

10.10.2023

Mr David Auster  
Department of Planning, Industry & Environment  
Locked Bag 5020  
Parramatta NSW 2124

Dear Mr Auster

**Re: SSD-51147710: 270 HORSLEY ROAD, MILPERRA**

I am writing to you in regards to the State Significant Development Application referenced above that is currently on exhibition.

We have prepared this submission on behalf of Handy Foods Pty Ltd who are the tenant of the adjacent property at 312 Horsley Road, Milperra NSW.

We are writing with specific regards to the impact the proposal will have on the short term and long term operations as a Commercial Bakery on the neighbouring site, and to ensure the application has adequately considered these impacts in their proposal.

**CURRENT OPERATIONS AT 312 MILPERRA ROAD**

The adjacent site at 312 Horsley Road is used for the manufacturing and processing of foodstuffs, including general bakery.

The site has been used as a bakery facility by the current tenant Handy Foods since 2018 and prior to that used as a commercial Bakery from the early 1990's by the Balfours Bakery group.

Stella Cakes is the primary brand of goods prepared and baked at the premises, and they supply wholesale to supermarkets across Australia and New Zealand.

The preparation of food has highly sensitive equipment, and requirements for filtration and the like that may be impacted by significant, adjacent construction and certain ongoing uses.

The current manufacturing operations run 6 days a week, from 6am till 6pm.

**SPECIFIC COMMENTS TO THE APPLICATION**

We have reviewed the submitted application and supporting reports and would like to draw to the Departments attention specific matters that we believe have not yet been assessed by the applicant.

The submitted air quality assessment does not specifically identify any of the uses of the surrounding Industrial zoned land. Under the land use zoning of IN2 Light Industrial, a broad array of uses can be carried out.

As extracted from the Canterbury-Bankstown LEP 2023 overleaf:

Response to Application SSD-51147710\_Handy Foods\_20231010.docx

## **Zone IN2 Light Industrial**

### **1 Objectives of zone**

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To promote a high standard of urban design and local amenity.

### **2 Permitted without consent**

*Nil*

### **3 Permitted with consent**

*Agricultural produce industries; Building identification signs; Business identification signs; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Resource recovery facilities; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

### **4 Prohibited**

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities*

Our clients existing use meets with the above requirements and has over 25 years of continual use as a Commercial Bakery and Food Manufacturing facility.

As a food manufacturing use, this requires significant investment to maintain clean air both inside the factory and treatment and filtration of any air or odours entering into to the factory.

The Applicants submitted Air Quality Assessment report, makes only broad commentary at this stage under the assumption that the adjacent Industrial zoned land uses are of low or medium sensitivity.

Several major pieces of our client's production equipment will potentially be impacted negatively by Dust and emissions.

- External Cooling Towers for food refrigeration
- Air Intakes for manufacturing and packaging areas for food.
- Mechanical fan systems in the roof structure

Our subject site has air intakes located within 50m and the entirety of the site lies within the 100m buffer zone of the proposed development. As such the ongoing use of the Bakery facility would be heavily impacted by the construction phase, and potentially the ongoing use of the development (subject to the proposed specific uses that are to be carried out there)

In addition to the Air Quality Impact, our clients operations as a food facility is more sensitive to other environmental impacts that will be created by the development including:

- During demolition of the adjacent industrial development, pest control measures to be considered to stop pests relocating from the subject sites existing buildings, onto our clients site.
- Ground water impacts and any Odours created as part of the development

- Garbage and waste collection locations and strategy from the ongoing operation of the site is not specifically identified on the Architectural drawings. The Waste report identifies locations that are fully contained within the building, however the extraction system locations are unclear.

## REQUESTED CONSIDERATIONS

In order for our client to adequately understand the proposal adjacent their site, we request the following additional information be provided for consideration:

- We request that the subject application's Air Quality assessment be revised to consider the sensitive existing use to the north of the site.
- This amended Air Quality assessment should include a more detailed construction management plan, that includes recommendations and provisions for dust control during construction, including but not limited to greater active measures such as misters/water spray etc to reduce the amount of dust impacts on our clients site and their sensitive equipment.
- That this air quality assessment considers the impacts any carpark or service zone mechanical extraction systems that are to be included in the completed development, and the consideration of the sensitivity of the land use on our clients site be part of the design proposal.
- In addition to above, any Odour impacts created by the demolition of the existing structures and significant groundworks be assessed and analysed.
- That any dilapidation reports carried out for construction work adjacent the northern shared boundary, include provisions for not only the structure, but for the mechanical and filtration systems in use on the Bakery Factory and any impacts upon these.
- That a Construction Management plan for the proposal, includes provision for pest control and management to ensure that the additional burden of pests is not created through the demolition of the current buildings on the proponents site.
- That the Waste management plan recommendations regarding bin storage be identified in the drawings and conditioned as part of the approval to reduce ongoing impacts for odour on our clients site.

We thank you for your consideration,

Yours sincerely,



Ben Pomroy  
Principal

CC. Dora Sykalos  
Handy Foods Pty Ltd t/as Stella Cakes  
312 Horsley Road, Milperra NSW 2214