2**). The modification also seeks to replace approved plan no. A3-300-01 with revised plan no. SK 300-01 which shows the ventilation ducts on the western elevation.

The proposed modification is part of an upgrade to the ventilation system within the food court preparation area. The proponent has stated that the upgraded ventilation system is not dissimilar to the system approved in the construction certification documentation for the original development.

Figure 2: Location of Proposed Ventilation Ducts on Western Elevation



5. STATUTORY CONTEXT

5.1 Modification of the Minister's Approval

The proposed modification is sought as part of an upgrade to the ventilation system within the food court preparation area within the warehouse.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 – General Commercial and Industrial Code (Subdivision 3 of Part 5) permits the construction, installation or alteration of a mechanical ventilation system on a building as complying development provided the following standards are met:

- a) *the development must be located at least 3.5m behind the building line from any lot boundary; and*
- b) *the development must be designed so as not to emit noise exceeding an LAeq of 5dB(A) above background noise when measured at any lot boundary; and*
- c) *the development must not be located not more than 1m above the ridge of a pitched roof or 3m above a flat roof; and*
- d) *the development must not relate to the cooking of food at the premises by barbeque or charcoal methods.*

The proposed ventilation ducts do not comply with clause (a), as the ducts are located on the exterior façade of the building which is considered to be the "building line". Therefore, the proposal is not complying development.

Accordingly, this application, pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* is submitted to the Minister for Planning and Infrastructure (or his delegate) for approval.

5.2 Delegated Authority

The Minister has delegated his functions to determine certain Part 3A applications to the department. Under this Instrument of Delegation, dated 14 September 2011, the Minister for Planning and Infrastructure has delegated determination of a modification request under section 75W of the Act to the Deputy Director-General Development Assessment and Systems Performance of the department where:

- the relevant local council has not made an objection and
- there are less than 10 public submissions objecting to the proposal and
- a political disclosure statement has been made in respect of a previous related application.

Auburn City Council had not made a formal objection and no public submissions have been received in respect of the application. However, an objection to a previous application declared a reportable political donation and therefore delegated authority to determine this modification request rests with the Deputy Director-General, Development Assessment and Systems Performance.

6. CONSULTATION AND SUBMISSIONS

6.1 Exhibition

Under Section 75X(2)(f) of the Act, the Director-General is required to make the modification publicly available. The application was placed on the department's website. Due to the minor nature of the modification request no formal exhibition was undertaken and Auburn City Council was not notified. No public submissions have been received.

7. ASSESSMENT

The louvred ventilation ducts are located a minimum of 7.2m above ground level along the western elevation of the existing building. The western elevation presents to Haslems Creek and is only visible to the public when travelling east along Parramatta Road.

The western elevation is articulated and contains a corner element where "Costco" signage is located. The proposed ventilation ducts would be integrated into the western elevation and will not be a discernible feature along the elevation.

The proponent has suggested that the proposed ventilation system will improve the operation of the building and will not give rise to any additional environmental impacts.

Overall, the development as proposed to be modified is largely consistent with the existing approval (MP 09_0184) and is of minimal environmental impact.

8. CONCLUSION AND RECOMMENDATIONS

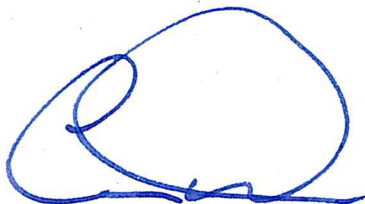
In conclusion, the department has made an assessment of the proposed ventilation ducts and subsequent amendment to condition A2 of the project approval. The department is satisfied that modification is minor and is consistent with the concept plan approved for the site.

It is **RECOMMENDED** that the Deputy Director-General, Development Assessment and Systems Performance:

- **consider** the findings and recommendations of this report
- **determine** that the proposed modification falls within the scope of section 75W of the Act
- **approve** the proposed modification under section 75W of the Act and
- **sign** the attached Instrument of Modification.

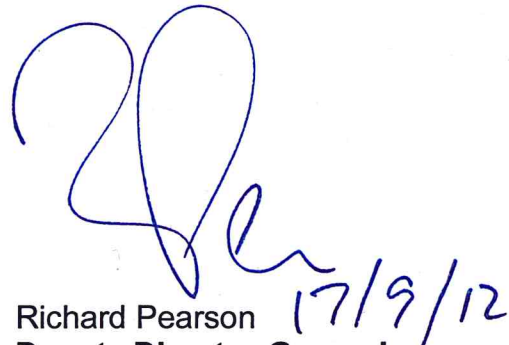


Heather Warton
Director
Metropolitan and Regional
Projects North



Chris Wilson
Executive Director
Major Projects Assessment

10.9.12



Richard Pearson
Deputy Director-General
Development Assessment
And Systems Performance

17/9/12

APPENDIX A MODIFICATION REQUEST

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5554

APPENDIX B RECOMMENDED MODIFYING INSTRUMENT

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Richard Pearson
Deputy Director-General
DEVELOPMENT ASSESSMENT & SYSTEMS PERFORMANCE

Sydney

17 September

2012

SCHEDULE 1

Project Approval:

090184 granted by the Planning Assessment Commission on 23 April 2010

For the following:

Construction and use of Costco Wholesale Retail Warehouse and Costco Australia Regional Headquarters, including:

- Demolition of all existing buildings
- Excavation of the site for the construction of the basement car parking area
- Construction and use of a new three storey Costco Wholesale Retail Warehouse building comprising:
 - 13,727m² of retail area
 - 1,999m² of commercial office floor space for the Costco Australian Regional Headquarters
 - Loading docks, car parking (745 spaces) and bicycle parking (48 bicycles)
- Landscaping
- Signage to the exterior of the building
- Infrastructure works comprising road works (including provision of a new signalised intersection at the existing Parramatta Road and Nyrang Street intersection), stormwater management works and utilities.

At Lot 1 DP 522225 and Lot 1 DP 214452, 17-21 Parramatta Road, Lidcombe.

Modification:

To install two louvred ventilation ducts along the western elevation.

SCHEDULE 2

PART A – ADMINISTRATIVE CONDITIONS

Amend condition A2 as follows:

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with the Concept Plan (MP No. 09_0102) and the Environmental Assessment dated 8 October 2009, prepared by JBA Urban Planning Consultants and the Section 75W modification documentation dated 7 October 2010 (as amended on 27 October 2010 and 19 November 2010), **and the Section 75W modification documentation dated 24 August 2012**, except where amended by the Preferred Project Report, dated February 2010, and the following drawings:

Architectural (or Design) drawings prepared for the Preferred Project Report by Mulvanny G2 and Group GSA			
Drawing No.	Revision	Name of Plan	Date
TA-0100-DA	G	Title Sheet and Location Plan	19-11-10
G1-0200-DA	D	Site Context Plan	08-02-10
G2-0300-DA	D	Site Analysis Plan	08-02-10
G3-0400-DA	D	Survey Plan	08-02-10
SD-1100-DA	H	Site Plan	30-09-10
A1-2001-DA	J	Basement Floor Plan – Parking 2	27-10-10
A1-2002-DA	L	Ground Floor Plan – Parking 1	19-11-10
A1-2003-DA	I	Level 1 Floor	30-09-10
A1-2004-DA	J	Mezzanine Floor Plan – Regional Office	30-09-10
A2-2005-DA	J	Roof Plan	30-09-10
A3-3000-DA	I	South Elevation Only	23-08-12
S09-074-SK300	01	West Elevation	09-08-12
A3-3001-DA	H	North and East Elevations	30-09-10
A3-3100-DA	I	Sections	30-09-10
S1-6300-DA	D	Signage Details	08-02-10
A5-8200-DA	D	External Material & Finishes Board	08-02-10
A6-8600-DA	B	External 3D Studies	28-09-09
A6-8601-DA	B	External 3D Studies	28-09-09

Landscape Plans prepared for the Preferred Project Report by McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date
L-01-DA	L	75W Submission – Landscape Concept	30-09-10
L-02-DA	E	Landscape Concept – Elevation	15-09-09
L-01-A-DA	L	75W Submission – Landscape Concept	30-09-10
L-01-B-DA	G	75W Submission – Landscape Concept	30-09-10
L-01-C-DA	L	75W Submission – Landscape Concept	30-09-10

Landscape Plans prepared for the Preferred Project Report by McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date
L-01-D-DA	L	75W Submission – Landscape Concept	30-09-10

Engineering Plans prepared for the Preferred Project Report by Hughes Trumen			
Drawing No.	Revision	Name of Plan	Date
DAC01	H	Siteworks General Arrangement Plan	30-09-10
DAC02	H	Siteworks plan 1 of 4	30-09-10
DAC03	H	Siteworks plan 2 of 4	30-09-10
DAC04	H	Siteworks plan 3 of 4	30-09-10
DAC05	H	Siteworks plan 4 of 4	30-09-10
DAC06	G	Soil and Water Management Control Plan	30-09-10
DAC07	H	Vehicle Manoeuvring plan	30-09-10
DAC08	G	Demolition Plan	30-09-10

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in Auburn Development Control Plans 2000 – Part B – Exempt and Complying Development Control Plan or as may be necessary for the purpose of compliance with the BCA and any Australian Standards Incorporated in the BCA; and
- (2) otherwise provided by the conditions of this approval.