



TS/GK
14731
22 June 2015

Carolyn McNally
Secretary
Department of Planning and Environment
22-23 Bridge Street
SYDNEY NSW 2000

Attention: Chris Ritchie

Dear Chris

**S. 75W MODIFICATION TO HOXTON PARK MAJOR PROJECT APPROVAL MP10_0010
MODIFICATION TO APPROVED HIGH BAY EXTENSION
1 AVIATION ROAD, HOXTON PARK**

We write to you on behalf of Mirvac Projects Pty Ltd requesting that the Department of Planning and Environment (Department) initiate amendments to Project Approval MP10_0010 pursuant to Section 75W and Clause 12 of Schedule 6A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Specifically, an amendment to the former Dick Smith Electronics (now Masters Home Improvement) Project Approval is sought in regards to the replacement of an approved high bay extension to the existing warehouse, with an extension consistent with the height of the existing approved distribution centre.

This application identifies the proposed consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained within Section 75W of Schedule 6 of the EP&A Act. It should be read in conjunction with the Environmental Assessment Report (EAR) dated March 2010. This application is accompanied by:

- Section 75W application form;
- Revised Architectural Plans including the Master Site Plan (DA-01), Master Floor Plan (DA-02), Elevations (DA-03 and DA-04) and Site Signage Plan (DA-05) prepared by MNIA Architects (**Attachment A**);
- A Traffic Statement Review prepared by Colston Budd Hunt and Kafes Pty Ltd (**Attachment B**); and
- An Acoustic Review prepared by Renzo Tonin and Associates (**Attachment C**).

1.0 CONSENT PROPOSED TO BE MODIFIED

Project Approval MP10_0010 was granted by the Department on 3 June 2010, comprising the construction of the Dick Smith Electronics (DSE) Warehouse Facility. The approved development included earthworks, established building pads, staged construction of the building, building design and construction including fitout, use of the site as a DSE warehouse, signage and parking.

This approval included the scope of the future Stage 2, which comprise a 37m high bay. This high bay is proposed to be replaced with an extension comprising the same floor space, but a consistent height with the existing Stage 1 building.

1.1 Previous Modifications to the Approval

Two previous modifications have been approved by the Department, which are outlined as follows:

- MP10_0010 Mod 1: Comprised a range of minor alterations, which included the addition of a gatehouse, driveway and boundary adjustments, cladding and roof colours, and external lighting adjustments. This modification was approved by the Department on 23 January 2011.
- MP10_0010 Mod 2: Comprised a proposal to change the use from a DSE Warehouse Facility to a Masters Home Improvements Distribution Centre, as well as associated changes to signage details. This modification was approved by the Department on 13 April 2012.

The aerial photograph provided at **Figure 1** below depicts the existing development on the site. The approved Stage 2 high bay, which is the subject of this modification has not been constructed to date.



Figure 1 – Site Plan

Source: Nearmap and JBA

2.0 PROPOSED MODIFICATIONS TO CONSENT

2.1 Need for the Modification

The modification is required as the original Stage 2 high bay extension was approved with the intended client being DSE. As the use of the site was changed to a Masters Home Improvements Distribution Centre under MP10_0010 MOD 2, this modification has been prepared to reflect the different Stage 2 requirements of Masters Home Improvements, namely the lack of a need for a high bay storage area within the distribution centre. No change is proposed to the use of the site or

floorspace quantity within this modification, rather only a decrease in height of the Stage 2 extension to be consistent with the building height constructed under Stage 1.

2.2 Modifications to the Development

The proposed modifications comprise a replacement of the approved high bay extension with an extension which is of a lower height, so as to be consistent with the existing distribution centre building. The modification also seeks the relocation of the sign at the existing southern façade to the new proposed façade, as a result of the extension.

As noted above in **Section 1.1**, the Stage 2 7,000m² extension of the facility has already been previously approved, and accordingly this application only relates to the height of the proposed extension.

2.3 Modification to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in **bold italics**.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:

- a) EA;
- b) site plans DA-01, DA-06, DA-07, DA-10 and DA-11, DA-12;
- c) preferred project report;
- d) statement of commitments (see Appendix 2);
- e) Modification application 10_0010 MOD 1 and accompanying letter and Environmental Assessment titled: Hoxton Park – Dick Smith Warehouse Facility & Associated Infrastructure Project Approval/10_0010 dated 29 November 2010;
- f) Modification application 10_0010 MOD 2 and accompanying Environmental Assessment titled: Len Waters Industrial Estate (Former Hoxton Park Aerodrome) Modification to the Dick Smith Warehouse approval to include Masters Home Improvement use and amend signage details to Masters Home Improvement, dated 9 December 2011;
- g) **Modification application 10_0010 MOD 3 and accompanying Environmental Assessment titled: Modification to Approved High Bay Extension, dated 22 June 2015; and**
- h) conditions of this approval.

Signage

25. Business identification signage detailed in plan ~~SK/18 Site Signage Revision K dated 22 July 2011~~, **DA 05 Site Signage Revision B dated 13 March 2015** is approved as part of this project approval. Any changes to the signage, including any addition signage associated with the project, must be approved prior to installation.

Statement of Commitments

No changes are proposed as a result of this S75W application to the statement of commitments that relates to Project Approval MP10_0010.

3.0 ENVIRONMENTAL ASSESSMENT

This section of the report describes and assesses the potential environmental impacts associated with the proposed works.

3.1 Consistency with the Concept Plan

The proposed modification does not affect the consistency of the proposal with the Concept Approval. The proposal maintains the envisaged Stage 2 expansion of the DSE Warehouse, and only includes a lowering of the height of the Stage 2 expansion.

3.2 Consistency with Relevant EPIs, Policies and Guidelines

The modification's consistency with the relevant strategic and statutory plans and policies is discussed below.

State Environmental Planning Policy No 64 – Advertising and Signage

Clause 18: Advertisements greater than 20sqm and within 250m of, and visible from a classified road

There is currently an approved sign located at the southern elevation of the existing Masters distribution centre. Although the approved Stage 2 extension incorporates signage at the southern façade, due to the approved expansion being for the purposes of a high bay, this signage is located at approximately 25-30m above the ground, and outside the envelope of the proposed modified Stage 2 extension. Accordingly, the sign has been relocated to the southern elevation, as demonstrated in the plans at **Attachment A** which is a result of the reduced Stage 2 height.

The proposed sign will not be increased in size, and will continue to be compatible with the scale and proportion of the building. The proposed modification entails no overall change to the amount of signage on site.

The new position will not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space rural or residential areas.

Further the new position will not result in any adverse impacts to the safety of any public road, pedestrian or bicyclists.

The proposed relocation of the signage will not have any other adverse impacts on the surrounding area.

Liverpool Local Environmental Plan 2008

The proposed development is consistent with the *Liverpool Local Environmental Plan 2008* in that signage is permissible on the site with development consent.

3.3 Preliminary Hazard Analysis

A Preliminary Hazard Analysis (PHA) was previously undertaken on the site by AECOM as part of Mod 2, which assessed the proposed use of the site as a distribution centre in accordance with the requirements under *State Environmental Planning Policy No 33 – Hazardous or Offensive Development* (SEPP 33). Within the previous assessment, it was concluded that the modification was not considered to be hazardous on the basis that credible risks identified in the PHA were controlled through the implementation of fire protection measures.

It has been confirmed by the operators of the site that the storage requirements of the extension area will match those of the existing storage on the site, and that no flammable DGs or Aerosols will be stored in the Stage 2 building area. Accordingly, the proposed modification will continue to be in accordance with the requirements of SEPP 33.

3.4 Traffic

A Traffic Statement has been prepared by Colston Budd Hunt and Kafes Pty Ltd, which has been provided at **Attachment B**. The statement notes that the proposal comprises a reduction in the overall goods capacity than that approved, and does not provide any increase in the overall GFA of the site from what was previously approved for Stage 2. Accordingly, the traffic statement concludes that traffic generation would be the same or less than that previously approved. There are no proposed changes to the approved access and vehicular manoeuvring arrangements on the site.

3.5 Noise Impact

An Acoustic Review has been prepared by Renzo Tonin and Associates, which has been provided at **Attachment C**. This review has been undertaken in regards to the Acoustic Study undertaken for the original approval dated 18 February 2010. The review notes that replacement of the high bay extension with an extension which is the same height of the rest of the distribution centre will not have any change in acoustic impact from that previously assessed.

3.6 Visual Impact

The proposed modification comprises a reduction in the overall height of the Stage 2 extension, which will reduce the visibility of the development from the surrounding areas, and will accordingly have a lower visual impact.

4.0 CONCLUSION

The proposed amendments to the Hoxton Park Industrial Precinct Project Application (MP10_0010) comprise a reduction in the height of the Stage 2 distribution centre expansion, so as to be consistent with the existing warehouse. The proposed modification is a result of the changed storage requirements of Masters Home Improvements.

The proposed height reduction is not considered to have any adverse impacts, and comprises a reduction in the storage capacity of the completed distribution centre. The attached experts' statements also demonstrate that there will be no impact on either traffic generation or acoustic impact of the site.

One sign on the southern façade will be required to be moved to accommodate the Stage 2 expansion, but will not result in any adverse impacts on the surrounding area.

In light of the above, we therefore recommend that the proposed modification is supported. We trust that this information is sufficient to enable a prompt assessment of the proposed modification. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or gkirkby@jbaurban.com.au.

Yours faithfully



Gordon Kirkby
Director