

## ASSESSMENT REPORT

### Modification to Hoxton Park Warehouse Project MP 10\_0010 MOD 3

#### 1. BACKGROUND

This report is an assessment of a request to modify Project Approval (MP 10\_0010) for a Masters Home Improvement Distribution Centre at 1 Aviation Road, Hoxton Park.

The request has been lodged by Mirvac Projects Pty Ltd pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to reduce the height of an approved extension to an existing warehouse and relocation of building identification signage.

#### 2. SUBJECT SITE

The site is located within a light industrial estate on the former Hoxton Park Aerodrome in the Liverpool local government area. The site sits on the corner of Aviation Road and Airfield Drive near the M7 Motorway (see **Figure 1**).



**Figure 1: Site Location**

### 3. APPROVAL HISTORY

On 3 June 2010, the Planning Assessment Commission (PAC) granted Project Approval (MP 10\_0010) to construct a Dick Smith Electronics Warehouse Facility. The approved development comprised of the following two stages:

- Stage 1 – included a 13.7 metre high warehouse building with 44, 555 m<sup>2</sup> gross floor area (GFA); and
- Stage 2 – included a high bay warehouse extension comprising of a 37 metre high storage area with 7,171 m<sup>2</sup> GFA.

The proposal has been modified on two occasions:

- On 23 January 2011, MOD 1 was approved under delegation for the addition of a gatehouse, driveway and boundary adjustments and a range of external alterations; and
- On 13 April 2012, MOD 2 was approved under delegation to change the use of the site from a Dick Smith Electronics Warehouse Facility to a Masters Home Improvement Distribution Centre, with associated amendments to the building identification signage.

### 4. PROPOSED MODIFICATION

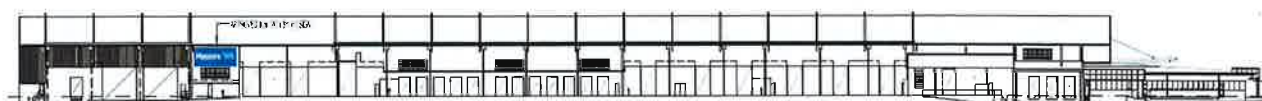
On 22 June 2015, the Proponent lodged a section 75W modification application (MP 10\_0010 MOD 3) seeking approval to reduce the height of the Stage 2 extension from approximately 37 metres to 13.7 metres, consistent with the height of the existing Stage 1 building. **Figure 2** illustrates the approved Stage 2 extension and **Figure 3** shows the modified Stage 2 extension.

In addition, the proposal seeks approval to relocate a sign on the approved high bay southern façade to the proposed lower southern façade, as shown in **Figure 4** and **5**.

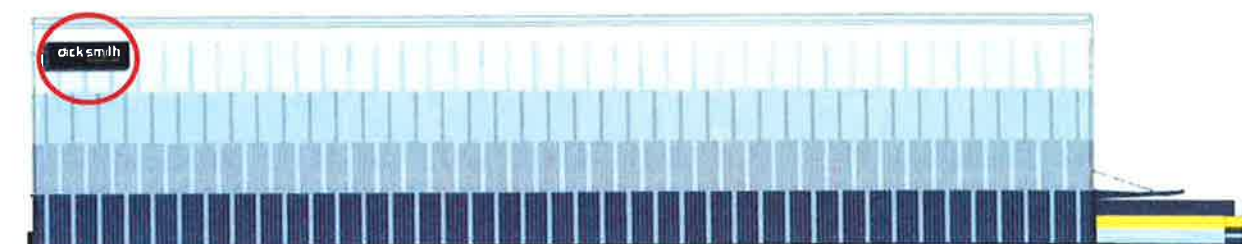
The modification is requested on the basis that the high bay storage area is not required for the Masters Home Improvements Distribution Centre.



**Figure 2** East Elevation of the Distribution Centre with the approved Stage 2 high bay extension.



**Figure 3:** East Elevation of the Distribution Centre with the proposed Stage 2 extension.



**Figure 4:** Southern Elevation of the approved Stage 2 high bay extension showing approved signage.



**Figure 5:** Southern Elevation of the proposed Stage 2 extension showing proposed signage location.

## 5. STATUTORY CONSIDERATION

### 5.1 Section 75W

The project was originally approved under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although Part 3A was repealed on 11 October 2011, the project remains a 'transitional Part 3A project' under Schedule 6A of the EP&A Act, and hence any modification to this approval must be made under the former Section 75W of the Act.

The Department is satisfied that the proposed changes are within the scope of section 75W of the EP&A Act, and do not constitute a new application.

### 5.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Acting Executive Director, Infrastructure and Industry Assessments may determine the application under delegation as:

- the relevant local council has not made an objection; and
- a political disclosure statement has been made but only in respect of a previous related application; and
- there are no public submissions in the nature of objections.

## 6. CONSULTATION

The Department made the modification application publicly available on its website, and consulted with Liverpool City Council about the proposed modification.

**Liverpool City Council** did not object to the proposal and advised that it would not be making any comments on the application.

No public submissions were received.

## 7. ASSESSMENT

The Department's consideration of the key issues associated with the proposed modification are outlined in **Table 1** below.

**Table 1: Assessment of Key Issues**

| <b>Issue</b>             | <b>Consideration</b>   | <b>Recommendation</b>                             |
|--------------------------|--|---|
| <i>Visual Impacts</i>    | <ul style="list-style-type: none"><li>• The proposal seeks approval to reduce the height of the Stage 2 extension from approximately 37 metres to 13.7 metres so that it fully integrates with the design and maximum height of the existing Stage 1 distribution centre (<b>Figure 3</b>).</li><li>• Given the height of the Stage 2 extension would be significantly reduced, the Department is satisfied that the revised extension would be less visible from surrounding areas and therefore would have an acceptable visual impact.</li></ul>  | No additional conditions or amendments necessary. |
| <i>Relocated Signage</i> | <ul style="list-style-type: none"><li>• The proposal seeks to relocate a sign from the approved (high bay) southern façade to the proposed lower southern façade (<b>Figure 4 and 5</b>).</li><li>• The Department has considered the relocation of the sign against the provisions of the <i>State Environmental Planning Policy 64 – Advertising Signage</i> (SEPP 64) and considers that the relocated sign is acceptable as it would:<ul style="list-style-type: none"><li>○ be less visible than the approved sign (given its height would be reduced by approximately 25-30 metres),</li><li>○ not result in visual clutter or have a detrimental impact on the architectural design of the building;</li><li>○ not detract from amenity or visual quality of any environmentally sensitive areas, heritage areas, open space or residential areas; and</li><li>○ not have an adverse impact on vehicle or pedestrian safety.</li></ul></li><li>• The Department is therefore satisfied that the relocated sign is acceptable and consistent with the objectives of SEPP 64.</li></ul> | No additional conditions or amendments necessary. |

| <i>Issue</i>             | <i>Consideration</i>  | <i>Recommendation</i>                             |
|--------------------------|---|---|
| <i>Hazards - SEPP 33</i> | <ul style="list-style-type: none"> <li>The previous modification (MOD 2) assessed the proposed use of the site as a distribution centre, which is likely to store products classified as Dangerous Goods. A Preliminary Hazard Analysis (PHA) was undertaken as part of MOD 2 in accordance with the requirements of State Environmental Planning Policy No 33 – Hazardous or Offensive Development (SEPP 33).</li> <li>The Department's assessment of MOD 2 concluded that the potential risks associated with the proposal would be acceptable, subject to recommended conditions.</li> <li>With regard to the Stage 2 extension area (subject to this modification) the Proponent has confirmed that: <ul style="list-style-type: none"> <li>the storage requirements of the Stage 2 extension area would match those of the existing storage area on the site; and</li> <li>no flammable Dangerous Goods or Aerosols will be stored in the Stage 2 extension area.</li> </ul> </li> <li>Accordingly, the Department considers that the proposal would not increase the overall level of risk associated with the previously assessed and approved development.</li> <li>The Department also notes that existing conditions of approval require: compliance with the Australian Standard AS/NZs 3833:2007 <i>Storage and Handling of Mixed Classes of Dangerous Goods, in Packages and Intermediate Bulk Containers</i>; and the implementation of a Fire Safety Strategy for the premises.</li> </ul> | No additional conditions or amendments necessary. |
| <i>Noise</i>             | <ul style="list-style-type: none"> <li>The application was supported by an Acoustic Review prepared by Renzo Tonin and Associates. The review concluded that the revised extension would not change the acoustic impacts associated with the proposal compared to the previously assessed and approved development.</li> <li>The Department accepts the findings of the noise review and is satisfied that the modified proposal would not result in additional noise impacts.</li> </ul>   | No additional conditions or amendments necessary. |
| <i>Traffic</i>           | <ul style="list-style-type: none"> <li>The Department is satisfied that the proposal would not increase traffic generation beyond the previously approved development given the proposal would: <ul style="list-style-type: none"> <li>reduce the overall goods capacity of the distribution centre; and</li> <li>not result in any additional GFA.</li> </ul> </li> <li>The Department also notes that there are no proposed changes to the approved access and vehicular manoeuvring arrangements on the site.</li> </ul>   | No additional conditions or amendments necessary. |

## 8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that it would not result in any additional impacts beyond those already assessed and approved.

Consequently, the Department is satisfied that the proposal is in the public interest and the modification should be approved subject to the recommended conditions.


## 9. RECOMMENDATION

It is RECOMMENDED that the Acting Executive Director, Infrastructure and Industry Assessments as delegate of the Minister for Planning:

- considers** the findings and recommendations of this report;
- approves** the application under section 75W, subject to conditions; and
- signs** the notice of modification (**Appendix A**).

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 21/7/15  
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## **APPENDIX A: NOTICE OF MODIFICATION**

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The Notice of Modification can be found on the Department of Planning and Environment's website as follows:

**1. Notice of Modification**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7132](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7132)

## **APPENDIX B: SUPPORTING INFORMATION**

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The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

**1. Modification request**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7132](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7132)

**2. Submissions**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7132](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7132)