

Notice of decision [SSD 8606]

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

Application type	State significant development
Application number and project name	Marsden Park Warehousing Estate (SSD 8606)
Applicant	Logos Property Pty Ltd
Consent Authority	Minister for Planning

Decision

The Acting Executive Director under delegation from the Minister for Planning has, under s.4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application with the modifications outlined in the instrument of consent subject to conditions.

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

A copy of the Department of Planning & Environment's assessment report is available [here](#)

Date of decision

16 August 2018

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 *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 project including submissions made during the public exhibition period (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 proposed development will provide a range of benefits for the region and the State as a whole, including a capital investment of \$128 million, creation of 500 construction jobs and 150 to 300 operational jobs;
- the development is permissible with development consent, with the exception of the ancillary agricultural produce industry in building 5. However, the Minister for Planning has the power to grant consent to development that is partly prohibited.
- the development is consistent with NSW Government policies including the Greater Sydney Region Plan, the Central City District Plan and the North-West Priority Growth Area – Land Use and Infrastructure Implementation 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 consent authority has imposed conditions relating to noise, traffic, stormwater and visual impacts;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from Thursday 18 January 2018 until Monday 19 February 2018 (33 days) and received 14 submissions, including 10 from public authorities, two from special interest groups and two from the general public. Of the 14 submissions received, two submissions from members of the general public objected to the development.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include noise, traffic and access, visual impacts and stormwater management. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Noise Noise from construction and operation of the development.	<i>Assessment</i> - The Department considers the methods used in the Applicant's Noise and Vibration Impact Assessment are conservative and are in line with the EPA's Industrial Noise Policy (2000). - The Department's assessment concluded the predicted noise levels from the construction and operation of the development can be managed via the Applicant's proposed mitigation measures and the preparation of relevant noise management plans. - The Department also concluded a noise barrier along the northern side of the Hollinsworth Road extension is required to manage noise impacts at the Ingenia Estate. <i>Conditions</i> - Conditions have been imposed to address the community concerns based on the Department's assessment including performance based noise limits for residential receivers to the south, construction of a noise barrier on the northern side of the Hollinsworth Road extension to manage noise at the Ingenia Estate and the preparation of a construction noise management plan.
Traffic - Site access during construction and operation - Alignment with the local road network - Car parking provision.	<i>Assessment</i> - The Department's Assessment concluded the proposed access designs are generally acceptable, with the exception of the access design for building 3, which requires amendments. - The Department considers the predicted traffic volumes during construction and operation can be accommodated by the local and regional road network. The Department is also satisfied the development would provide car parking at levels compliant with the rates under the RMS Guide to Traffic Generating Development. <i>Conditions</i> - Conditions have been imposed to require implementation of a detailed Traffic Management Plan, revised access designs for building 3 and compliance with Council's published engineering standards.
Visual impact Visual bulk, scale and architectural treatment of the development.	<i>Assessment</i> - The Department's assessment concluded the construction of the development would result in visual impacts on views from the Ingenia Estate and residential areas to the south. - The Department considers these impacts are acceptable as the development is consistent with the design requirements of the Ingenia Estate under the Growth Centres DCP and the character of the Marsden Park Industrial Precinct and contains a mixture of landscaping to mitigate the bulk and scale of the visual impact of the development over time. <i>Conditions</i> - Conditions have been imposed to require preparation of a façade design for the future high bay area of building 3, preparation of detailed landscape plans with a mixture of plantings and screening and finish requirements for bin storage areas and water tanks.
Stormwater and drainage - Stormwater system design, modelling - Alignment with regional treatment infrastructure.	<i>Assessment</i> - The Department's assessment concludes the Applicant's proposed measures are capable of ensuring pre-development quality and quantity levels match post development stormwater characteristics where buildings are constructed before regional basins E and G are completed and connected to the site. - The Department considers the concept designs of the additional treatment measures would accomplish this outcome, subject to detailed design at the Construction Certificate stage with Council. <i>Conditions</i> - Conditions have been imposed requiring the preparation of detailed Stormwater Management Plans for each building, including stormwater verification to ensure pre and post development flows match.