

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number	SSD-10468
Project name	Woolworths Customer Fulfilment Centre and Warehouse, Marrickville
Applicant	Woolworths Group Limited
Consent Authority	Minister for Planning

Decision

The Director, Industry Assessments, under delegation from the Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act) granted consent to the development application subject to conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's (the Department's) Assessment Report is available [here](#).

Date of decision

16 June 2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the former Environmental Planning and Assessment Regulation 2000;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the development (see **Attachment 1**).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the development would provide a range of benefits for the region and the State as a whole, including a capital investment of approximately \$142 million and the generation of up to 361 construction jobs and 660 operational jobs in the Inner West local government area;
- the development is permissible with development consent, and is consistent with NSW Government policies including the *Greater Sydney Region Plan – A Metropolis of Three Cities* and the *Eastern City District 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, Inner West Council (Council) and the relevant State government authorities during consultation and in submissions have been considered and adequately addressed through changes to the development and the recommended conditions of consent; and
- weighing all relevant considerations, the development is in the public interest.

Attachment 1 – Consideration of community views

The Applicant engaged with the community during the preparation of the Environmental Impact Statement (EIS) as a requirement of the Planning Secretary's Environmental Assessment Requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the development.

Once the EIS was submitted to the Department, it was placed on exhibition from 29 October 2020 until 25 November 2020 (28 days). During the exhibition period, the Department received 18 submissions from the public and advice from six State government authorities and Council. Of the public submissions, 16 objected to the development. The majority of community members who made a submission live within the residential area to the immediate north-west of the site.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include the impact of the development on the surrounding road network, the impact of 24-hour operations on nearby residents, visual impacts, construction impacts and the number of trees which would be removed from the site. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p>Traffic and access</p> <ul style="list-style-type: none"> Concern was raised by the public in relation to the impact of operational traffic travelling past homes on Edinburgh Road, and the use of the proposed emergency access point by heavy vehicles accessing the site. 	<p>In its Response to Submissions (RTS) report, Woolworths Group Limited (the Applicant) contended that placing a permanent restriction on heavy vehicles turning left out of Sydney Steel Road onto Edinburgh Road was not necessary given the low number of heavy vehicles which would access the site via this route.</p> <p>However, given the concerns raised by local residents primarily related to the road traffic noise impacts, the Applicant has committed to prohibiting left-hand turn movements during the night-time period (from 10pm to 7am) to minimise impacts on the adjoining residential area.</p> <p>The RTS also clarified the emergency access point would only be used by emergency vehicles (such as fire trucks or ambulances) when responding to an incident at the site. At all other times, the access point would be secured by a chain and would not be used by cars or heavy vehicles.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions requiring the Applicant prepare a Driver Code of Conduct for the site, which will ensure that all delivery van and heavy vehicle drivers are made aware of the night-time restriction placed upon heavy vehicles using Edinburgh Road. A separate condition has also been imposed to ensure the emergency access point is only used where directed by the NSW Police Force or other authorities for safety reasons.</p>
<p>24-hour operations</p> <ul style="list-style-type: none"> Concern was raised by the public regarding the potential noise and traffic impacts associated with the 24-hour operation of the development. 	<p>The Department has worked with the Applicant to ensure the submitted noise modelling has provided a comprehensive, quantitative assessment of all possible noise impacts, including emissions associated with the staff parking area fronting Edinburgh Road and additional vehicle movements on public roads in the vicinity of the site.</p> <p>To ensure compliance with the development's noise mitigation trigger levels, the Applicant has put forward a number of site-specific management and mitigation measures, including:</p> <ul style="list-style-type: none"> adopting a concrete surface finish in the carpark to minimise tyre squeal noise prohibiting returning delivery vans and articulated vehicle movements associated with the development from using the section of Edinburgh Road between Victoria Road and Sydney Steel Road during the night-time period (from 10pm to 7am) to minimise traffic noise impacts installing acoustic screening barriers in the staff parking area and part of the rear loading dock ensuring mechanical plant is fitted with silencers and the building fabric of plant rooms is acoustically treated. <p>With regard to operational traffic, the Department notes that while the Applicant has demonstrated the development would not significantly increase the volume of traffic travelling along Edinburgh Road, the night-time restriction placed upon heavy vehicles will help to further minimise the impact of operational traffic upon nearby residential properties. In addition, the Department recognises that the implementation of a Green Travel Plan will provide further opportunities to reduce the number of private vehicles travelling to and from the site throughout the day.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions of consent to ensure the Applicant's management and mitigation measures are implemented for the life of</p>

Issue	Consideration
	<p>the development, and that operational activities comply with the established noise limits. The Department has recommended conditions of consent requiring the implementation of an Operational Traffic Management Plan to manage any residual operational traffic impacts.</p>
<p>Visual impacts</p> <ul style="list-style-type: none"> Concern was raised by the public that a seven storey building would be too large for the site, and it would negatively impact upon the social fabric and environment of the surrounding area. One submission also raised concerns in relation to visual privacy and the impact of vehicle headlight intrusion on nearby homes. 	<p>While the Department acknowledges the development would be visible from several residential receivers along Edinburgh Road, it is satisfied the proposed building setbacks, façade treatments and landscaping achieve a high-quality design outcome that will soften the appearance of the building and help to reduce its impact over time.</p> <p>In addition, the Department notes the building identification and wayfinding signage proposed by the Applicant would not face towards any residential receivers, and is satisfied the art feature wall on the Sydney Steel Road frontage will help to integrate the overall development into Marrickville's creative identity.</p> <p>With regard to visual privacy, the Department notes the location of the office building and the presence of existing vegetation along the northern side of Edinburgh Road would restrict views from the site towards habitable spaces. Further, the proposed acoustic barriers within the staff parking area would help to minimise any visual intrusion caused by vehicle headlights.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions of consent to ensure the proposed architectural and landscaping treatments are fully implemented prior to the commencement of operation, the proposed signage is installed in accordance with the relevant Australian Standard, and that the final design for the art feature wall is prepared by a suitably qualified artist in consultation with Council.</p>
<p>Construction impacts</p> <ul style="list-style-type: none"> Concern was raised by the public in relation to cumulative construction impacts, particularly given ongoing works at the adjacent Sydney Metro construction site. Several submissions also objected to construction works occurring 24 hours a day, seven days a week. 	<p>The Department is satisfied that any potential cumulative impacts associated with the construction of the development can be adequately managed through the Applicant's management and mitigation measures and the recommended conditions of consent.</p> <p>In addition, the Department notes the development does not propose 24 hours a day, seven days a week construction. Instead, works would occur between 7am and 6pm Monday to Friday and between 8am and 1pm on Saturday. These hours are consistent with the recommended standard construction hours outlined under the Environment Protection Authority's Interim Construction Noise Guideline (DECC, 2009).</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions of consent requiring the Applicant to prepare and implement a Construction Traffic Management Plan for the development, which would identify specific measures to minimise any cumulative traffic impacts associated with the construction of other developments in the surrounding area (including the adjacent Sydney Metro site). The Department has also incorporated the proposed construction hours into the recommended development consent.</p>
<p>Vegetation removal</p> <ul style="list-style-type: none"> Concern was raised by the public regarding the number of trees which would be removed to facilitate the development and the impact this would have on heat retention in the vicinity of the site. 	<p>While the concerns raised by the public in relation to vegetation removal are acknowledged, the Department considers the Applicant has provided adequate landscaping as part of the development, particularly given the constraints posed by the on-site stormwater channel and the industrial nature of the site.</p> <p>Although the development would result in a reduction in the number of on-site trees, the Applicant has placed particular emphasis upon locating new landscaping along the Edinburgh Road and Sydney Steel Road frontages. This focus will ensure the majority of new trees proposed at the site are located within streetscape, helping to soften the overall appearance of the development and improve the quality of tree canopy coverage within the public domain.</p> <p>The landscape zone proposed underneath the main office building will essentially act as a new 'pocket park' for the local community, providing planter walls and shaded seating for pedestrians travelling along Edinburgh Road and nearby residents.</p> <p><u>Conditions include:</u></p> <p>The Department has recommended conditions of consent requiring the preparation of a Landscape Management Plan for the site, which will describe the ongoing monitoring and maintenance measures which would be implemented to manage the landscaping works.</p>