

## Report to Sydney West Joint Regional Planning Panel

<b>JRPP No.</b>	Item (2013SWY027)
<b>DA No:</b>	JRPP-13-160
<b>Proposed Development:</b>	Additions to the Existing ALDI Minchinbury Distribution Warehouse Space and an additional ancillary 4 storey Office Building, construction of a pedestrian bridge and a 'concept plan' approval for another 4 storey office building for ancillary administrative purposes.
<b>Development Type:</b>	"Regional Development" – Capital Investment Value >\$20 million
<b>Lodgement Date:</b>	8 February 2013
<b>Land/Address:</b>	Lot 10 DP 1180019, 1 Sargents Road, Minchinbury
<b>Land Zoning:</b>	4(c) Special Industrial pursuant to Blacktown Local Environmental Plan 1988
<b>Value Of Development:</b>	\$38,697,000
<b>Applicant:</b>	APP Corporation Pty Ltd on behalf of ALDI Stores (A LTD Partnership)
<b>Report Author:</b>	Sara Smith, Assistant Team Leader
<b>Recommendation</b>	Approved with Conditions
<b>Instructing Officers:</b>	Judith Portelli, Manager Development Services & Administration and David Apps, Acting Director City Strategy and Development
<b>Date Submitted to JRPP:</b>	6 August 2013
<b>Date Considered by JRPP:</b>	29 August 2013



2 NORTH WEST PERSPECTIVE

Figure 1: Photomontage

## ASSESSMENT REPORT

### CONTENTS

1. Executive Summary	Page 3
2. Location	Page 4
3. Site Description and Locality	Page 5
4. History and Current Use of the Site	Page 6
5. The Proposal	Page 7
6. Planning Controls	Page 8
7. External Referrals	Page 10
8. Internal Referrals	Page 10
9. Public Comment	Page 11
10. Assessment	Page 11
11. Section 79C Consideration	Page 22
12. General Comments	Page 23
13. Recommendation	Page 23

### FIGURES

Figure 1	Photomontage of the Proposed Development	Page 1
Figure 2	Location and Zoning Map	Page 4
Figure 3	Aerial Photo of Subject Site and its Surrounds	Page 5

### ATTACHMENTS

- Attachment 1 – Proposed Conditions of Consent
- Attachment 2 – Development Application Plans



## 1 Executive Summary

---

- 1.1 Council is in receipt of a Development Application (DA) from APP Corporation Pty Ltd on behalf of ALDI Stores (A Ltd Partnership) for additional warehouse space to the Existing ALDI Minchinbury Distribution Centre and an additional ancillary 4 storey Office/Administration Building, car parking, landscaping and site works at Lot 10 DP 1180019, 1 Sargents Road, Minchinbury. This is not an ALDI store; rather it will facilitate the delivery of products to their stores in the region. The proposed development has a capital investment value of \$38,697,000 million.
- 1.2 The proposed development is located at the end of Archibold Road adjacent to the M4 Motorway and is to be situated over 3 parts of the same lot which are separated by Sargents Road and Sterling Road. The land presently contains the ALDI warehouse and distribution centre and the ALDI Head office which comprises of an “L” shaped building, 3 storeys in height with 2 levels of partially submerged basement car parking with provision for 497 vehicles, this is known as Stages 1 and 2. The current application proposes Stage 3.
- 1.3 The DA also proposes a ‘Concept Proposal’ pursuant to Section 83B of the Environmental Planning & Assessment 1979 Act, known as Stage 4. Stage 4 will comprise of another ancillary 4 storey office building for administrative purposes associated with the business. This element of the proposal is permitted by the Act as a staged DA, which sets out a concept proposal for the development of part of this site, and which will later be the subject of a separate DA. It is considered that in this case Council and the JRPP are able to consider Stage 4 as a concept proposal as part of this DA, as the car parking demand has been catered for in the Stage 3 extension to the basement carpark, the anticipated vehicular movements have been taken into account, and it will be situated on flood free land. Council will then assess the concept proposal for this additional 4 storey administration building in detail when the applicant lodges a separate DA.
- 1.4 The subject site is zoned 4(c) Special Industrial pursuant to Blacktown Local Environmental Plan 1988. The proposed expansion to both the warehouse and associated office space are permissible within the zone with development consent. The land is proposed to be zoned IN1 under Draft Blacktown Local Environmental Plan 2013 and, the proposed expansion will also be permissible pursuant to the draft zone with Council’s development consent.
- 1.5 The proposed development was notified to adjoining and neighbouring owners for a period of 14 days between 13 March 2013 and 27 March 2013. During this period **no submissions were received.**
- 1.6 The application was referred to 2 external authorities for comment, namely Roads and Maritime Services (RMS) and NSW Police. No objections were raised from either authority to the proposal subject to **Conditions** of Consent.
- 1.7 The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental planning and Assessment Act 1979, including site suitability and the public interest, and is considered satisfactory. The proposed development is considered satisfactory with regard to key issues such as built form, traffic impacts, stormwater drainage and the like, subject to the imposition of suitable **Conditions** of Consent.
- 1.8 In light of the above, it is recommended that the Sydney West Joint Regional Planning Panel approve the DA subject to the imposition of suitable **Conditions** of Consent. Recommended **conditions** are provided at **Attachment 1** to this report.

## 2 Location

2.1 The site is shown on the location map below.

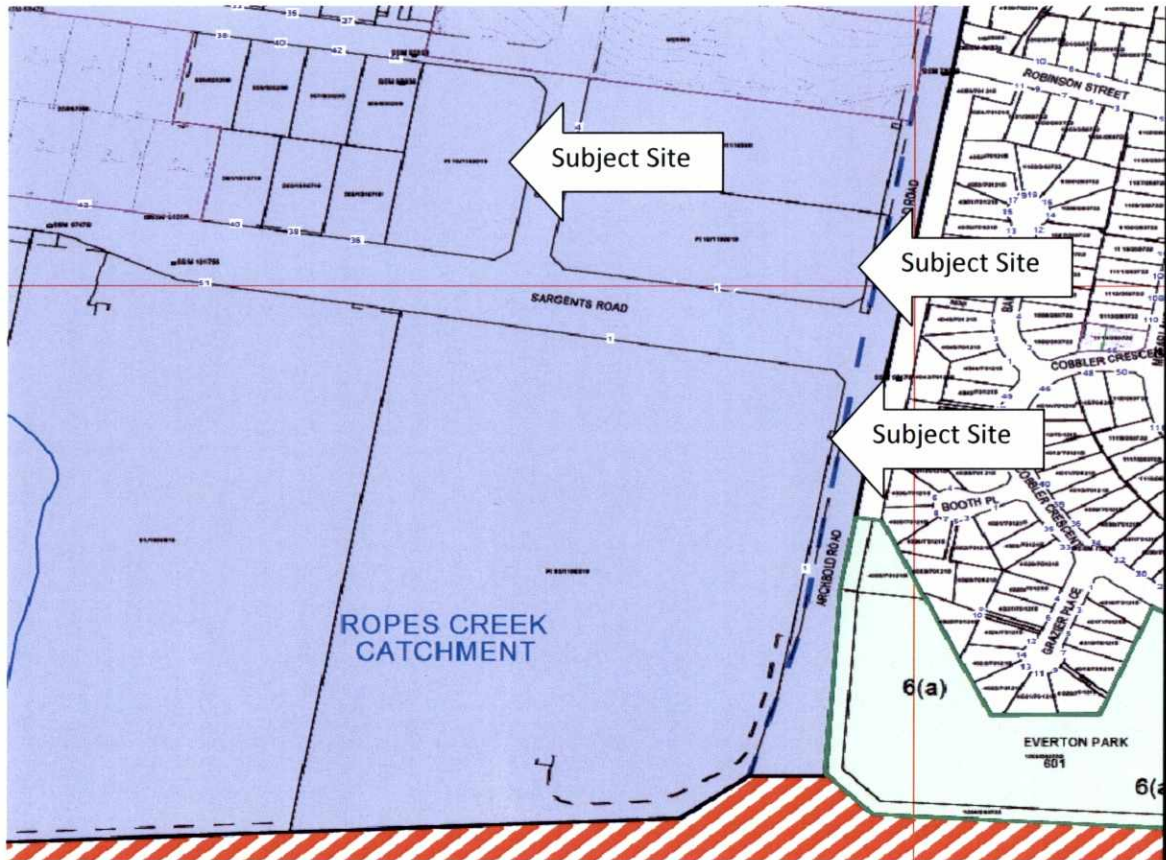


Figure 2. Location and Zoning Map

- 2.2 The site, although consolidated into a single title being Lot 10 DP 1180019, is comprised of 3 separate parts which are each severed by Sargents Road and Sterling Road. The total area of the site is 11.446HA. The existing operation sits on the southern parcel having an area of 9.187HA, whilst the car parking is located on north east parcel opposite having an area of 1.27HA. The balance of the site, being the north west parcel on the corner of Sterling and Sargents Roads is vacant and will be used as a building compound for the duration of the site works.
- 2.3 The site is located on the southern edge of the Minchinbury Industrial area. The site is bounded by Industrial development to the north and west, residential development is located to the east and the M4 Motorway to the South.
- 2.4 The existing warehouse and ancillary offices enjoy vehicular access via Sargents Road, whilst access to the open on ground car park is via Sterling Road. All vehicles must exit via Sargents Road onto Archbold Road. Access to the regional road network is off the Great Western Highway (GWH) and M4 via Archbold Road and Carlisle Avenue. Access to the M4 Motorway is via the on ramp at Roper Road heading south along the Great Western Highway.



### 3 Site Description and Locality

- 3.1 The property description of the subject site is Lot 10 DP 1180019, H/N 1 Sargents Road, Minchinbury.



- 3.2 The site, although consolidated into a single title, being Lot 10 DP 1180019, is comprised of 3 separate parts which are each severed by Sargents Road and Sterling Road. The total area of the site is 11.446HA.
- 3.3 The site currently contains ALDI's distribution warehouse located on the southern and eastern boundaries and covers majority of the site area. ALDI's associated regional administration offices are located in the north-east corner of the site. These buildings are located on the southern parcel having an area of 9.187HA, whilst the on ground car parking is located on the north-east parcel opposite on Sargents Road having an area of 1.27HA. A total of 87 on ground car parking spaces will be displaced as part of the new Stages 3 and 4 office works and put into a new basement car park.
- 3.4 The balance of the site is currently vacant and will be used as a building compound for the duration of the site works. A total of 13 existing trees in the landscaped setback to Sargents Road to the on ground car parking area are proposed to be removed as part of the construction works due to the location of the basement, OSD tanks and rainwater tanks.
- 3.5 Sargents Road is divided by a large existing drainage swale, with an existing bridge constructed over the swale for truck and vehicle access from the site onto Sargents Road. The location of the bridge is directly opposite the truck entrance but does not cater for pedestrian movements.
- 3.6 The site is not listed as an item of heritage significance.



## 4 History and Current Use of the Site

---

- 4.1. Development Consent DA-99-4631, granted 20 March 2000 by Council, approved a distribution warehouse with associated offices for use by ALDI. These works were completed in 2000/2001 and are known as Stage 1.
- 4.2. Development Consent DA-03-5084, granted 14 February 2005 under Delegated Authority, approved the expansion of existing office facilities with associated under croft, deck and at grade car parking including an office extension with a gross floor area of 4,708sqm. These works have been completed and form part of Stage 1.
- 4.3. Development Consent DA-04-2194, granted 26 August 2004 under Delegated Authority, approved internal alterations and additions to existing store rooms to improve the internal function of the warehouse. These works have been completed and form part of Stage 1.
- 4.4. Development Consent DA-05-1674, granted 22 August 2005 under Delegated Authority, approved the installation of two underground 60,000L diesel fuel tanks for the refuelling of ALDI trucks only, associated bowzers and bunded slab with underground sump, 200 litre oil tank and air compressor with awning over. These works have been undertaken and form part of Stage 1 works.
- 4.5. Development Consent DA-07-887, granted 9 August 2007 under Delegated Authority, approved the extension of 6 existing finger docks, construction of 3 additional finger docks and minor asphaltting works parallel to the southern boundary of the existing warehouse. These works have been undertaken and form part of Stage 1 works.
- 4.6. Development Consent DA-07-1733, granted 9 August 2007 under Delegated Authority, approved the expansion of existing office facilities with associated basement and at grade car parking spaces totalling 5 storeys (3 levels of office and 2 levels of submerged basement car parking). These works have been constructed and are known as Stage 2.
- 4.7. Development Consent DA-07-1732, granted 8 October 2007 under Delegated Authority, approved the construction of an on ground open ALDI car park to accommodate 222 vehicles across the road from the warehouse and office. This car park has been constructed and is operational.
- 4.8. Section 96 Modification (S96-08-270) to DA-07-1733, granted 14 February 2008 under Delegated Authority, for removal of the commercial food preparation component which was approved under the original application.
- 4.9. Section 96 Modification (S96-08-2512) to DA-07-1733, granted 6 November 2008 under Delegated Authority, to include an additional underground 5000L diesel storage tank to service the backup generator. These works have been completed.
- 4.10. Section 96 Modification (S96-09-144) to DA-07-1733, granted 4 February 2009 under Delegated Authority, to amend condition 128 regarding the drainage connection. All drainage works associated with Stage 2 have been completed.
- 4.11. Development Consent DA-12-285, granted 4 May 2012 under Delegated Authority, approved the construction of the extension to an existing warehouse building and internal fit out for additional racking. These works have been undertaken and form part of Stage 2 works.
- 4.12. The site is currently used as a warehouse and distribution centre with ancillary offices for ALDI. The site is utilised to transport goods to ALDI stores within the region. The existing warehouse has a floor area of 41,331sqm with the floor area of the ancillary offices being 7,365sqm. The facility currently employs 562 persons, with a maximum 431 persons at any one time due to shift

work. The site currently has provision of 497 car parking spaces. The warehouse currently operates 24 hours, 7 days a week, whilst the office operates Monday to Friday 8:00am to 6:00pm. The current vehicular two way movements along Sargents Road west of Archbold Road is 215 movements in the am peak and 265 movements in the pm peak.

## 5 The Proposal

---

5.1. Approval is sought by APP Corporation Pty Ltd on behalf of ALDI Stores for alterations and additions to warehouse and distribution centre, including the construction of another 4 storey office building for associated administrative purposes as well as a concept plan approval for another future administration building which will be the subject of a separate DA.

5.2. Details of the proposal are as follows:

- Excavation and site preparation works.
- Removal of 13 existing trees which have been planted within the building setback.
- Construction of a new 4 storey office building (Stage 3) containing 3,193sqm of ancillary office with a maximum building height of 19.25 metres. The building is approximately 72m long and 18.5m wide. The new 4 storey office building will be finished in composite silver/grey aluminium cladding to match existing Stage 2, with a metal roof with parapet wall. Stage 3 will be linked to Stage 2 offices via a 2 level enclosed glass louvered walkway at levels 2 and 3.
- The façade of the Stage 3 building will comprise of prefinished composite aluminium panels in silver to match the existing building. Window frames will comprise of powder coat aluminium. All materials and colours will match the existing buildings on site.
- Provision of 536sqm of warehouse space. This space is located on level 1 of the new office building and will comprise of a new racking system. The existing warehouse will not be increased as part of this application.
- Removal of part of the existing on ground car park to accommodate the new office building, resulting in the loss of 87 on ground car parking spaces. Car parking is proposed for an additional 213 spaces, including 79 spaces in the new office building basement carpark, 105 spaces in the expanded on ground car park on the northern part of the site, and 29 on ground car parking spaces located to the south of Stage 3 building and within the Stage 4 building envelope (which will be retained even when Stage 4 is built over these spaces). The total onsite parking will be 623 vehicles, which far exceeds the required parking provision of 451 spaces for all 4 stages.
- Construction of a pedestrian bridge across the drainage swales in the central median strip of Sargents Road, to the on ground carpark on the opposite side of the road, with minor footpath works to also be undertaken to ensure quick and safe pedestrian access between the sites. A raised pedestrian path will also be located over the existing drainage swale which runs along the frontage on the northern part of the site.
- The installation of a new 4.8m illuminated flush wall "ALDI" sign to the western elevation.
- Replaced landscaping modified due to building works.
- Establishment of a temporary works compound fronting Sterling Road which will have a limited life, **Conditioned** accordingly in any Consent granted.

The above works are known as Stage 3.



- 5.3 The DA also proposes a 'Concept Proposal' pursuant to Section 83B of the Environmental Planning & Assessment Act 1979, known as Stage 4. This will be an indicative building envelope for a 4 storey office building, with a maximum building height of 19.35 metres, a building footprint of 46.8m in length and 14 metres in depth and a maximum Gross Floor Area (GFA) of 2,440sqm. This component is proposed to be located to the south of the proposed Stage 3 office building. This office generates the need for 59 car parking spaces, which have been accommodated within the Stage 3 works. It is considered that in this case Council and the JRPP are able to consider Stage 4 as a concept proposal as the car parking and associated vehicular movement demand will have been catered for and assessed within the Stage 3 extension to the carpark, and the Stage 4 building will be situated on flood free land. Stage 4 will then be assessed this building in detail in the future when the applicant lodges a separate Development Application.
- 5.4 Vehicular access to the entire expanded operations will remain unaltered via Sargents Road. Vehicular access to the on ground car park will remain via Sterling Road. All vehicles must exit via Sargents Road to Archbold Road. Access to the regional road network is off the Great Western Highway via Archbold Road and Carlisle Avenue. The warehouse will continue to operate 24 hours, 7 days a week, whilst the offices will continue to operate Monday to Friday 8:00am to 6:00pm.
- 5.5 The warehouse and office currently employs 562 persons (both full time and part time positions) with a maximum 431 staff working concurrently depending on shifts worked. With the construction and occupation of both stages 3 and 4, it is expected that by 2024 the site will provide employment for 797 workers with a maximum of 639 workers at any given time.
- 5.6 The proposed development of both Stage 3 and Stage 4 works has been accompanied by a Traffic Report prepared by Colston Budd Hunt and Kafes Pty Ltd dated February 2013 and supplement report dated 15 May 2013. The report demonstrates the site creates approximately 120 two way vehicle movements per hour during peak periods. The increase of traffic movements relate to car movements only, as the new works do not increase the number of truck movements to and from the site. This is examined in more detail in Section 10 of this report.
- 5.7 The Development Application Plans are contained at **Attachment 2** to this report.

## 6 Planning Controls

---

- 6.1 The planning controls that relate to the proposed development are:
- (a) State Environmental Planning Policy (State and Regional Development) 2011
  - (b) State Environmental Planning Policy (Infrastructure) 2007
  - (c) Blacktown Local Environmental Plan 1988
  - (d) Draft Blacktown Local Environmental Plan 2013
- 6.2 An assessment of the proposed development under the relevant planning controls is provided below:



**(a) State Environmental Planning Policy (State and Regional Development) 2011**

SEPP (State and Regional Development) 2011 identifies development classified as “Regional Development”, which requires referral for determination to a Joint Regional Planning Panel (JRPP) in accordance with Clause 20 of the SEPP.

The Development Application is classified as Regional Development as the Capital Investment Cost of the application is more than \$20 million. Accordingly, Council is responsible for the assessment of the application, however determination is made by Sydney West Joint Regional Planning Panel.

**(b) State Environmental Planning Policy (Infrastructure) 2007**

Schedule 3 of SEPP (Infrastructure) 2007 identifies traffic generating development which requires referral to the Roads and Maritime Services (RMS). The SEPP requires referral to RMS where new premises have a floor area greater than 20,000sqm in area and where parking facilities of 200 or more motor vehicles with access to any road are proposed. The Stage 3 and Stage 4 works have a combined floor area of 5,633sqm and will provide car parking for 634 vehicles.

The application was referred to RMS on 19 February 2013 and considered by the Sydney Regional Development Advisory Committee (SRDAC) on 6 March 2013. The RMS have raised no objections to the proposal subject to the imposition of **Conditions**. Refer to Section 7 for further details on RMS comments.

**(c) Blacktown Local Environmental Plan 1988**

The land is zoned 4(c) Special Industrial under the provisions of Blacktown Local Environmental Plan (BLEP) 1988.

The site is already used as a warehouse and distribution centre with ancillary offices. The proposed expansion to the warehouse is permissible with development consent. The additional office space in the proposed 4 storey buildings in both Stage 3 and Stage 4 is permissible with development consent. The total existing office floor space is 7,365sqm. Stages 3 and 4 have a combined floor area of 5,633sqm resulting in a total office floor area of 12,998sqm (the warehouse and distribution centre has a total floor area of 41,867sqm). The new offices will remain at all times ancillary to the warehouse and distribution centre and constitute only 24% of the total floor area on the site. The primary use of the site is and will continue to be warehouse and distribution facility.

Clause 9(3) of the LEP requires that development is to be generally consistent with one or more of the objectives of the 4(c) Special Industrial zone and in this case the proposal satisfies objective (e) which is:

- (e) to enable development for the purposes of commercial offices only where it is **associated with, and ancillary to**, other permitted uses on the same land or where it serves the daily convenience needs of the local workforce.

The dominant permitted use on the site is the warehouse distribution facility and the office space will always remain ancillary stated below.

It is therefore considered that the development is generally consistent with the zone objectives for the 4(c) Special Industrial zone and therefore is a permissible use with development consent.

**(d) Draft Blacktown Local Environmental Plan 2013**

The land is proposed to be zoned IN1 General Industrial under Draft Blacktown Local Environmental Plan 2013. The proposed expansion is permissible in the draft zone with development consent, as a "warehouse" and "distribution centre" with ancillary "offices".

## 7 External Referrals

7.1 The subject Development Application was referred to the following external authorities as summarised in the table below:

Section	Comments
<b>Roads and Maritime Services (RMS)</b>	The application was referred to the RMS on 19 February 2013 and the matter was considered at the Sydney Regional Development Advisory Committee (SRDAC) on 6 March 2013 where no objections to the proposal were raised subject to the imposition of <b>Conditions</b> of consent including the preparation and submission of a Construction Traffic Management Plan, ensuring any signage is at no cost to the RMS, ensuring the car parking areas comply with AS2890.1:2004 and ensuring landscaping does not impact on sight distances. ( <b>Conditions 2.5 and 3.4</b> )
<b>NSW Police Force</b>	The application was referred to NSW Police on 19 February 2013 to ensure 'Safer by Design' criteria have been met by the applicant and comments were received on 18 March 2013 raising no objections or conditions to the proposal.

## 8 Internal Referrals

8.1 The subject Development Application was referred internal sections of Council as summarised in the table below:

Section	Comments
<b>Engineering</b>	No objections to the proposal subject to the imposition of <b>Conditions</b> of Consent ( <b>Conditions 2.3, 3.2, 6, 10, 11.1, 11.5</b> )
<b>Building</b>	No objections to the proposal subject to the imposition of <b>Conditions</b> of Consent ( <b>Conditions 1.1, 1.2, 1.3, 1.5, 5, 8, 10, 11.1, 11.2, 11.3</b> )
<b>Traffic</b>	Comments from Council's Traffic Management Section (TMS) have been received as follows: <ol style="list-style-type: none"> <li>1. No change in access arrangements is proposed. No objection is raised to the access arrangements.</li> <li>2. Car parking is considered adequate.</li> <li>3. Access, internal circulation and layout arrangements are satisfactory.</li> <li>4. While a pedestrian bridge is desirable, it is required to be supported by Council's Open Space and Maintenance Section.</li> </ol> <b>Conditions</b> ensuring compliance with carparking area standards AS 2890.1:2004 will be included, on any Consent granted ( <b>Conditions 4.2, 11.4, 12.1</b> )
<b>Environmental Health</b>	The application was referred to EHU to assess the impacts of waste management and noise during the construction on neighbouring properties, including residential properties. No objections to the proposal subject to the imposition of <b>Conditions</b> of Consent ( <b>Conditions 7, 11.6, 13</b> )



<b>Open Space and Tree Management and Road Maintenance</b>	No objections were raised to the construction of the pedestrian bridge over Council's central median strip which also serves as a drainage swale. With regard to the on-ground carpark opposite, tree species will have to be changed to meet Open Space requirements. Appropriate <b>Conditions</b> to be imposed regarding alternative suitable planting species. <b>(Conditions 4.3)</b>
<b>Property</b>	The application was referred to Property as the pedestrian bridge is proposed to be located on the central median strip which also serves as a drainage swale, which upon construction will be handed over to Council. No objections raised to the proposal.

## 9 Public Comment

- 9.1 The Development Application was notified, in accordance with Blacktown Development Control Plan Part K – Notification of Development Applications, to adjoining and nearby property owners and occupants for a period of 14 from 13 March 2013 and 27 March 2013. As a result of the notification period, **no submissions were received**.

## 10 Assessment

- 10.1 An assessment of the key issues relating to the proposed development is presented below:

### (a) Blacktown Development Control Plan 2006

The provisions of the Blacktown Development Control Plan (BDCP) 2006 Part A - Introduction and General Guidelines, Part E - Development in Industrial Zones, Part O – Site Waste Management and Minimisation and Part R - WUSD and Integrated Water Cycle Management are relevant to the proposal. The following table outlines that the Application is generally compliant with the relevant provisions of the Blacktown DCP.

CONTROL	REQUIREMENT	PROPOSAL	COMPLIES
<b>Part A</b>			
<b>Tree preservation</b>	Existing trees should be preserved where possible	The application seeks approval for the removal of 13 trees. Suitable replacement landscaping is proposed. The application is considered satisfactory with respect to Tree Preservation.	No, a total of 13 existing trees are proposed to be removed as part of the application. These trees are currently within the setback area of the main site, however are proposed to be removed as the trees fall within the construction area of the OSD system, underground rainwater tanks and basement carpark. A <b>condition</b> will be imposed for replacement landscaping with suitable spaces to be undertaken in the building setbacks.

<b>Pollution Control</b>	Compliance regarding the air, water and noise pollution controls in BDCP 2006 Part E	A Waste Management Plan prepared in accordance with the requirements of the DCP has been submitted with the Development Application.	Yes
<b>Noise Reduction</b>	Developments are required to have regard to residential land adjoining.	It is not considered that the construction of an additional 4 storey office building will increase any noise levels from the site. Notwithstanding this, A <b>Condition</b> of Consent has been imposed requiring the submission of an acoustic report prior to the release of the construction certificate to ensure the noise levels are satisfactory during the construction phase of the project.	Yes
<b>Car parking</b>	Refer to DCP Part E for a detailed assessment.	Carparking complies. Refer to DCP Part E for a detailed assessment.	Yes
<b>Solar Access</b>	Development shall not impede the access of solar radiation to surrounding land and development	The proposed new office building is not considered to result in any unreasonable overshadowing over adjoining land uses or within the subject site.	Yes
<b>Traffic Generating Development</b>	Developments which may generate substantial traffic will be assessed in accordance with procedures of the RMS.	The Applicant has submitted a Traffic Impact Assessment identifying the implications of the proposed development on the surrounding street network and car parking. In addition the application was referred to the RMS, where no objections to the proposal have been raised.	Yes



<b>Crime Prevention through Environmental Design</b>	A Crime Safety / prevention Audit shall be submitted	The siting and design of the proposed development has taken into consideration CPTED measures, including natural surveillance, landscaping and proposed lighting within the development. The proposal was referred to NSW Police to ensure compliance with 'Safer by Design' Criteria and they have no objections to the proposal.	Yes
<b>Part E</b>			
<b>Subdivision of Industrial land</b>	Min width – 35m, min area 1,500sqm	The proposal does not involve subdivision.	N/A
<b>Design Guidelines Setbacks</b>	No buildings are to be erected on any land within: 20m of the street alignment of a road zoned 5(b); 7.5m of the street alignment of any other road.	No new development is proposed within 20 metres of the M4 Motorway. The proposed development has a setback of 9.2m from Sargents Road which is consistent with existing setbacks on site.  The on ground car park has a setback of 18 from Sargents Road and 10 metres from Sterling Road.	Yes
	Blank facades will not be accepted	The façade of the proposed Stage 3 office building is sufficiently articulated. The building will be finished in composite aluminium cladding and glazing to match existing building, with a metal roof with parapet wall Stage 3 will be linked to Stage 2 offices via a 2 level enclosed glass louvered walkway with linkages on levels 2 and 3. All materials and colours will match the existing buildings on site.	
	Front setback areas shall be landscaped	The current 10m front setback area contains well established trees. As part of this application 13 existing trees will be	

		removed as these trees are located within the construction zone of the OSD system, underground water tanks and basement. New landscaping will be provided, including Spotted Gums along the street frontage to Sargents Road, with provision of low shrub planting capable of growing to a height of 2 metres to screen the building.	
	Fencing – must be open style and not obstruct vehicles. Min height of 1.2m	This application does not seek to amend existing fencing.	
<b>Landscaping</b>	<p>Setback areas are to be landscaped and maintained</p> <p>All landscaped areas to be separated from vehicular access by means of a kerb, dwarf wall or other effective physical barrier</p> <p>Trees are to have a minimum height of 1m at time of planting</p>	<p>The setbacks are suitably landscaped and have been addressed earlier in this table.</p> <p>All landscaped areas are separated from vehicular access by a kerb.</p> <p>Proposed trees are minimum 1 metre height.</p>	Yes
<b>Vehicular Access and Circulation</b>	<p><i>Vehicular ingress and egress to the site must be in a forward direction at all times</i></p> <p><i>All internal two –way roadways are to have a minimum width of 7m.</i></p> <p><i>Adequate space is to be provided for loading, unloading and fuelling (if applicable)</i></p>	<p>Vehicular ingress and egress to the site is in a forward direction.</p> <p>All internal 2 way driveways have a minimum width of 7 metres. The existing access arrangements will remain with two driveways to the main building site both from Sargents Road, whilst the carpark will continue to utilise vehicular access from Sterling Road.</p> <p>N/A, no modifications are proposed to the warehouse and distribution centre including the areas for</p>	Yes



Page 15 of 23

		<p>(61 spaces due to Stage 3 works and 29 spaces due to Stage 4 works), however at the end of both Stage 3 and Stage 4 a total of 623 spaces will be provided on site.</p> <p>Due to the displacement of car parking on the main part of the site, the additional 105 car parking spaces to be provided in the on ground car park will be required to be constructed and operational prior to building works for Stage 3 commence. A <b>Condition</b> to cover this will be imposed on any consent granted.</p> <p><b>The site requires a minimum of 451 spaces</b> (307 approved under DA-07-1733 approved 9 August 2007 being retained and 144 new spaces). This will be <b>Conditioned</b> accordingly in any Consent granted.</p> <p>The provision of 623 spaces achieves an overall surplus in parking of 172 spaces.</p> <p>The car parking will be provided in the following locations:</p> <ul style="list-style-type: none"> <li>- 327 spaces on ground car park opposite the main site (this includes the new 105 additional spaces)</li> <li>- 64 spaces existing on ground on main site</li> <li>- 104 spaces in existing basement of Stage 2 building</li> <li>- 49 spaces existing in the lower basement in Stage 2 building</li> <li>- New 23 spaces lower ground Stage 3</li> </ul>	
--	--	---	--



	All developments providing 50 spaces or more must provide at least 2% or part thereof of disabled drivers.	<ul style="list-style-type: none"> <li>- New 56 spaces Stage 3 basement (for future Stage 4)</li> </ul> <p>It is therefore considered that ample car parking will be provided on site.</p> <p>3 existing disabled spaces are provided and will remain. The new on ground car parking area requires a minimum 7 disabled parking spaces, a total of 8 spaces will be provided. Consent will be <b>Conditioned</b> accordingly for these spaces.</p>	
<b>Part O</b>			
<b>Waste Management Plan (WMP)</b>	Submission of a Waste Management Plan	A Waste Management Plan prepared in accordance with the requirements of the DCP has been submitted. The Development Application will be <b>Conditioned</b> accordingly.	Yes
<b>Part R</b>			
<b>Water Sensitive Urban Design &amp; Integrated Water Cycle Management</b>	Provision of appropriate water management	Council's Engineers have undertaken an assessment of the proposal in accordance with the requirements of BDCP Part R. Accordingly, appropriate Engineering <b>Conditions</b> have been included and sufficient information has been provided to satisfy the requirements of BDCP Part R. Comments and conditions are held at Enclosure 40A on Council File JRPP-13-160 ( <b>Conditions 2.3, 3.2, 6,10, 11.1, 11.5</b> )	Yes

**(b) Site Analysis**

Although consolidated into a single title, the site comprises of 3 separate allotments which are severed by Sargents Road and Sterling Road. The existing operation sits on the southern parcel, having an area of 9.187HA, whilst the car parking is located on the north-east parcel having an area of 1.27HA. The remaining parcel is currently vacant. The new offices has been designed taking into consideration the sites location as one of the gateways to the Minchinbury Industrial Area is compatible with the existing buildings and adjoining premises and therefore is considered satisfactory.

**(c) Context and Scale**

The 4 storey office building has been designed to complement the existing warehouse and office buildings currently built on the site. The new Stage 3 building has a consistent setback to Sargents Road of 9.5 metres with the existing Stage 2 office building. The scale of the building is compatible with the existing office building and the design of the building is well articulated to ensure the massing of the building is reduced. The proposed Stage 4 office building will be subject to a future DA at which time the design and appearance of the building will be assessed. It is however noted the overall height and mass of the Stage 4 building is consistent with the Stage 2 and 3 buildings. The additional warehouse space will not be visible as it will be contained in level 1 of the office building and have a racking storage system.

**(d) Building Height and Design**

The Stage 3 building has an overall height limit of 19.25 metres and will present to Sargents Road as a 4 storey building with 3 levels of offices and 1 level of car parking, (one level of basement parking will also be provided). The height of the office building is equivalent to the existing office building and will not impact on any significant views, vistas or sight lines.

**(e) External Appearance**

The Stage 3 office building has been designed in a modern contemporary style and in keeping with the existing office building on the site. The building is approximately 72m long and 18.5m wide. The new 4 storey office building will be finished in composite aluminium cladding and glazing to match existing Stage 2 with a metal roof. Stage 3 will be linked to Stage 2 offices via a 2 level enclosed (glass louvered) walkway at levels 2 and 3. The façade of the Stage 3 building will comprise of prefinished composite aluminium panels in silver to match the existing building. Window frames will comprise of powder coated aluminium. All materials and colours will match the existing buildings on site. The proposal is compatible with its industrial setting. There will be no change to the appearance of the existing warehouse distribution centre.

The detailed design of the Stage 4 building will be assessed under a separate application by Council or the Panel depending on its CIV.

**(f) Building Frontages and Setbacks**

The site is located in a prominent position at the corner of one of the main entry roads to the Industrial area of Minchinbury. The building has a setback of 9.2 metres from Sargents Road, which provides ample opportunities for landscaping to be provided, complies with the Blacktown Development Control Plan 2006, and is consistent with the existing buildings.

The car park on the opposite side of Sargents Road has a setback of 18.5 metres from Sargents Road and 10 metres from Sterling Road, which is considered sufficient to enable suitable landscaping.

**(g) Solar access and privacy**

The new Stage 3 building is north facing, provides viewing opportunities over Sargents Road, and is not considered to adversely impact on existing solar access to the site, or adjoining properties.



**(h) Access, Traffic and Parking**

- The proposed access arrangements are considered satisfactory and concurrence has been received from the RMS with respect to impacts on Sydney's road network.
- Vehicular access to the entire operation will remain unaltered via Sargents Road as discussed at Section 5.4 of this report.
- The proposed on-site car parking provisions are considered satisfactory, and in accordance with Blacktown Development Control Plan 2006.
- All car parking spaces achieve compliance with AS2890.1. A **Condition** of Consent will be imposed ensuring a minimum of 451 spaces are provided and maintained and all spaces and aisle widths comply with the relevant Australian Standards. **(Conditions 4.2, 11.4, 12.1)**

**(i) Pedestrian bridge**

The application seeks approval for a pedestrian bridge over the existing drainage swale in the median between the separated lanes on Sargents Road along with pedestrian crossings on Sargents Road. This bridge and crossings will provide a link between the office buildings with the at grade open car park opposite on Sargents Road and will provide a safe path of travel for staff.

The bridge will be constructed of low maintenance materials including a concrete slab, with steel rod balustrades and stainless steel handrails. Lighting will be provided in the form of LED strip lights which will be recessed into the handrails with shatterproof clear polycarbonate covers. The construction of the bridge has been designed for a 40 year life span, and all works will be undertaken by ALDI. The bridge is to be dedicated to Council and as such, Council's Engineers have checked the design of the bridge and have provided **Conditions. (Condition 3.5.1, 6.2.2, 6.6, 11.6.4)**

**(j) Landscaping**

- The applicant has submitted detailed landscaping plans which show the provision of suitable landscaping within the setbacks along Sargents Road and Sterling Road. Suitable species have been chosen for planting within the site, including Spotted Gum trees along the street frontage to Sargents Road, with provision of low shrub planting capable of growing to a height of 2 metres to screen the building. These will replace the 13 trees that have to be removed due to the building works.
- Suitable planting is proposed within car parking area with the exception of the *Populus nigra* (Black Poplar) species. Sufficient planting is provided which will enable vehicles to be provided shade from the sun. A **Condition** has been imposed requiring the submission of an amended landscaping plan replacing the proposed Black Poplar with Chinese Poplar **(Condition 4.3)**.
- Council will **Condition** for the full compliance by the applicant with the landscape plans as submitted with the DA prior to occupation of the development. **(Condition 11.4)**

**(k) Utilities and Infrastructure**

The proposed additions to the existing warehouse and distribution centre and office buildings are not considered to adversely impact on existing utilities and facilities. **Conditions** for servicing will be imposed requiring a S73 Certificate for Sydney Water Corporation and a Certificate from Endeavour Energy. **(Condition 1.5, 3.5)**.

**(l) Noise and Vibration**

To minimise noise and vibration as a result of construction work, a standard **Condition** of Consent will be imposed, including construction activities associated with the development, and the delivery of material to and from the site, so as to meet the DEECW 2009 Construction Noise Guidelines. **(Condition 9).**

**(m) Safety and Security**

The proposed development was referred to NSW Police to ensure that their requirements for 'Safer by Design' had been met. The Police have no objections to the proposal. The warehouse and distribution centre currently operates 24 hours, 7 days a week and will have security measures in place, appropriate lighting in the car parks and the pedestrian bridge, and no external storage of goods. **Conditions** will be imposed on any Consent issued requiring, prior to the occupation of the building, that all security measures be imposed and lighting installed. **(Condition 11.6.5, 12.3.2, 12.3.1).**

**(n) BCA compliance**

A Condition of Consent would require that the proposed development complies with the applicable requirements of the Building Code of Australia, including accessibility requirements. **(Condition 5.1).**

**(o) Impacts during Construction**

Conditions of Consent are recommended to mitigate any potential impacts on the amenity of the surrounding environment, including hours of construction and the submission and approval of a Traffic Management Plan for construction. In addition, a condition has been imposed for the submission of an acoustic report prior to the release of the Construction Certificate to ensure construction noise does not adversely impact on neighbouring residential properties. **(Conditions 7, 9).**

**(p) Contamination**

State Environmental Planning Policy 55 – Remediation of Land (SEPP), outlines state wide planning controls for the remediation of contaminated land. The SEPP states that land it is unsuitable for a proposed use because its contaminated, the land must be remediated and certified prior to being developed. The site has not been identified as being contaminated therefore no remediation is required. However pursuant to Council's Contaminated Lands Policy Part Q of BDCP 2006, as the proposal includes the uplifting of asphaltic surfaces from the car park this will have to be disposed off at a registered tip site due to potential hydro carbon contamination. An appropriate **Condition** will be imposed on any consent granted for the safe removal and disposal of the asphaltic material. **(Condition 9.5.3).**

**(q) Social and Economic Impact**

It is considered that development of a warehouse and distribution centre and ancillary office will complement the existing industrial development within Sargents Road, as well as the wider Local Government Area. The proposed development is not expected to have any adverse social or economic impact.

**(r) Water Management**

The application has been assessed against Council's DCP Part R and reviewed by Council's Drainage Engineer and Development Engineer who have raised no objections to the proposal subject to **Conditions** of Consent. **(Conditions 2.3, 3.2, 6, 10, 11.1, 11.5).**



**(s) Soil Management**

The proposed development is not expected to have an adverse impact in regard to soil erosion or sedimentation. A **Condition** of Consent will require the applicant to ensure the proposal is carried out in accordance with erosion and sedimentation measures. **(Condition 8.1.4).**

**(t) Salinity**

The applicant has not submitted a Salinity Investigation Report with the DA for the proposal, however given new building works are proposed it is considered necessary that this be **Conditioned** on any consent granted, and that any recommendations arising from the Report are to form the basis of a Salinity Management Plan for the project. **(Condition 4.3.3).**

**(u) Waste Minimisation and Management**

The proposal is not expected to generate any significant amounts of waste. Waste collection facilities are provided within the site to manage waste during operating hours. **(Condition 9.5).**

**(v) Developer Contributions**

The subject site falls within Contribution Plan (CP) No. 1 – 1980's Release Area and Contribution Plan (CP) No. 2 – Local Roadworks. Contributions have been paid for 11.118HA of the overall site as required by CP No. 1 and for 262m of road frontage to Sargents Road as required under CP No. 2. This was paid under previous Development Applications including DA-95-105 and DA-99-4631.

The current DA generates contributions for the remaining portion of the site being that part of Lot 10 where the Building Compound Site is proposed. This has a developable area of 0.328HA and is within Ropes Creek Trunk Drainage Catchment which has a base rate per hectare of \$88,533. Therefore a total of \$29,039 base contribution will be required under CP. 1. Also a Local Road contribution is required for 40 metre of road frontage to Sargents Road (of the compound site). The Local Roads Contribution is \$1298 per metre for half width road construction and in this case a total base contribution of \$51,920 is required under CP 2.

The total combined base contributions will be \$80,959 and these will be subject to Consumer Price Indexation (CPI). As at the March 2013 quarter the CPI updated amount will be \$104,382, however this will be subject to further CPI updating until the contributions are paid. A **Condition** will be imposed requiring the payment of Section 94s prior to the release of the Building Construction Certificate at the CPI updated rate applicable at the time of payment. **(Condition No. 4.1).**

## 11 Section 79C Consideration

11.1 Consideration of the matters prescribed by Section 79C of the Environmental Planning and Assessment Act is summarised below:

Head of Consideration	Comment	Complies
<p><i>a. the provisions of :</i></p> <p><i>(i) any environmental planning instrument (EPI)</i></p> <p><i>(ii) any development control plan</i></p> <p><i>(iii) the regulations</i></p>	<p>The provisions of the relevant EPIs relating to the proposed development are summarised under Section 6 of this report.</p> <p>The proposal is considered to be consistent with State Environmental Planning Policy (State and Regional Development) 2011, State Environmental Planning Policy (Infrastructure) 2007 and Blacktown Local Environmental Plan 1988.</p> <p>The proposal is permissible within the 4(C) Special Industrial zone and satisfies the zone objectives.</p> <p>A detailed assessment of the Application is provided under Sections 6 and 10 of this Report.</p>	Yes
<p><i>b. the likely impacts of that development including, environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i></p>	<p>An assessment of the key issues is provided in Section 10 of this Report and it is considered that the likely impacts of the development including traffic, noise, parking, access, and the like have been satisfactorily addressed.</p>	Yes
<p><i>c. the suitability of the site for the development</i></p>	<p>The subject site is zoned 4(c) Special Industrial pursuant to Blacktown Local Environmental Plan 1988 and permits warehouses and distribution centres and ancillary offices with consent.</p> <p>The proposal has been designed taking into consideration the site's constraints including the relationship to existing buildings, access arrangements to the site and the relationship to adjoining buildings.</p> <p>The site is therefore considered suitable for the proposed development.</p>	Yes
<p><i>d. any submissions made in accordance with this Act, or the regulations</i></p>	<p>As noted in section 9 of this Report, no submissions were received.</p>	Yes
<p><i>e. the public interest</i></p>	<p>The proposal is in the public interest as it will supply the goods to all the regional ALDI Stores.</p>	Yes



## 12 General Comments

- 12.1 The application has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning and Assessment Act 1979 and is considered to be satisfactory. Overall, it is considered that the proposed development satisfactorily addresses its impacts and the proposal is in the public interest.
- 12.2 The proposal is consistent with the objectives of Blacktown Local Environmental Plan 1988 4(c) Special Industrial zone and the proposed expansion of the offices associated with the ALDI warehouse and distribution centre is permissible subject to development consent.
- 12.3 The proposal complies with the essential criteria of Blacktown Development Control Plan 2006 – Part E Development in Industrial Zones. Issues pertaining to car parking, built form, access, traffic impacts, stormwater drainage, OSD and site contamination are considered satisfactory.
- 12.4 The application was publicly notified for a period of 14 days, wherein no submissions were received.

## 13 Recommendation

- 13.1 The Development Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at **Attachment 1**.
- 13.2 The Applicant be advised of the Sydney West Joint Regional Planning Panel's decision.



Sara Smith  
ASSISTANT TEAM LEADER



JUDITH PORTELLI  
MANAGER DEVELOPMENT SERVICES AND ADMINISTRATION



DAVID APPS  
ACTING DIRECTOR CITY STRATEGY AND DEVELOPMENT