

Report to Sydney West Joint Regional Planning Panel

JRPP No.	Item (2011SYW084)
DA No:	JRPP-11-1414
Proposed Development:	Warehouse units with associated office, car parking, landscaping, retaining walls and drainage works
Development Type:	“Regional Development” – Capital Investment Value > \$10 million
Lodgement Date:	6 July 2011
Land/Address:	Lot 552, DP 1110447, 2 Southridge Street, Eastern Creek
Land Zoning:	IN1 – General Industrial pursuant to SEPP (Western Sydney Employment Area) 2009
Value Of Development:	\$14,976,510
Applicant:	Goodman Ltd
Report Author:	Eltin Miletic, Town Planner
Instructing Officers:	Judith Portelli, Manager Development Services & Administration and Glennys James, Director City Strategy and Development
Date Submitted to JRPP:	11 November 2011

ASSESSMENT REPORT

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ATTACHMENTS

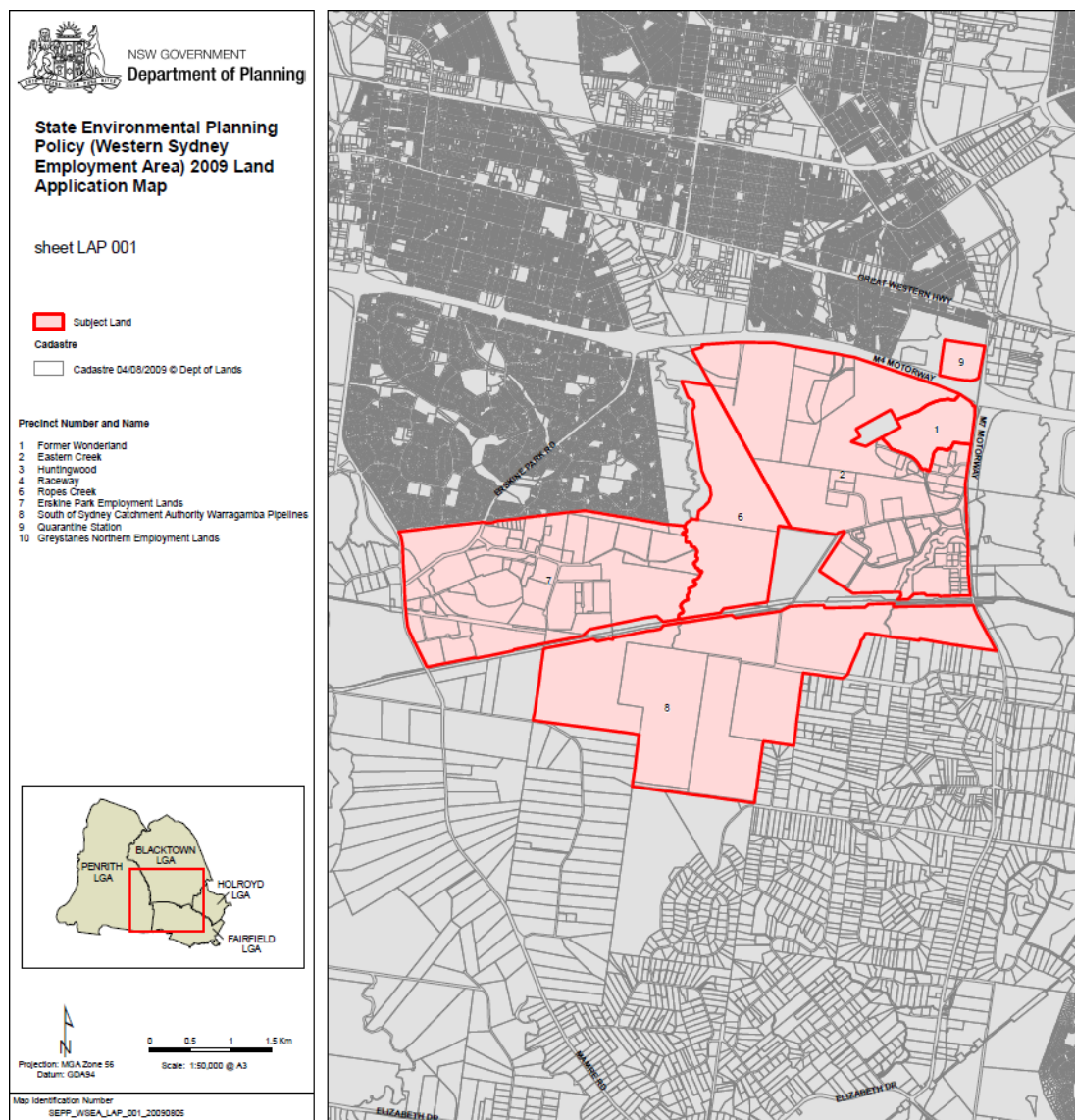
Attachment 1 – Development Application Plans
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1 Executive Summary

- 1.1 Council is in receipt of a Development Application (DA) from Michael Hercus of Goodman Limited for the construction of 2 warehouse buildings consisting of 2 and 3 units respectively, with associated office, car parking, landscaping, retaining walls and drainage works at Lot 552 in DP 1110447, 2 Southridge Street, Eastern Creek. The proposed development has a Capital Investment Value of \$14.9 million.
- 1.2 The proposed development is located to the immediate south of “Southridge” House, which is recognised as a heritage item within Schedule 2 of Blacktown Local Environmental Plan (BLEP) 1988, in addition to being identified in the Eastern Creek Precinct Plan Stage 3 and is currently the subject of an adaptive re-use proposal and subdivision under separate DA-10-2325. No development works are proposed to be undertaken as a part of this DA within the boundaries of the proposed heritage lot under DA-10-2325 containing “Southridge” House.
- 1.3 The proposal comprises a total warehouse floor area of approximately 20,519sqm, 2,350sqm of office space and 165 car spaces with an additional 64 overflow car spaces. The proposed hours of operation are 24 hours a day, 7 days a week. It is anticipated that the proposal will generate a total of 114 vehicle movements per day. A single truck entry and exit point is proposed off Capicure Drive, while 2 car entry/exits are proposed off Southridge Street and Capicure Drive respectively.
- 1.4 The proposed development constitutes ‘Regional Development’ requiring referral to a Joint Regional Planning Panel (JRPP) as it has a Capital Investment Value of more than \$10M. As such, while Council is responsible for the assessment of the DA, determination of the Application will now be made by the Sydney West Joint Regional Planning Panel and not by Council.
- 1.5 The subject site is zoned IN1 General Industrial pursuant to State Environmental Planning Policy (Western Sydney Employment Area) 2009. The proposed development is permissible in this zone with development consent.
- 1.6 The DA was referred to the Department of Planning and Infrastructure (DPI) and the Sydney Regional Development Advisory Committee (SRDAC) for comments, both of which raised no objection to the proposal subject to conditions of consent.
- 1.7 The Application was notified to adjoining and neighbouring owners, local historical societies and advertised in the local newspapers for a period of 14 days from 27 July to 10 August 2011, during which time 2 submissions were received by Council from the Mount Druitt Historical Society and the Blacktown and District Historical Society. However, on balance, it is considered that the submissions received are not sufficient to warrant refusal of the DA.
- 1.8 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 suitability of the site and the public interest, and is considered satisfactory. The proposed development is considered satisfactory with regard to key issues such as Built Form, Access, Traffic Impact, Stormwater Drainage, Aboriginal Archaeology, Heritage, ESD, Site Contamination, Salinity, Flora and Fauna, Social and Economic Impacts and the like, subject to the imposition of suitable conditions of consent to satisfactorily control the development.
- 1.9 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 2 to this Report.

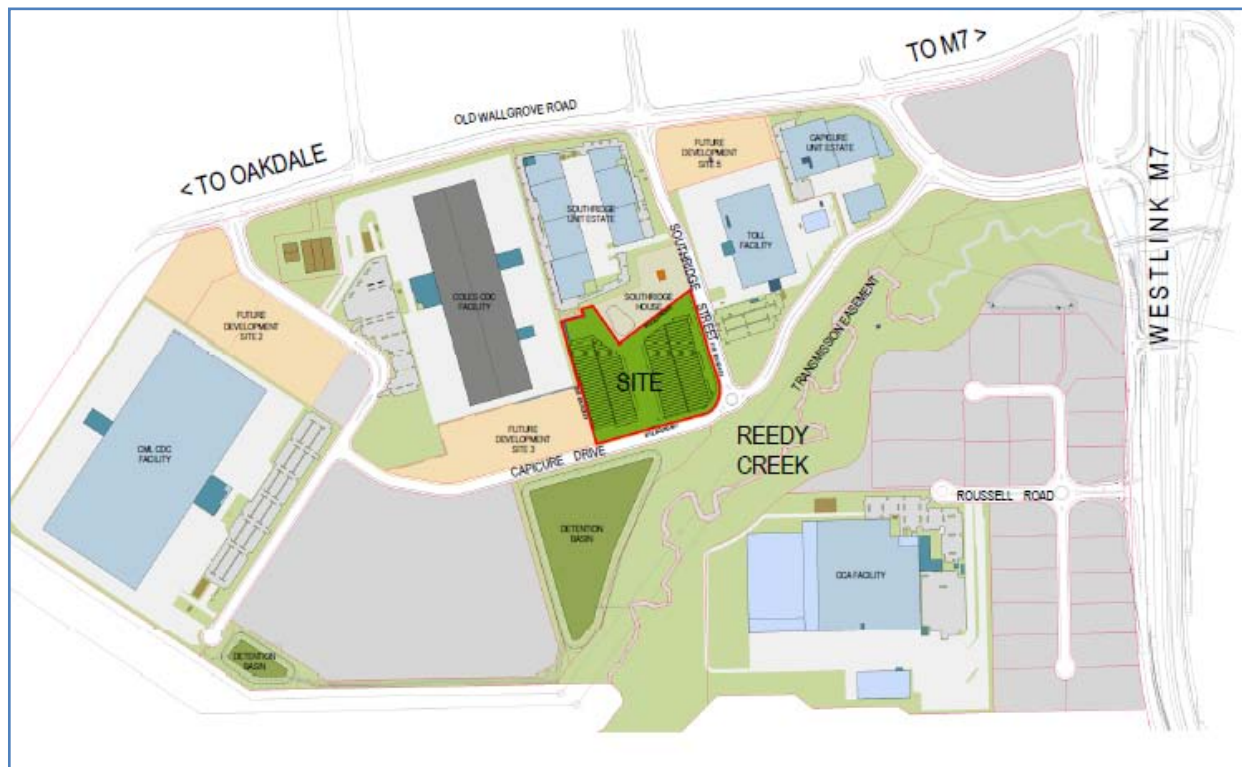
2 Location and Site Description

- 2.1 The subject development site is located in the southern portion of the Eastern Creek Precinct (Stage 3) of the Western Sydney Employment Lands, approximately 900m from the M7 Motorway to the east. The subject land is identified as Precinct 2 pursuant to the SEPP (Western Sydney Employment Area) 2009 Land Application Map.



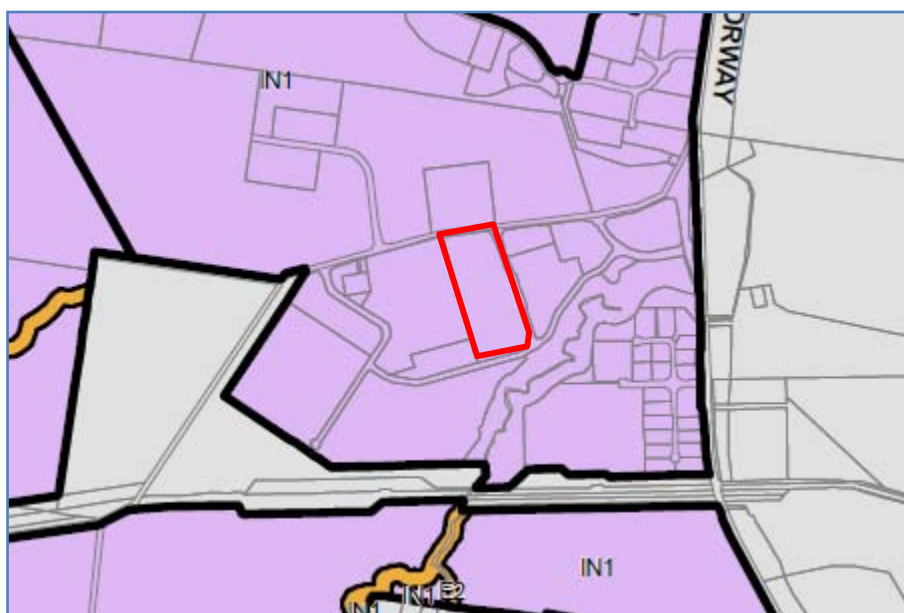
WSEA SEPP Land Application Map

- 2.2 The subject site enjoys vehicular access to the surrounding regional road network of the M4 and M7 Motorways and Old Wallgrove Road via private roads known as Southridge Street and Capicure Drive, as shown on the next page.



Location Plan (Source: Twoarchitects, Dwg. No. 110405-DA-002[A], dated 7.7.11)

- 2.3 The subject land, being Lot 552 in DP 1110447, currently has a total area of 10.139 hectares and is bounded by Old Wallgrove Road to the north, private roads Southridge Street and Capicure Drive to the east and south, respectively, and the Coles Distribution Centre to the west.
- 2.4 The subject site currently contains an existing industrial warehouse development to the north, Southridge Heritage House in the central portion and vacant land to the south. The proposed development is located to the immediate south of Southridge House which is recognised as a heritage item within Schedule 2 of Blacktown Local Environmental Plan (BLEP) 1988, and which is called up by the Western Sydney Employment Area (WSEA) SEPP and included in the Eastern Creek Precinct Plan (ECP) Stage 3.
- 2.5 It is noted that Council is currently in receipt of an adaptive re-use proposal for Southridge House and subdivision to create a lot (proposed Lot 2 which has an area of 1.145 ha) for the extent of the heritage item under DA-10-2325. The proposed development under this JRPP DA is located within proposed Lot 1 which is wholly outside of the proposed heritage lot under DA-10-2325. No development works are proposed to be undertaken within the heritage curtilage of Southridge House as a part of this DA.
- 2.6 The area surrounding the site is predominantly characterised by existing industrial warehouse developments to the immediate north, east and west; and vacant industrial land further to the north and south.
- 2.7 The subject site is zoned IN1 - General Industrial pursuant to State Environmental Planning Policy (Western Sydney Employment Area) 2009 as shown below.



Zoning Plan (Source: Department of Planning and Infrastructure, 2009)



Aerial Photo of Site and Surrounds (Source: Blacktown City Council, 2010)

- 2.8 The proposed development site is generally grass covered and contains an earth dam (not being the dam to be retained within the Southridge heritage lot), temporary basin and 2 soil stockpiles to be removed as a part of a separate DA (DA-11-1415) for Bulk Earthworks recently approved by Council on 14 October 2011. An existing track and easement for water supply traverses the site, which provided temporary access and services to the adjoining industrial development to the west. These have now been made redundant by the construction of the private roads and associated services (known as Capicure Drive and Southridge Street) within the adjoining lot for roads created under the Ministerial approval for the M7 Hub, being Lot 561 in DP 1110447 owned by Goodman's joint venture partner Austral Bricks, which is burdened by a right of carriageway and easement for services to the benefit of all of the lots in the M7 Hub. It should be noted these roads are intended to be dedicated to Council as public road upon the finalisation of the design and construction of Old Wallgrove Road to the satisfaction of the RTA.
- 2.9 The topography of the land is undulating with a fall of approximately 10 metres to the south-east draining to Reedy Creek. The north-western and western boundaries of the proposed development site contain steep transitions in grade, with the adjoining existing industrial developments ranging in height approximately 5-8m above the level of the subject property, while Southridge House is located approximately 5m above the level of the proposed industrial development under this DA.

3 History and Current Use of the Site

- 3.1 On 18 September 2006 the then Minister for Planning issued project approval (MP_06-164) under Part 3A of the Environmental Planning and Assessment Act 1979 for the 'Coles Myer Chilled Distribution Centre' and subdivision into 8 industrial lots, 1 lot for road and 1 lot for drainage purposes with associated staged infrastructure provision including roads, stormwater drainage and services at the Goodman M7 Business Hub. Matters relating to Flora and Fauna, Bushfire Hazard, Salinity, Site Contamination, Aboriginal Archaeology, Stormwater Management, Road Layout and Traffic were considered under MP_06-0164 and suitably addressed to make the site suitable for Industrial development.
- 3.2 As a result, the subject development site enjoys access to the private roads known as Capicure Drive and Southridge Street which are intended to be dedicated to Council as public road upon the finalisation of the design and construction of Old Wallgrove Road to the satisfaction of the RTA.
- 3.3 On 28 March 2008 Council approved DA-07-3377 for an industrial warehouse unit development on the northern portion of the subject site, leaving the southern portion of the site, including Southridge House, vacant and undeveloped.
- 3.4 On 13 August 2008 Council refused an industrial warehouse unit development under DA-08-816 immediately south of the heritage curtilage of Southridge House due to the proposed development's impacts on drainage and heritage features on the land. The current proposal represents a redesign of the previous proposal in order to satisfactorily address these matters.
- 3.5 Council is currently in receipt of a DA for an adaptive re-use of Southridge House and Neighbourhood Centre proposal with a Subdivision to create a lot (being proposed Lot 2 which has an area of 1.145 ha) for the extent of the heritage item under DA-10-2325. The development now proposed under this JRPP DA is located wholly on proposed Lot 1, which is outside of the proposed heritage lot under DA-10-2325. No development works are proposed to be undertaken within the heritage curtilage of Southridge House as a part of this DA.

- 3.6 Council recently approved Bulk Earthworks under DA-11-1415 on 14 October 2011 to allow the preliminary site works to facilitate the future industrial development currently proposed under this DA.
- 3.7 However, given the continued state of disrepair at Southridge House and that the proposed works to Southridge House have yet to be approved, a **condition** of consent is proposed for inclusion as a part of this DA for the restoration of Southridge House in accordance with the requirements of the Conservation Management Plan prepared by Eric Martins and Associates dated 2003, prior to the issue of any Occupation Certificate for this warehouse proposal.

4 The Proposal

- 4.1 Council is in receipt of a Development Application (DA) from Michael Hercus of Goodman Limited for the construction of 2 warehouse buildings consisting of 2 units (Building 'A') and 3 units (Building 'B'), with associated office, car parking, landscaping, retaining walls and drainage works at Lot 552 in DP 1110447, 2 Southridge Street, Eastern Creek.
- 4.2 The proposed development is located to the immediate south of Southridge House on proposed Lot 1 in the subdivision under DA-10-2325.
- 4.3 Proposed Building 'A' is located on the western portion of the site off Capicure Drive, while Building 'B' is located on the eastern portion at the corner of Capicure Drive and Southridge Street. The 2 buildings are separated by a 45m wide hardstand area.
- 4.4 The proposal comprises a total warehouse floor area of approximately 20,519sqm, 2,350sqm of office space and car parking, with 5 warehouse units ranging in size from 3,210sqm to 4,975sqm. Each proposed warehouse building is 12.2m in height to the ridge line and generally rectangular in form with dimensions of 71.4m X 142.48m and 76.5m X 146.8m respectively. The proposed buildings will be sited on finished site levels of RL63.6 (Building 'B') and RL63.8 (Building 'A'), being approximately 5m below the natural ground level of Southridge House. The north-eastern corner of Building 'A' and north-western corner of Building 'B' have been splayed to reflect the shape of the heritage curtilage of Southridge House. External finishes of the warehouse predominantly consist of pre-finished metal wall sheeting above 2.1m high precast concrete panels and metal sheet roofing.
- 4.5 The mezzanine office components extend forward of the proposed warehouse units and consist of precast concrete panels with aluminium framed glazing and covered external staff areas with shade sails. Each of the proposed warehouse units will have a lobby entrance and all dock entrances will be accessed via the central hardstand area.
- 4.6 Appropriate colour selections of the external materials will be utilised to provide variation to the external appearance of the development, which will be further complemented by detailed landscaping and decorative retaining wall/fencing works.
- 4.7 The proposed development for warehouse purposes seeks to operate 24 hours a day, 7 days a week. No end users have been identified at this stage, but a **condition** is proposed to be included to ensure that no retail operations will occur on the site.
- 4.8 A total of 165 car spaces will be allocated as part of this proposal, with an additional 64 provisional car spaces set aside for additional capacity. In this regard a car parking dispensation of 9 spaces from that required under the Precinct Plan is sought as a part of this DA. It is anticipated that the proposal will generate a total of 114 vehicle movements per day.
- 4.9 Access to the site is proposed via the private roads known as Capicure Drive and Southridge Street which are intended to be dedicated to Council as public road upon the finalisation of the

design and construction of Old Wallgrove Road to the satisfaction of the RTA. A single truck entry and exit point is proposed off Capicure Drive, while 2 car entry/exits are proposed off Southridge Street and Capicure Drive respectively.

5 Planning Controls

5.1 The planning controls that relate to the proposed development are as follows:

a. State Environmental Planning Policy (Major Development) 2005

SEPP (Major Development) 2005 identifies development classified as ‘regional development’, requiring referral to a Joint Regional Planning Panel (JRPP) for determination on the basis of the criteria listed within Clause 13B. The proposed development constitutes ‘Regional Development’ as it has a Capital Investment Value of more than \$10M in accordance with Clause 13B(1)(a) of the SEPP. As such, while Council is responsible for the assessment of the DA, determination of the Application will now be made by the Sydney West Joint Regional Planning Panel and not by Council under Delegated Authority.

b. State Environmental Planning Policy (Western Sydney Employment Area) 2009

This SEPP primarily aims to promote economic development and the creation of employment in the Western Sydney Employment Area. The subject site is zoned IN1 – General Industrial pursuant to this SEPP, and the proposed development, being for the purpose of warehouse and distribution facilities, is consistent with the objectives of the zone and permissible with Development Consent. Pursuant to Clause 19 of the SEPP, the Eastern Creek Precinct Plan (Stage 3), dated 14 December 2005, is the guiding document for the development of Stage 3 and must be taken into consideration by the Consent Authority. The relevant matters for consideration raised in the Precinct Plan are discussed in detail in the assessment of key issues contained in Section 9 of this Report. The DA complies with the relevant Principal Development Standards and Miscellaneous Provisions pursuant to Parts 5 and 6 respectively of the SEPP.

c. State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 aims to ensure that the RTA is made aware of and allowed to comment on types of development nominated as ‘traffic generating development’ listed in Schedule 3 of the SEPP. Schedule 3 identifies development being industry with a site area of more than 15,000sqm. The proposed development therefore triggers the Infrastructure SEPP. The DA was referred to the RTA for comment in accordance with the Infrastructure SEPP. The RTA’s comments are outlined in Section 6 of this Report. In addition, a copy of any determination will be forwarded to the RTA in accordance with Clause 104(4) of the SEPP.

d. Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River

The site is located in the South Creek catchment identified under the SREP. It is considered that the proposal does not conflict with the aims of the plan as the site stormwater management will ensure that post-development flows do not exceed pre-development flows, and water polishing will ensure any water discharged meets the relevant stormwater quality guidelines.

6 External Referrals

6.1 The subject Development Application was referred to the following public agencies as summarised in the table below.

Agency	Comments
Department of Planning and Infrastructure (DPI)	<p>The DA was referred to the DPI on 14 July 2011 pursuant to Clauses 22 – Rainwater harvesting, 26 – Development on or in the vicinity of proposed transport infrastructure routes and 29(3) – Satisfactory arrangements for the provision of regional transport infrastructure and services of SEPP (Western Sydney Employment Area) 2009.</p> <p>Council received correspondence from the DPI on 5 September 2011 advising that there were no specific infrastructure requirements for rainwater harvesting in relation to Clause 22 given that a rainwater harvesting scheme for the Eastern Creek Precinct had yet to be approved by the Director-General; providing no comments in relation to Clause 26; and advising that arrangements for the provision of regional transport infrastructure and services pursuant to Clause 29(3) have been entered into.</p>
Roads and Traffic Authority (RTA)	<p>The DA was referred to the RTA on 14 July 2011 pursuant to Clause 104 of SEPP (Infrastructure) 2007. The traffic impact of the proposed development was considered by the Sydney Regional Development Advisory Committee (which includes the RTA) on 27 July 2011 and no objections were raised subject to conditions, which will be imposed on any consent granted.</p>

7 Internal Referrals

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

Section	Comments
Engineering	No objections subject to the imposition of appropriate conditions of consent (Enclosure 53A on Council File JRPP-11-1414).
Building	No objections subject to the imposition of appropriate conditions of consent (Enclosure 34A on Council File JRPP-11-1414).
Traffic	The proposed development was considered by Council's Traffic Management Section. No objections were raised subject to an area being set aside on site to accommodate any shortfall in car parking in the future in accordance with the requirements of the Eastern Creek Precinct Plan (Enclosure 36A on Council File JRPP-11-1414). This matter is further examined in Section 9 of this Report.
Drainage	No objections subject to the imposition of appropriate conditions of consent (held at Enclosure 53B on Council File JRPP-11-1414).
Section 94	No objections from Section 94 Co-ordinator as arrangements for the provision of infrastructure have been made under a Planning Agreement between the Minister for Planning and the proponent (Enclosure 29A on Council File JRPP-11-1414). A condition requiring compliance with the relevant obligations of the State Planning Agreement will be imposed on any consent granted.
Environmental	No objections subject to the imposition of appropriate conditions of

Services	consent (Enclosure 31A on Council File JRPP-11-1414).
Heritage	The proposed development was considered by Council's Heritage Advisor, who advised that the proposed development responds to the recommendations of the Conservation Management Plan (CMP) for Southridge House. However, concern was raised in relation to the impact of the height of Building 'B' on the ridgeline prominence of Southridge House (Enclosures 35A, 51A and 54A on Council File JRPP-11-1414). This matter is further examined in Section 9 of this Report.

8 Public Comment

- 8.1 The subject Development Application was notified to adjoining and neighbouring owners, local historical societies and advertised in the local newspapers for a period of 14 days from 27 July to 10 August 2011, during which time 2 submissions were received by Council from the Mount Druitt Historical Society (objecting to the proposal) and the Blacktown and District Historical Society (raising no objection to the proposal).
- 8.2 It is noted that the grounds for objection raised by the Mount Druitt Historical Society primarily relate to concerns over the current state of disrepair of Southridge House and the need to expedite the upgrade of the House. In this regard Council is in receipt of DA-10-2325 for the adaptive reuse and upgrade of Southridge House, which is currently being considered by Council. However, to ensure that Southridge House is restored, it is also considered appropriate to impose a **condition** as a part of this DA (JRPP-11-1414) for the House to be restored in accordance with the requirements of the Conservation Management Plan for Southridge House prepared by Eric Martin and Associates (2003) prior to the issue of any Occupation Certificate, as this DA represents the completion of industrial development on the site. In addition, as discussed further below, it is considered that the proposed development complies with the requirements of the Conservation Management Plan for Southridge House and will not have an adverse impact on the heritage significance of Southridge House. Therefore, on balance, it is considered that the submissions received are not sufficient to warrant refusal of the DA as the issues raised can be addressed by appropriate conditions of consent.

9 Assessment

- 9.1 An assessment of the proposed development against the requirements of the Eastern Creek Precinct Plan (ECP) and SEPP Western Sydney Employment Area 2009 (the SEPP) is presented below. A copy of the Concept Masterplan for the precinct is provided on the following page.

9.2 General Services

In accordance with Section 3 of the ECP and Clause 25 – 'Public Utility Infrastructure' of the SEPP satisfactory arrangements must be in place for the provision of public utility infrastructure. The subject site has access to services such as water and sewer, power, telecommunications and gas supply, which was provided as a part of the Ministerial approval under MP_06-164. In addition to this, further **conditions** will be imposed on this consent requiring the Applicant to obtain Service Authority Clearances prior to the issue of any Occupation Certificate.

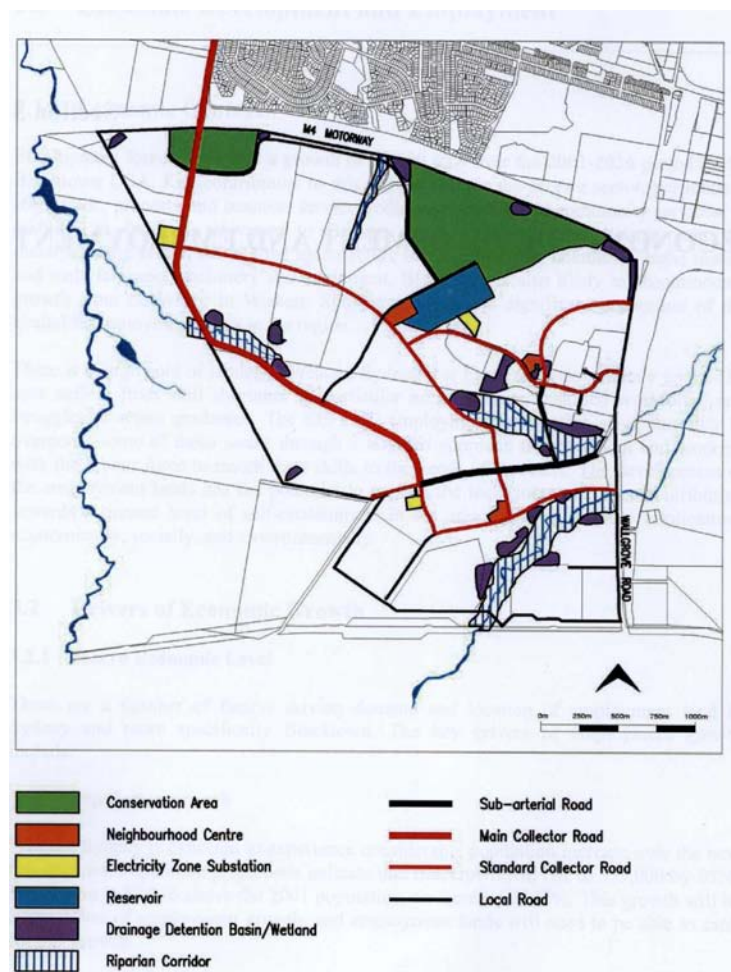
9.3 Stormwater Management

The ECP identifies a number of drainage detention basins and riparian corridors within the greater SEPP Western Sydney Employment Area land. The subject site drains to the south-east towards the Reedy Creek Catchment. Regional stormwater drainage infrastructure has been provided as a part of the Ministerial approval under MP_06-164. Council's Drainage Section reviewed the submitted stormwater plans and documentation and initially raised concerns with

regard to the details of the proposed stormwater quality control measures and proposed overland flows. Following receipt of additional details submitted by the Applicant on 26 September 2011, Council's Drainage and Engineering Sections subsequently raised no objection to the proposal subject to the imposition of appropriate **conditions** of consent.

These **conditions** include:

- Council's formal sign-off and endorsement of bio-swale landscape details, detailed stormwater plans and calculations demonstrating compliance with the relevant Council Stormwater Quality and Quantity requirements prior to the issue of any Construction Certificate;
- the installation and maintenance of suitable erosion and sediment control measures throughout the duration of works;
- the submission of relevant certificates from suitably qualified engineers certifying the proper construction of the stormwater infrastructure;
- the submission of maintenance manuals for the proposed stormwater infrastructure; and
- the imposition of Section 88B restrictions and covenants on title requiring the appropriate maintenance of the stormwater infrastructure.



Extract from Precinct Plan – Figure 8. Concept Masterplan

9.4 Environmental Management

The main objective for environmental management is to include measures that will reduce waste, improve energy efficiency, conserve water and ultimately reduce the impact of the proposed development on the environment (also as required under Clause 20 of SEPP Western Sydney Employment Area 2009). As such, the following headings discuss the proposed development in terms of Ecologically Sustainable Development.

a. Water Conservation

Provision has been made for on-site roof water harvesting. The proposed development also includes the installation of water fixtures with a minimum AAA rating and the planting of Indigenous low water species. As such, it is considered that water conservation has been satisfactorily addressed. In addition, in accordance with Clause 22 – ‘Rainwater Harvesting’ under the SEPP, the DoP has advised that a rainwater harvesting scheme has not been adopted by the Director-General and, as such, there are no specific requirements in relation to regional rainwater harvesting for this proposal.

b. Energy Efficiency

The siting and use of materials for the development has been designed in a manner to improve energy efficiency. The Applicant has submitted an Energy Efficiency Report, dated 4 July 2011, prepared by Surface Design, which assesses the energy efficiency of the proposed development. The report notes that the largest ‘base building’ energy consumer will be the lighting of the proposed warehouse. Therefore, in order to minimise energy consumption, the proposed roof materials will incorporate translucent sheeting to potentially provide up to a 10% energy saving. However, while optimising natural lighting is ideal, given the nature of warehouse development which requires flexibility in racking arrangements depending on occupant requirements, the proposed development will also incorporate artificial lighting systems which meet or exceed the requirements of the Building Code of Australia Part J. A **condition** will be imposed as a part of any consent granted requiring compliance with the submitted Energy Report. In addition, the proposed development has been designed to include natural cross ventilation opportunities and fixed external shades along the eastern and western facades to minimise solar load.

c. Air Quality

As the proposed development is intended for future use as a warehouse, it is considered that the building itself will create minimal impacts on air quality. The proposed development has provided bicycle rack facilities for employees in accordance with Section 10.4 of the ECPP that prescribes a rate of 1 bicycle locker or other suitable form of secure bicycle accommodation per 600sqm of office space and a **condition** will be included requiring this to be in place prior to the issue of the Occupation Certificate. In addition, given that some 229 car spaces are proposed to be provided, as per Section 10.5 of ECPP a **condition** shall be imposed requiring a copy of the Travel Demand Management Program demonstrating the promotion of transport options for visitors and employees to the Precinct to be submitted to the Department of Planning and Infrastructure (DPI) prior to the issue of the Occupation Certificate. Whilst this requirement of Section 10.5 of the Precinct Plan would seem a matter of extreme detail that may not be necessary to be considered by the DPI, it is a stated provision of the Plan which originated from the original SEPP 59 and the adoption of the Precinct Plan under that SEPP.

d. Waste

A Waste Management Plan (WMP) has been prepared and submitted as a part of the Application. The subject site is clear of any vegetation and necessary earthworks approved under DA-11-1415 have been designed to balanced cut and fill and, as such, the proposed development will generate little waste during the construction phase. Waste generated during the operation of the proposed development will be collected by a private contractor. Therefore, a **condition** of consent should be included within the consent requiring compliance with the submitted WMP.

e. Contamination

Site contamination has previously been addressed under MP_06-164, which ultimately recommended that the site was suitable for commercial/industrial uses. However, it is noted that the subject site contains 2 dams and 2 stockpiles to be removed as a part of the proposed development and it has been over 5 years since the last investigation was conducted. Therefore, it is considered necessary to include a **condition** in the consent requiring testing and sampling of these features prior to any reuse and of the areas underneath these features to ensure that the land remains suitable for the proposed development. Should the testing reveal any contaminated material, all works are to cease and a Remediation Action Plan is to be submitted to Council, with final validation submitted to Council prior to the issue of the Occupation Certificate.

f. Salinity

The applicant submitted, as a part of the DA, a Salinity Investigation and Management Plan (SMP) prepared by Douglas Partners, dated June 2008, which provides suitable recommendations for the proposed development to mitigate the impacts of urban salinity, including drainage, landscaping works and building piers, footings and foundations. However, it is noted that the investigation revealed the presence of groundwater (probably saline) at a depth of 5.2m, which is likely to be intercepted by the level of proposed excavation under DA-11-1415 for the approved Bulk Earthworks. Therefore, a **condition** has been included on DA-11-1415, and should be on this DA, requiring the preparation of a Groundwater Management Plan by a suitably qualified consultant to manage groundwater on-site. In addition to the above, the Environmental Consultant engaged for the project will be required to monitor the site throughout the earthworks and construction stage to ensure that all works are carried out in an appropriate manner in accordance with the SMP, with sign-off to that effect to be submitted to Council prior to the issue of the Occupation Certificate.

g. Noise and Vibration

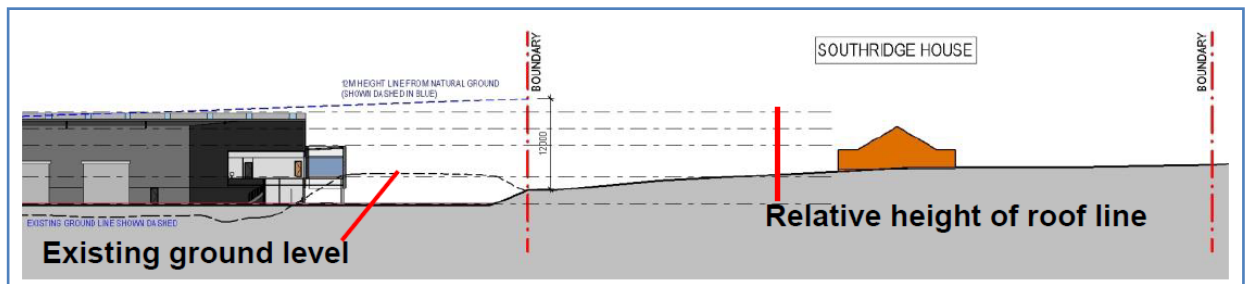
The subject site is part of land zoned for industrial purposes and the northernmost extent of the subject site is located over 1km from the nearest residential land. The proposed development will not generate any offensive noise and is in keeping with similar warehouse and distribution facility developments located within the Eastern Creek Precinct. Therefore it is considered that the proposed development will not adversely impact the amenity of any residential areas. In any case, standard **conditions** will be included in any consent granted to ensure that no offensive noise or pollution is generated by the proposal during the construction phase and ongoing operations.

9.5 Heritage

a. Non-Indigenous

The subject site contains Southridge House, which is recognised as a heritage item within Schedule 2 of Blacktown Local Environmental Plan (BLEP) 1988 in addition to being identified in the Eastern Creek Precinct Plan Stage 3. The proposed development under this DA is located wholly outside of the heritage curtilage of Southridge House. It is also noted that Council is currently in receipt of an adaptive re-use proposal for the restoration and development of Southridge House as a Neighbourhood Centre and subdivision to create a lot (proposed Lot 2 which has an area of 1.145 ha) for the extent of the heritage item under DA-10-2325.

As a part of this Neighbourhood Centre DA, the Applicant submitted a Heritage Impact Statement prepared by AMBS, which confirms that the proposed development is generally in accordance with the recommendations contained in the Southridge House Conservation Management Plan (CMP) prepared by Eric Martin and Associates (2003). The CMP sets in place parameters for adjoining industrial development to protect the heritage significance of Southridge House in the context of an industrial business park. More specifically, although no setback is specified in the CMP, in order to protect views from the south, a 10-12m height limit has been nominated for industrial development to the south of the heritage item given the higher relative level of the heritage house.



East elevation detail of the relationship of the warehouse to Southridge House (AMBS, 2011)

As shown in the Figure above, the springing height of Building 'B' is 10m while the ridgeline height is 12.2m, which is considered to be within the 10-12m height limit allowed for in the CMP given the level of excavation proposed relative to the height of the land at the proposed heritage lot boundary, which is in the order of a 2m drop in level. Notwithstanding this, although Council's Heritage Advisor raised concern in relation to the impact of the height of Building 'B' on the ridgeline prominence of Southridge House given it is unclear in the CMP where the 10-12m height limit was intended to be measured from, it is noted that a 200mm reduction in the ridgeline height of Building 'B' will do little to improve the ridgeline significance of Southridge House. Furthermore, the proposed development has incorporated a setback from the proposed heritage boundary ranging from 20-35m accompanied by extensive landscaping to provide a suitable buffer to the heritage item as shown on the submitted Landscape Plan at Attachment 1.

On this basis it is considered that the proposed development meets the requirements of the CMP and strikes an appropriate balance between the operational requirements of industrial warehouse units and the heritage significance of Southridge House.

b. Indigenous

The ECPP identifies the subject land as low to moderate Aboriginal archaeological sensitivity. As a part of the previous Ministerial approval for the M7 Business Hub (MP_06-164), the site of the proposed development under this DA was found to be clear of any identified Aboriginal objects or places.

9.6 Traffic and Transport

a. Regional Road Network

The Regional Road Network has previously been considered during the development of the Eastern Creek Precinct Plan and subsequent Ministerial approval for the Goodman M7 Business Hub under MP_06-164, which approved the roads fronting, and providing access to, the subject site.

The Precinct Plan however also requires, prior to any development consent, written certification from the Director-General of the DPI stating that satisfactory arrangements have been made for the provision of regional transport infrastructure services. Council received the abovementioned clearance on 8 February 2010.

It is noted that the private roads known as Capicure Drive and Southridge Street providing access to the development (via an easement for right of carriageway benefitting the subject site) are intended to be dedicated by Goodman to Council as public road upon the finalisation of the design and construction of Old Wallgrove Road and any associated transition works to ensure these private roads meet the final levels to the satisfaction of the RTA.

b. Pedestrians and Cycling

Within the proposed development the applicant has provided shower and locker facilities to encourage future employees to walk or cycle to work. A **condition** of consent will also be included requiring that the applicant submit a plan indicating the type and location of bicycle racking prior to the issue of any Construction Certificate.

c. Parking

The development proposes a total of 165 car parking spaces (including 5 disabled spaces), with space set aside for an additional 64 'turf cell' car spaces. In accordance with the Precinct Plan, the proposed development generates a demand for car parking spaces on a per building basis (including 5 disabled spaces) as shown below:

- 1 space/100m² Industrial GFA for first 7,500m² of GFA = 150 spaces
- 1 space/200m² Industrial GFA after first 7,500m² of GFA = 28 spaces
- 1 space/40m² Office GFA (1,100m²) = 60 spaces
- Total required by the ECPP is 238 spaces
- For development with over 50 car spaces, 2% of spaces as disabled spaces = 5 spaces

The proposed development provides a total of 229 car spaces. However, as a part of the Application, the Traffic Impact Report prepared by Traffix suggests that the proposed use of the facility will only generate a demand for 152 car spaces on the basis of actual car parking occupancy rates surveyed in the adjoining Southridge Unit Estate development

comprising 7 units and a total floor area of 21,065sqm. Further, the proposed development is considered satisfactory by Council's Traffic Section subject to the setting aside of an area to contain any shortfall in car parking spaces required by the Precinct Plan. However, it is noted that there is insufficient area to accommodate the shortfall of 9 additional spaces. Therefore, considering the minor extent of this departure from the Eastern Creek Precinct Plan, the level of car parking provision is considered satisfactory for the proposed development and a variation to the ECPP in this instance should be supported.

9.7 Urban Design

a. Siting and Setbacks

Front Boundary – The front building boundary setbacks range from 10m to more than 20m. The hardstand areas are setback 10m from Capicure Drive and 5m from Southridge Street. Thus the 2 buildings and all proposed hardstand areas comply with the minimum setback requirements of 10m from a Collector Road and 5m from a Local Road. These setback areas will be heavily landscaped and a **condition** will be imposed on any consent granted for this landscaping to be completed in accordance with the approved landscape plan.

An operational **condition** will also be included within the consent requiring that no storage of any kind will be permitted within the landscaped areas within the building setbacks.

Side Boundary – The western building is setback at 3.1m from the western side boundary and more than 20m from the proposed heritage lot boundary to the north, which complies with the minimum 3m requirement. A landscape setback of approximately 2m separates the majority of the hardstand area along the eastern site boundary and the top of the proposed retaining wall running along the western boundary of the subject site.

b. Building Heights and Design

Building Height – The proposed buildings will be 12.2m in height to the top of the roofline, which is considered acceptable given that the proposal does not overshadow any adjoining properties and does not compromise significant views, vistas or the skyline. In accordance with Clause 21 – 'Height of Buildings' pursuant to the SEPP, it is considered that the proposed building heights will not adversely impact any residential areas and the design of the building has appropriately addressed the topography of the site.

Articulation – Articulation to the front façades of the buildings has been achieved by incorporating a variety of finishes, materials, setbacks and landscaping to achieve a satisfactory standard of visual interest and articulation to the future public road frontages. In this regard it is considered that the proposed development has satisfactorily addressed the requirements of Clause 31 – 'Design principles' under the SEPP, which requires high quality design and a variety of external materials and finishes, consistent with the scale and character of other employment generating development in the area.

The southern and eastern façades have incorporated a variety of finishes to add interest to the proposed development. The proposed mezzanine office areas break up the facades and add further interest to the streetscape. Loading areas with associated roller shutters have been centrally located, so as to not detract from the overall appearance of the development.

- Dual Frontage – The proposed development is located on a corner lot and enjoys dual street frontages, with vehicular access points proposed from both the southern and western boundaries of the site. As described above, it is considered that the proposed eastern building satisfactorily addresses both street frontages through suitable architectural articulation and the feature screen wall that ‘turns the corner’ to provide a focal point at the south-western corner of the building.
- Water Tanks – The 2 rainwater tanks proposed will not be publicly visible, either being obscured by the proposed buildings or screened by suitable screening as shown on the submitted rainwater tank details.

c. External Building Materials and Colour

A suitable variety of external materials and finishes, consistent with the scale and character of development in the locality, has been selected for the proposed development:

- Office – The office components have been designed to incorporate a mix of finished materials including glass, concrete columns, painted precast concrete and pre-painted metal. The majority of the masonry components of the façade will be rendered in contrasting tones. The proposed office finishes are considered to be in accordance with the requirements of the Precinct Plan.
- Warehouse – The warehouse component will primarily be constructed of pre-finished metal in contrasting banding. The use of feature colours along eastern and southern elevations add interest and are further complemented by proposed landscaping and cantilevered awnings.
- Roofing – The roofing is proposed to be constructed of metal roof colorbond cladding at a 2° pitch and is considered to be consistent with the requirements of the Precinct Plan.

A **condition** will be included within the consent requiring that the building is constructed in accordance with the Finishes Table held within Council’s file.

d. Ancillary Buildings, Storage and Service Areas

No ancillary buildings or storage areas are proposed with this development. An existing pump house and sprinkler tanks located in the north-western corner of the site will adequately service the proposed development.

e. Cut and Fill

The subject site and adjoining lands was previously the subject of extensive cut and fill works under the Ministerial approval for the M7 Hub, which formed the design levels for the current road network and drainage system and the finished level for the adjoining Coles Myer development. In addition, Council recently approved Bulk Earthworks involving cut of up to 8.5m and fill of up to 4.5m for the subject development site under DA-11-1415,

to allow the preliminary site levels to be formed for future industrial development currently proposed under JRPP-11-1414.

Therefore, a **condition** of consent will be included requiring that no fill external to the subject site is to be imported to the site and any such proposal would require a separate consideration and subsequent Development Application.

However, a total of 6 masonry retaining walls are proposed as a part of this DA to replace temporary batters approved under DA-11-1415. All proposed retaining walls generally comply with the requirements of the Precinct Plan with all retaining walls being 3m or less in height and any retaining walls over 3m in height are shown as being terraced with appropriate landscaping, with the exception of proposed walls 1 and 6.

Retaining walls 1 and 6 are proposed to be a continuous height of 3.5m and 9.8m respectively, and are located on the northern and western boundaries of the proposed development site on either side of an existing retaining wall located at the north-western corner of the site. Both walls are greater than 100m from the street and shielded from public view by the proposed development. Given the proposed will not detract from the overall appearance of the development and that the heights of the proposed walls have been pre-determined by the levels of the adjoining existing developments, which are significantly higher than the subject site, it is considered that the proposed departure from the 3m height limit is acceptable in this instance. A **condition** will be imposed requiring the proposed retaining walls to be structurally certified by a suitably qualified engineering consultant.

f. Fencing

In accordance with the Precinct Plan, all fencing along the street frontages is proposed to be black Diplomat style Palisade fencing and setback 1m from the property boundary, whilst any fencing along the side and rear boundaries are black plastic coated chain wire mesh. This will be **conditioned** accordingly in any consent granted.

g. Signage and Lighting

No signage is proposed as a part of this DA. Any signage will require the separate approval of Council. Details of the proposed lighting will be required to be submitted to Council for approval prior to the issue of any Construction Certificate via a **condition** of consent.

h. Private Open Space

Covered private open space (POS) areas have been provided adjoining each of the proposed office areas, being approximately 45sqm and containing dimensions of approximately 6m x 7m. However, the Precinct Plan also requires that the POS areas be embellished with appropriate landscaping and outdoor furniture. Therefore, a **condition** should be included within the consent requiring outdoor furniture details for the area prior to the issue of any Occupation Certificate.

i. Safety and Security

The Precinct Plan requires that the guidelines detailed within Crime Prevention Through Environmental Design (CPTED) are considered by the applicant and during the assessment process. As such the following comments are made in regard to the Application and the principles of CPTED:

Natural Surveillance

Casual surveillance has been provided to the main car parking area by having the largely glassed office component overlooking the car parking area.

Access Control

Fencing is to be provided along the boundary of the development as indicated by the Applicant in accordance with the Precinct Plan. Further to this, swing gates are to be provided to restrict access to the fire truck accessway running along the rear of the site.

Space Management

A **condition** will be included within the consent requiring the applicant to prepare a Site Management Plan to detail strategies to ensure site cleanliness, rapid repair of vandalism and graffiti, and removal or refurbishment of decayed physical building elements.

Worker Participation

There are no specific controls listed that require worker participation and as such it is considered that worker participation in crime prevention will ultimately have to be considered by the future user/lessee and employees.

Territorial Reinforcement

Gates, fencing and landscaping have all been utilised to clearly define entrances between the public and private domain.

10 Section 79C Consideration

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

Head of Consideration	Comment	Complies
<i>a. the provisions of:</i> <i>(i) any environmental planning instrument (EPI)</i> <i>(iii) any development control plan</i> <i>(iiia) any planning agreement</i> <i>(iv) the regulations</i>	The provisions of relevant EPIs relating to the proposed development are summarised in Section 6 of this Report and have been satisfactorily addressed in Section 9. Whilst there are no specific Development Control Plans applicable to the proposal, the SEPP 59 Eastern Creek Precinct Plan (ECPPI) sets out the relevant controls to be considered for development in the precinct. A condition should be imposed requiring compliance with the relevant obligations of the State Planning Agreement.	Yes
<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>	An assessment of key issues relating to the proposed development is provided in Section 9 of this Report and it is considered that the likely impacts of the development, including traffic, parking and access, bulk and scale, heritage, stormwater quality, waste management, soil and groundwater quality and the like have been satisfactorily addressed.	Yes
<i>c. the suitability of the site for the development</i>	The subject site is identified as industrial land for employment-generating purposes pursuant to	Yes

	SEPP (Western Sydney Employment Area) 2009. Further, matters relating to site contamination, salinity, flora and fauna, threatened species, aboriginal archaeology, stormwater drainage, cut and fill and access have previously been addressed as a part of the Ministerial approval issued under MP_06-164, rendering the site suitable for the proposed development.	
<i>d. any submissions made in accordance with this Act or the regulations</i>	The DA was notified to adjoining and neighbouring owners, local historical societies and advertised in the local newspapers for a period of 14 days from 27 July to 10 August 2011, during which time 2 submissions were received by Council from the Mount Druitt Historical Society (objecting to the proposal) and the Blacktown and District Historical Society (raising no objection to the proposal). However, on balance, it is considered that the submissions received are not sufficient to warrant refusal of the DA.	Yes
<i>e. the public interest</i>	The proposed development is for the purpose of employment generation on land identified as employment lands under SEPP (Western Sydney Employment Area) 2009 and, accordingly, it is considered that the proposal is in the public interest.	Yes

11 General Comments

11.1 The proposed development has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning & Assessment Act 1979 and is considered to be satisfactory. In this regard it is considered that likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. Further, the subject site is considered suitable for the proposed development.

11.2 The proposal is consistent with the objectives of SEPP (Western Sydney Employment Area) 2009 and the IN1 – General Industrial zone and is permissible in the zone with development consent. The proposal also complies with the main essential criteria set out in the Eastern Creek Precinct Plan (Stage 3), with the exception of the proposed minor departures to car parking and retaining wall heights, and is considered satisfactory with regard to relevant matters such as Built Form, Heritage, Access, Traffic Impact, Stormwater Drainage, Aboriginal Archaeology, ESD, Site Contamination, Salinity, Flora and Fauna, Social and Economic Impacts and the like, subject to the imposition of suitable **conditions** of consent to satisfactorily control the development.

12 Recommendation

1. The Development Application be approved by the Sydney West Joint Regional Planning Panel subject to the conditions held at Attachment 2.
2. The applicant be advised of the Sydney West Joint Regional Planning Panel's decision.

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