

12561  
24 August 2012

Heather Warton  
Director - Metropolitan and Regional Projects North  
NSW Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Tom Fitzgerald

Dear Heather,

**SECTION 75W MODIFICATION TO COSTCO AUBURN (MP 09\_0184) - ADDITION OF LOUVRED VENTILATION DUCTS  
17-21 PARRAMATTA ROAD, LIDCOMBE**

On behalf of Costco Wholesale Australia Pty Ltd we write to request the Minister (or his delegate) modify Project Approval MP 09\_0184 under Section 75W of the *Environmental Planning and Assessment Act 1979* as described below.

This modification application seeks to amend Project Application MP09\_0184 by modifying the western elevation of the Costco Wholesale Retail Warehouse building by adding two louvred ventilation ducts at Level 1.

**1.0 BACKGROUND**

On 7 April 2010 the Minister for Planning approved a Concept Plan (MP09\_0102) for the use of a Costco Wholesale Retail Warehouse building, Australian Regional Headquarters and associated works at 17-21 Parramatta Road, Auburn. The Planning Assessment Commission subsequently granted consent for a Project Application (MP09\_0184) for the construction of the building on 23 April 2010.

The Project Application has been the subject of three previous Section 75W applications as summarised in **Table 1** below.

**Table 1** – Summary of Section 75W Applications to Project Application MP09\_0184

Modification Number	Description	Approval Date
1.	Minor design changes to the development, including a reduction in height of the roof parapets, addition of new egress stairs and minor revisions to the extent and positioning of some interior elements.	17 December 2010
2.	Withdrawn	N/A
3.	Modification to structure the terms of the Project Application in order to permit the occupation of the Costco Regional Headquarters under and interim occupation certificate for a short period of time immediately prior to the full completion of the Costco Retail Warehouse and the issue of the final occupation certificate.	13 July 2011
4.	Modification to extend the hours of operation of the retail warehouse.	21 June 2012

## 2.0 DESCRIPTION OF MODIFICATION

The proposed modification comprises the addition of two 800mm x 600mm louvred ventilation ducts on Level 1 of the western elevation of the Costco Wholesale Retail Warehouse building as illustrated on Plan SK 300-01. Accordingly, Plan A3-3000-DA is also required to be amended.

### 2.1 Modification to Condition A2

In light of the proposed modification, the wording amendments to Condition A2 are set out below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

Architectural (or Design) drawings prepared for the Preferred Project Report by Mulvanny G2 and Group GSA			
Drawing No.	Revision	Name of Plan	Date
<del>A3-3000-DA</del>	<del>H</del>	<del>South and West Elevations</del>	<del>30-09-10</del>
A3-3000-DA	I	South and West Elevations	xx
SK 300	01	West Elevations	09-08-2012

### 2.2 Justification

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

Subdivision 3 of Part 5 - General Commercial and Industrial Code, of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Exempt and Complying Codes SEPP) permits (subject to a complying development certificate) the construction, installation or alteration of a mechanical ventilation system on a building that is used as commercial premises subject to the following development standards:

- 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 system will comply with all of the above development standards, with the exception of (a), as the proposed ventilation ducts are located on the exterior facade of the building which is considered to be the 'building line'<sup>1</sup>. The Exempt and Complying Codes SEPP is therefore, not able to be utilised for the purposes of the installation of the ventilation system in this instance.

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

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<sup>1</sup> **building line** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and: (a) a building wall, or (b) the outside face of any balcony, deck or the like, or (c) the supporting posts of a car port or verandah roof, whichever is the shortest.

It is considered that the upgraded ventilation system itself is not dissimilar to the mechanical ventilation system which was detailed and approved in the Construction Certificate documentation for the original development. Nor will the amendment have any noticeable impact on the external appearance of the building. However, the details of the proposed upgrade will be submitted to the Principal Certifying Authority for approval prior to its installation. Furthermore, we note Condition B19 of the Instrument of Approval refers to the 'Mechanical Ventilation/Exhaust System', it is considered that the proposed upgrade to the system will still enable the Costco Wholesale Retail Warehouse development to comply with this condition.

### 3.0 PLANNING ASSESSMENT

The louvred ventilation ducts in the proposed modification are relatively small in the context of the scale of the building, and are placed a minimum of 7.2m above ground level. The western facade faces towards Haslems Creek and is set back approximately 40m from the site boundary. The louvred ventilation ducts will not be seen from the main entrance to the building nor from Parramatta Road and will not significantly alter the exterior appearance of the building.

The resultant development is consistent with the existing approval (MP09\_0184) (as amended) and the proposed modification is considered to be of minimal environmental impact as:

- the proposed ventilation system will improve the operation of the building;
- no changes are proposed to be approved uses and the general configuration of uses within the building;
- the proposed modification does not give rise to any additional environmental impacts to those considered in the original assessment of MP09\_0184 nor do they warrant additional environmental assessment;
- the design and overall scale of the building is the same as the approved design; and
- the proposed modified development will have substantially the same environmental impacts as the original approved development.

### 4.0 CONCLUSION

The Project as proposed to be amended by this application will be the same as the approved Project, adding only two louvred ventilation ducts to the western facade of the building. The proposed modifications have no environmental impact beyond those considered and assessed in the original project.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification. Should you have any queries in relation to the above, please do not hesitate to contact me on 9956 6962 or [cburdett@jbaplanning.com.au](mailto:cburdett@jbaplanning.com.au).

Yours faithfully



Claire Burdett  
Senior Planner