

ASSESSMENT REPORT

Martin Brower Warehouse and Distribution Facility SSD 7078 MOD 1

1. INTRODUCTION

This report is an assessment of an application seeking to modify the State Significant Development (SSD) approval for a warehouse and distribution facility at Wetherill Park in the Fairfield local government area (LGA).

The application has been lodged by Willow Tree Planning Consultants on behalf of Frasers Property Industrial Constructions pursuant to section 96 (1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for minor changes to the layout of the warehouse and distribution facility.

2. SUBJECT SITE

The subject site is located at Wetherill Park within the Horsley Drive Business Park (HDBP) in the Western Sydney Parklands (WSP) (see **Figure 1**).

The land is owned by the Western Sydney Parklands Trust (WSPT) and the facility will be used by Martin Brower a logistics service provider for restaurant chains. The site is currently vacant and cleared of vegetation



Figure 1: Site Location (Source: Google Earth)

The site is bound by The Horsley Drive to the south, Cowpasture Road to the east and the suburb of Bossley Park is located to the south-east. The closest residential property is approximately 380 m to the west of the site. In addition, there are residential dwellings approximately 400 m to the south-east of the site in Bossley Park



Figure 2: Approved layout for the Horsley Drive Business Park

3. APPROVAL HISTORY

On 14 December 2015, the Acting Executive Director Key Sites and Industry Assessments granted SSD approval for the construction and operation of the Martin Brower warehouse and distribution facility. The approved development comprises:

- construction of a 18,559 m² warehouse and distribution facility;
- construction of hardstand, gatehouse, car parking and loading docks;
- construction of ancillary office and amenities; and
- landscaping.

4. PROPOSED MODIFICATION

The Proponent lodged an application (SSD 7078 MOD 1) seeking approval to modify the approved site layout, which includes:

- moving the warehouse, office and carpark east by 1m;
- increasing the width of the western loading area from 36m to 37m;
- reducing the width of eastern loading area from 60m to 59m;
- widening the truck exit driveway and associated circulation roadway by 1m as well as moving the car entry/exit driveway east by 1m;
- moving the car park between the main office and fuelling bay closer to main office by 500mm; and
- reducing the landscape strip along western edge of truck entry driveway.

The modification is requested on the basis that the proposed modifications would contribute to more efficient site operations.

5. STATUTORY CONSIDERATION

5.1 Modification of approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications that seek modification approvals:

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact	Section 7 of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied that the proposed modifications will have minimal environmental impacts.
That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).	The proposed modification seeks approval for minor changes and does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal would result in development that is substantially the same as the originally approved development.
The application has been notified in accordance with the regulations	The modification application has been notified in accordance with the regulations. Details of the notification are provided in Section 6 of this report.
Any submission made concerning the proposed modification has been considered.	The Department received no submissions on the proposal. The issues raised in submissions have been considered in Section 7 of this report.

5.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- *SEPP (State and Regional Development) 2011;*
- *SEPP (Infrastructure) 2007;*
- *SEPP (Western Sydney Parklands) 2009;*
- *SEPP 33 – Hazardous and Offensive Development;*
- *SEPP 55 – Remediation of Land;*
- *SEPP 64 – Advertising and Signage;*
- *SEPP 19 – Bushland in Urban Areas; and*
- *Sydney Regional Environmental Plan No. 20 Hawkesbury – Nepean River.*

The Department undertook a comprehensive assessment of the redevelopment against the above mentioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification is generally consistent with the EPIs.

5.3 Approval Authority

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

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

6. CONSULTATION

The application was notified in accordance with the *Environmental Planning & Assessment Regulation 2000*. The modification request was made publicly available on the Department's website and referred to Fairfield City Council (Council), Western Sydney Parklands Trust (WSPT) and Roads and Maritime Services (RMS) for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

Fairfield City Council raised no objection to the proposal and outlined that the changes were deemed to be minor and of no major environmental concern.

WSPT raised no objection to the proposal.

RMS raised no objection to the proposal.

There were no public submissions received on the proposal.

7. ASSESSMENT

The Department has considered the potential impacts associated with the proposed modification. The Department is satisfied that the proposed changes are acceptable for the following reasons:

- moving the warehouse, office and carpark to the east by one meter is a minor inconsequential change and the proposal would still provide adequate setbacks to neighbouring properties;
- widening the truck exit and internal roads by one metre would improve access/egress to the site as well as internal circulation. Further the proposed changes would not result in any traffic safety issues;
- The relocation of the Truck Wash, Waste Storage Area and Rainwater tank would improve the use of the facilities and servicing of the site; and
- The reduction in landscaping on the western side of the truck entry is minor and there is still adequate landscaping surrounding the site to appropriately screen and soften the appearance of the development.

The Department also notes that Council and RMS raised no concern regarding the proposal.

The Department's assessment therefore concludes that the proposed amendment is acceptable.

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 modification is appropriate given the proposed changes are minor and would not result in any additional impacts beyond those already assessed and approved.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

9. RECOMMENDATION

It is RECOMMENDED that the Acting Director Modification Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 96 (1A), subject to conditions; and
- **signs** the notice of modification (**Appendix A**).



Ella Wilkinson
Planning Officer
Modification Assessments

 18.3.15

Anthony Witherdin
Acting Director
Modification Assessments

APPENDIX A: NOTICE OF MODIFICATION

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7504

APPENDIX B: SUPPORTING INFORMATION

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=7504

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7504

3. Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7504