1 25 Nyrang Street, LIDCOMBE

To the Joint Regional Planning Panel

DA-220/2011 GF/HP

SUMMARY

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Applicant	FDC Construction & Fitout PTY LTD.
Owner	Duck River Properties Limited.
Application No.	DA-220/2011.
Description of Land	Lot 2 in DP 228253 and Lot 2 in DP 349554, 25 Nyrang Street, LIDCOMBE.
Proposed Development	Construction of an industrial building including carparking and associated landscaping, refurbishment of existing office and use of premises as a warehouse and ancillary office.
Site Area	28,630 Square metres.
Zoning	Zone IN1 - General Industrial.
Disclosure of political donations and gifts	Nil disclosure.
Issues	24 hours operations.
	Minimum requirements for landscaping.

Recommendation

1. That Development Application No. DA-220/2011 for Construction of an industrial building including carparking and associated landscaping, refurbishment of existing office and use of premises as a warehouse and ancillary office on land at 25 Nyrang Street, LIDCOMBE be approved subject to conditions:

Consultations

Consultations

The development application was lodged with Council for determination on 17 June 2011. The development application was reviewed and on 19 July 2011, correspondence was issued to the applicant and the following issues had to be addressed:-

- General traffic and car parking matters.
- General storm water matters.

Land contamination:

At the time of lodgement of the application, the land was still undergoing remediation and a Site Audit Statement had not been completed. It has since been found that a Remediation Action Plan prepared by URS and dated October 2010 has been submitted for the site under Development Application 398/2010. This will be referred to in the assessment of this application as this is adequate to address the contamination matters.

Acoustic report:

• The acoustic report had to be modified to show the impacts of worst possible case scenario of multiple vehicles being loaded and unloaded at the same time in the loading bay area.

• Submission of a noise management plan.

Planning matters:

Applicant had to address the shortfall of landscaping on site and Part 4.0 (Subpart D6) of the Industrial Areas Development Control Plan with respect to the shortfall of landscaping on the development site.

Much of the required material was submitted on Wednesday 3 August 2011 for assessment.

Site and Locality Description

The subject site is situated close to the corner of Boorea Street and Nyrang Street and is known as 25 Nyrang Street. The site has an area of 2.863 hectares and is situated within an industrial precinct of Lidcombe characterised by heavy and light industry, freight and logistics. An example of this is the Tooheys manufacturing plant to the north.

Industrial buildings adjoin the site to the north, south east and west.

Boorea Street and Nyrang also border residential areas characterised by low density residential development.

The site consists of two allotments being:-

- Lot 2 in DP 349554.
- Lot 2 in DP 228253.

The site as a combined entity has irregular dimensions and shape as follows:-

- Northern boundary:- 180.759 metres.
- Western boundary:- 203.09 metres.
- Southern boundary (Boorea Street):- 114.658 metres.
- Eastern boundary (Nyrang Street):- 91.256 metres.
- Eastern boundary abutting 36 Boorea Street and 23A Nyrang Street:- 111.938 metres.

The site is burdened by an easement to drain water being 1.5 metres wide and electricity and other purposes. There is a right of way providing access to the easement.

The site is dominated by a substantial L shaped interconnected part 2 and part 3 storey brick industrial / warehouse building covering approximately 70% of the site. The remaining area of the site not covered by buildings comprises open hardstand areas which have been used for car parking and access ways.

The main building features a range of different treatments and materials suggesting a number of additions and alterations occurring over many years. The main building includes large and highly visible plant and equipment as well as a stack that was used for manufacturing abrasives.

The building facing Nyrang Street is built close to the site boundary and covers the majority of the width of the site facing the street.

The Boorea Street frontage is more expansive and open with the main industrial buildings being setback a significant distance from the street. The Boorea Street frontage provides clearer views into the site and open hardstand areas are visible.

The site is served by four vehicle access points with two from Nyrang Street and two from Boorea Street. The main vehicle access way to and from the site is designed to handle a range of large heavy vehicles.

The levels and contours of the land indicate a slope away from Nyrang Street towards the west and south west.

Except for the Nyrang Street frontage, the site is devoid of any significant vegetation. The vegetation along the Nyrang Street frontage provides a strong buffer or screen to the industrial buildings situated on the site.

The land is not listed in a heritage register as containing items of heritage.

The western half of the site is affected by minor flooding during a 1 in 100 year flood event. The Haslam's Creek channel is located at least 130 metres further to the west of the site but the channel does not directly impact on the site.

The location of the site is shown below.





Description of Proposed Development

The development application seeks the construction of a significant warehouse distribution centre for the office supplies distributor known as "**Complete Office Supplies**". The warehouse will support the company's growing market demand.

Complete Office Supply is seeking to construct a distribution centre in which the following functions will be undertaken:-

- Major truck movements to and from the warehouse building. Deliveries will include inbound freight and the unloading of containers from within the building.
- Product storage from within the warehouse. Products are removed from trucks and containers, sorted and then stored on racking within the warehouse.
- Staff within the warehouse will then pick and pack customer orders, usually bulk orders before delivery to clients. Customer orders are then loaded onto delivery vehicles. The vehicles then leave the site and filter out into the regional road network undertaking the deliveries.

Up to 110 staff will be employed in the office undertaking administrative activities and another 26 staff will be employed within the warehouse.

The front offices on site will be retained but refurbished and upgraded. The upgrade works are to include provision for growth in staff numbers.

Consent is sought for a warehouse complex operating 24 hours daily. This is sought on the following grounds:-

- Office / administrative staff typically operate from 8 am to 6 pm Monday to Friday reflecting the operating hours of most clients.
- Heavy vehicle deliveries being semi trailer and double B vehicles are to be limited to 7 am and 6 pm on weekdays with possible container deliveries during daylight hours on Saturday and Sunday.

- Delivery van movements are to occur between 6 am and 8 pm Monday to Saturday.
- Internal warehouse pick and pack activities and restocking will be occurring 24 hours daily.

A noise assessment report has identified the need for the roller shutter doors to be closed by 10 pm daily to ensure that noise impacts are reduced.

Vehicle movements are to occur as follows:-

- B Doubles 4 to 5 per month.
- Semi trailers 4 to 5 per day being taught liners and containers.
- Vans and couriers 30 to 40 per day between 6 am and 8 pm.
- Staff parking Up to 136 with 175 car spaces provided.

There will be 6 forklift drivers operating on the site as part of the proposed operation. There will be three electric forklifts and the floor plans include three battery charging areas.

Construction of a warehouse building:

A warehouse building with an area of 14,630 square metres is proposed which will accommodate high bay racking in accordance with the Building Code of Australia. The building will be 12.2 metres high at the ridgeline.

The building will be supported by a steel structure and constructed from a concrete wall to 2.4 metres high with steel cladding above. The elevations of the building are to be treated. The roof of the building will be constructed from zincalume steel cladding as well as translucent roof material, similar to other buildings of this size.

The proposed awning over the southern hardstand has been designed to maximise weather protection for loading and unloading activities on the site. This will facilitate courier vans, pantech trucks and semi trailers to be loaded and unloaded across the hardstand without being affected by the weather.

The southern section of the awning is enclosed to mitigate potential noise impacts generated by such activities.

The proposed awning covers the extent of the proposed at grade hardstand area. It does not cover the proposed recessed loading bays at the south west corner of the building. There are to be no external loading and unloading operations taking place in this area.

Ancillary office:

A refurbishment of the offices will be taking place which will provide accommodation for staff and the head office functions. This involves sales and administration activities.

The site improvements include a new glazed facade and enhanced landscape frontage. The main entry will be enhanced through the modernisation of the front reception area as well as simple but appropriate upgrades to the original southern portion of the building such as new windows. The upgrade work includes a new canopy at the entrance to the building facing Nyrang Street.

The current offices will provide an effective screening of the new car park structure within the site.

The main office will be 2,580 square metres in area and will involve a modern office fit out as follows:-

Ground floor level:

- Office fit out including meeting rooms, office furniture and offices.
- Staff gym.
- Staff lunch room and associated outdoor break out area.
- Internal staff breakout area (lounge area and play station room).
- Amenities.

Level two:

- Reception area.
- Boardroom, meeting rooms and or training rooms.
- General open area office for sales staff with office furniture.
- Amenities.

Level three:

- Void over reception.
- Meeting rooms.
- Open area offices with office furniture.
- Amenities.

Rooftop:

A staff function area is proposed on the roof top of the office building. A skillion roof structure is to be constructed to provide weather protection. Outdoor furniture and a BBQ will be installed to provide an appropriate level of amenity. The new structure is setback approximately three metres from the eastern elevation of the building. A 1.5 metre high parapet (existing) will help to screen the facility). It is expected that the facility would be used once a month but it would not be used at night.

Warehouses offices:

A warehouse office dock and amenities covering an area of 86.8 square metres is proposed adjacent to the loading bay area. The facility will assist in the administration and control of inbound and outbound activities. It will have a clear line of sight across the loading docks as well as inside the warehouse. This will accommodate the warehouse employees who work in the broader warehouse.

A small staff tea room will be provided at the south eastern corner of the warehouse adjacent to the proposed car park.

Car park:

A car park structure is to be constructed to accommodate 175 vehicles over two levels. The structure is located to the west of the existing office building and east of the warehouse. Ingress and egress is from Nyrang Street from two driveways.

The car park structure is split level with internal ramps providing access to each level.

A further five spaces have been provided within the loading bay area to provide convenient parking for courier vans requiring direct access to the loading bay office. The spaces are accessible from Boorea Street.

Landscaping and tree removal:

Landscaping is proposed to the main southern frontage along Boorea Street. The setback is 4.5 metres deep and will accommodate new planting to help screen the proposed hardstand

and warehouse. Trees will be retained at the south west corner to be incorporated into a new landscape scheme.

Other trees will need to be removed as they would interfere with the proposed warehouse and awning structure.

Landscaping along Nyrang Street will be enhanced. Much of the existing vegetation will be retained but some new landscaping elements will be incorporated into the front area.

There will be landscape elements along the northern and western perimeter of the site as well as feature landscaping around the proposed staff outdoor area.

Signage:

New signage will be installed above the main entry fronting Nyrang Street. It is a business identification sign. The sign will be flood lit.

Additional signage will be installed on the southern elevation of the warehouse building fronting Boorea Street. The signage includes the "COS" building logo and be wall mounted. The sign will also be flood lit.

The signage has a total area of 13.5 square metres.

A sculpture of a pair of scissors is proposed for the southern wall elevation. It will be moulded onto the southern wall elevation facing Boorea Street and will occupy an area of approximately 21.75 square metres of the southern wall of the building.

Sprinkler pump room and water tanks:

A sprinkler pump room is included in the design for fire fighting in the event of a fire. The pump room has dimensions of 2 metres x 3 metres and a height of 3 metres. There will be two water tanks situated adjacent to the structure. The tanks will store 500,000 litres of water as required by the Building Code of Australia and relevant Australian Standards for fire protection.

The proposal includes the erection of new 1.8 metre high palisade fences along the southern property boundary facing Boorea Street.

Demolition works:

The development application initially included demolition works however the applicant requested in writing on 19 July 2011 to have the demolition component omitted. This will be addressed via a separate application possibly a complying development certificate.

Referrals

(a) Internal Referrals

The development application was referred to relevant internal Council departments for comment.

Health and Building

No objections are raised subject to conditions to be incorporated into any development consent that may be issued.

Drainage and Development Engineer

A number of conditions are provided to address traffic and stormwater matters. The application may proceed subject to conditions.

Fire Officer

No objections are raised subject to conditions to be incorporated into any development consent that may be issued.

Environment and Health

The issues previously raised have been addressed.

Land contamination

According to the Letter dated 2 August 2011 prepared by Tim Bainbridge of FDC the stage 2 remediation works are being carried out by the current site owner and is due to be completed in September 2011, following which the site will be validated. According to the letter the sale of the site to complete office supplies will be dependent upon the site being made suitable for industrial redevelopment. As such it is recommended that a validation and or site audit statement confirming the site suitability be provided prior to CC being issued.

Acoustic Comments

- The additional information provided includes a Noise Impact Assessment prepared by SLR Global environmental solution dated 1 August 2011 (report number 610.10359/R1 revision 1).
- Based on the information provided it is predicted that there will be activities namely loading and unloading of vehicles that will exceed the noise criteria during the day. However as the noises are consistent with the character of the existing noise environment, they are unlikely to adversely impact upon the nearby residents. Consideration should be given to a 12 month trial to ensure that the use of the premises does not cause adverse noise impacts on the surrounding residents.
- Section 3.2 of the report provides details of vehicle movements and Section 3.3 provides details of the hours of operation of the site including times when vehicle movements will occur. This needs to be reflected in the conditions of consent to ensure compliance with the acoustic report.
- The revised report provides a noise management plan.
- According to the Letter dated 2 August 2011 prepared by Tim Bainbridge of FDC all containers will be loaded/unloaded within the recessed docks. No containers are to be unloaded onto the hardstand area. Once again this needs to be reflected in the conditions of consent.

It is recommended that consideration be given to a 12 month trial to ensure that the use of the premises does not cause adverse noise impacts on the surrounding residents. The development application may be supported subject to conditions.

Landscape architect

It is considered that no objections are raised to the removal of the trees along the Boorea Street frontage to facilitate the development that is proposed.

(b) External Referrals

The development application was referred to the Roads and Traffic Authority (RTA) for review on 18 July 2011. In addition, it was requested that the Authority review the use of B Double vehicles on Boorea Street.

Roads and Traffic Authority

The Roads and Traffic Authority provided advice on 16 August 2011. The Roads and Traffic Authority has reviewed the application and raises no significant issues subject to:-

- The approved 25/26 metre B Double route on Boorea Street does not extend up to the driveway to the east of the Yarram Street intersection. An application to extend the B Double route is to be submitted to Auburn City Council for approval prior to the issue of an Occupation Certificate.
- Consideration should be given to providing a combined entry and exit driveway near the eastern property boundary on Boorea Street to minimise vehicular conflict at the existing intersection of Boorea Street and Yarram Street.
- Any redundant driveways should be removed with kerb and gutter reinstated to match the existing and undertaken to the Council's satisfaction.
- The swept path of the longest vehicle entering and existing the subject site as well
 as manoeuvrability through the site shall be in accordance with AUSTROADS. In
 this regards, a plan shall be submitted to Council for approval which shows that the
 proposed development complies with this requirement.
- A Loading Dock Management Plan is to be submitted to Auburn City Council for approval prior to the issue of a Construction Certificate. The plan should provide the management of B Doubles accessing the site that prevents obstructions.
- A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a construction certificate.
- The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle use.
- All vehicles are to enter and leave the site in a forward direction.
- The developer shall be responsible for all public utility adjustment / relocation works, necessitated by the above work and as required by the various public utility authorities and or their agents.
- All works / regulatory signposting associated with the proposed development are to be at no cost to the Roads and Traffic Authority.

<u>Comment</u>

The above can be addressed as conditions attached to any consent that may be issued as appropriate.

Joint Regional Planning Panel Sydney West:

In accordance with Part 4.3 of the Procedures for the Operation of Joint Regional Planning Panels, a copy of the development application was referred to the Joint Regional Planning Panel - Sydney West as the development has a capital investment value exceeding \$10 million.

The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))

(a) State Environmental Planning Policy No. 55 - Remediation of Land

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	Yes
Is the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	Yes
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal , chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	Yes
<u>Comment</u> : A range of activities associated with manufacturing gramophones (1927 to 1943), a sawmill (Up to the mid 1940s) to a meatworks to sandpaper and grinding wheels, manufacture of glue and contact cement and abrasives have been carried out on the two sites. The site has a history of heavy industrial use, some of it polluting and some of it noxious. It is also avident that aphentee way used on site	
evident that asbestos was used on site. Is the site listed on Council's Contaminated Land database?	Yes
Previously the site was not but it has been added to the database given that part of the site has been found to be contaminated.	
Is the site subject to EPA clean-up order or other EPA restrictions?	Yes
Has the site been the subject of known pollution incidents or illegal dumping?	Yes
Does the site adjoin any contaminated land/previously contaminated land?	Yes
A remediation action plan has been prepared by URS Australia Pty Ltd but provided with de applications 398/10 for demolition works on site and development application 411/2010 for a place worship. (Development application 411/2010 for the place of public worship was withdrawn.)	
The applicant has indicated to Council that site remediation works are progressing toward completion site audit will be prepared in due course upon conclusion of works.	and a final
The site was until recently used for the manufacture of sandpaper products and grinding wheels. conducted on site included manufacturing, raw material storage, packaging and distribution. It is l grinding wheels were occurring on site as well as:-	
 Underground storage tanks (Up to 26 in total). 	
 Above ground tanks for the storage of formaldehyde resin. 	
Five waste water treatment facilities.	
Two electrical transformers.	
Site history indicates heavy industrial use over many decades including the use of asbestos for man cement.	nufacturing

A Phase II Environmental Site Assessment was conducted on 17 August 2010 and 43 tests were conducted across the site. Up to 70 soil samples were analysed and it was found that:-

Phase separated Hydrocarbon was detected within monitoring well MW3A which is found to be weathered diesel and heavy oil. The source of this is likely to be the existing diesel underground storage tank and infrastructure located immediately up gradient of the monitoring well. The impact is within close proximity but down gradient of the storage tank.

Concentrations of various dissolved metals exceeding the site ILs were identified within representative groundwater samples collected across the site including the up gradient groundwater monitoring well. This may be representative of local background concentrations.

Asbestos was identified within fill material at a number of soil borings across the site within shallow soil samples. Bonded asbestos was not observed.

Matter for Consideration

It is known that remediation works were carried out not long after development consent 398/2012 was issued. A remediation action plan prepared for the site was adopted for site remediation and Council has a copy of the final plan lodged on 15 March 2011.

As such it is recommended that a validation and or site audit statement confirming the site suitability be provided prior to CC being issued.

Acid sulphate soils:

Council's Acid Sulphate Soils Map does not identify the site as being affected by acid sulphate soils and the land is given a Class 5 rating indicating a low potential for such phenomena to occur.

Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?

(b) Other State Environmental Planning Policies and Regional Environmental Planning Policies

SEPP/REP	Applicable	SEPP/REP	Applicable	SEPP/REP	Applicable
SEPP 1 - Development Standards	Y N	SEPP4-DevelopmentWithoutConsentandMiscellaneousComplyingDevelopment	Y N	SEPP 6 - No. of Storeys in a Building	∏y ⊠n
SEPP 10 - Retention of Low- Cost Rental Accommodation	∏y ⊠n	SEPP 19 - Bushland in Urban Areas	Y N	SEPP 33 - Hazardous & Offensive Development	∏y ⊠n
SEPP 53 - Metro Res. Development	□y ⊠n	SEPP 55 - Remediation of Land	X N	SEPP 64 - Advertising & Signage	⊠y □n
SEPP 65 - Design Quality of Residential Flat Development	Y N	SEPP (Housing for Seniors & People with a Disability) 2004	Y N	SEPP (Building Sustainability Index: BASIX) 2004	∏y ⊠n
SEPP (Major Projects) 2005	□y ⊠n	SEPP (Temporary Structures & Places of Public Entertainment)	Y N	SEPP (Infrastructur e) 2007	Y N
REP No. 24 - Homebush Bay Area	Y N	Sydney REP (Sydney Harbour Catchment) 2005	Y N		

State Environmental Planning Policy (Major Projects) 2005

SEPP (Major Projects) 2005 applies to this development as the project has a Capital Investment Value in excess of \$10 million. The capital investment value of the project is \$10.5 million.

The Joint Regional Planning Panel (JRPP) is identified as the determination authority for this application.

State Environmental Planning Policy (Infrastructure) 2007

The development proposal is identified as a "traffic generating development" in accordance with Clause 104 of SEPP (Infrastructure) 2008. Accordingly the application was referred to the RTA for comment. In response, no objections to the proposal were raised by the RTA as detailed within the "external referrals" section of this report.

SEPP 64 "Advertising and Signage"

State Environmental Planning Policy No. 64 - Advertising and Signage

X Yes

No

Requirement	Yes	No	N/A	Comment
Part 1 - Preliminary				
Clause 3(1)(a)(i) Aims, objectives Signage is compatible with the desired amenity and visual character of an area.				The development application proposes the erection of two business identification signs as follows:-
				Sign Number 1 and Number 2
				The signs will have the wording "COS" which is short for Complete Office Supplies.
				The plans show one sign facing Nyrang Street at the entrance and another much large sign facing Boorea Street. The signs will be flood lit.
				The signage has a total area of 13.5 square metres.
				A sculpture of a pair of scissors is proposed for the southern wall elevation. It will be moulded onto the southern wall elevation facing Boorea Street. It will occupy an area of approximately 21.75 square metres of the southern wall of the building.
				The scissors is considered to be part of a design element for the building. It should be included in the assessment here where appropriate as it implies a product on site. It is not a slogan or advertisement but a structure forming part of the building.
				The design element adds visual interest to the wall and could be supported.
Clause 3(1)(a)(ii), Aims, objectives Signage provides effective communication in suitable locations.	\square			The development application will comply with this Part.
Clause 3(1)(a)(iii), Aims objectives Signage is high quality design and finish.				The signs are high quality and appear as neat and tidy elements attached to the walls of the building.
				There are no issues raised with the position of the signs.
				The COS elements and scissors sculpture adds visual interest to a significant wall oriented to the south.
Part 2 - Signage Generally				

Requirement	Yes	No	N/A	Comment
 Clause 8 Granting of consent to signage A consent authority must not grant consent to an application to display signage unless: (a) that signage is consistent with the objectives of the Policy at clause 3(1)(a) (b) (b) that the signage satisfies the assessment criteria specified in Schedule 1 				The business identification signs will comply with this Part. The scissors element could be considered to be a "Building identification sign". This is a sign that:-
				"Identifies or names a building and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services".
				The emphasis would be placed on a logo or other symbol.
Part 4 - Definitions				Definition: The COS signs and the associated "Scissors" are considered to be a "Business Identification Signs" and "building identification signs" respectively.

Schedule 1 - Assessment Criteria Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality? Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality. Image: the proposal consistent with a particular theme for outdoor advertising in the area or locality. Image: theme for outdoor advertising in the area or locality.	Part 3 - Advertisements (this part does not apply to business identification signs, building identification signs, signage that, or the display of which, is exempt development under an EPI, signage on vehicles)							
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	Special areas				interest to the southern wall as a			

Requirement	Yes	No	N/A	Comment
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? Views and vistas				The signage is satisfactory.
Does the proposal obscure or compromise important views?		\square		No views are compromised.
Does the proposal dominate the skyline and reduce the quality of vistas?				The vistas are not affected by the proposed advertising. It is noted that the handle of the scissors overhang the roof of the awning by 1.7 metres but the overhang is lower than the height created by the main warehouse building. The height difference is 1.6 metres. The position of the scissors is satisfactory as it does not exceed the height of the main warehouse building.
Does the proposal respect the viewing rights of other advertisers?	\boxtimes			
Streetscape, setting or landscape Are the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?				The amount of signage is acceptable and not excessive. The scissors element covers an area of 21.75 square metres and
				the business identification signs cover 13.5 square metres. This is acceptable and not excessive in extent.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	\square			
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	\boxtimes			There is no evidence of clutter occurring.
Does the proposal screen unsightliness?	\boxtimes			There is no unsightliness to screen.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?		\boxtimes		The handle of the scissors overhang the roof of the awning by 1.7 metres but the overhang is lower than the height created by the main warehouse building. The height difference is 1.6 metres. The position of the scissors is satisfactory as it does not exceed the height of the main warehouse building.
Does the proposal require ongoing vegetation management?		\square		
Site and building Is the proposal compatible with the scale,				The scissors element covers an
proportion and other characteristics of the site or building, or both, on which proposed signage is to be located?				area of 21.75 square metres and the business identification signs cover 13.5 square metres. This is acceptable and not excessive in extent.
Does the proposal respect important features of the site or building, or both?	\boxtimes			
Does the proposal show innovation and imagination in its relationship to the site or building or both?				The scissors element is unusual. It is a form of signage but also forms a design element attached to the building. It adds interest to the southern wall of the building.
Associated devices and logos with advertisements	s and adv	vertising s	structure	

Requirement Yes No N/A Comment Have any safety devices, platforms, lighting devices or logos been designed as an integral The signs will be flood lit at night. \square The lighting is concentrated onto part of the signage or structure on which it is displayed? the lettering elements. A condition would be required to address excessive light exposure. Illumination Would illumination result in unacceptable glare? The signs will be flood lit at night. \square The lighting is concentrated onto the lettering elements. A condition would be required to address excessive light exposure. Would illumination affect safety for pedestrians, vehicles or aircraft? \boxtimes There are residential properties Would illumination detract from the amenity of any residence or other form of accommodation? \square located on the southern side of Boorea Street and the eastern side of Nyrang Street. There will be a need to contain lighting to low levels to prevent excessive glare. Can the intensity of the illumination be adjusted, if necessary? \square Is the illumination subject to a curfew? \boxtimes Safety Would the proposal reduce the safety for any public road? \boxtimes Would the proposal reduce the safety for pedestrians or bicyclists? \boxtimes Would the proposal reduce the safety for The signage is contained wholly on pedestrians, particularly children, by obscuring \boxtimes the site. No pylon signs are sight lines from public areas? proposed in this application.

(c) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues as to consistency with the requirements and objectives of the planning instrument.

(d) Auburn Local Environmental Plan (LEP) 2010

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

<u>Note</u>:- This application was lodged on 17 June 2011 and hence the earlier version of the Auburn Local Environmental Plan 2010 has been used for the assessment of the application.

Clause	Yes	No	N/A	Comment
Part 1 Preliminary				
1.1 Name of Plan				
This Plan is Auburn Local Environmental Plan 2010.	\boxtimes			
1.1 AA Commencement This Plan commences on the day on which it is published on the NSW legislation website.	\boxtimes			The plan was gazetted on 29 October 2010.

Yes No N/A Comment Clause 1.2 Aims of Plan This Plan (1) aims to make local \square environmental planning provisions for land in Auburn in accordance with the relevant standard environmental planning instrument under section 33A of the Act. The particular aims of this Plan are as (2) follows: (a) to establish planning standards that \boxtimes [] [] are clear, specific and flexible in their application. (b) to foster integrated, sustainable \boxtimes A positive for this development is development that contributes to that the office portion of the site is Auburn's environmental, social and being reused but upgraded. The physical well-being, applicant has chosen to upgrade (c) to protect areas from inappropriate \boxtimes the front building facing Nyrang development, Street rather than demolish the (d) to minimise risk to the community by building. This lessens demolition restricting development in sensitive waste considerably. areas, (e) to integrate principles of ecologically \boxtimes The site is not situated in a sustainable development into land use sensitive area. controls, (f) to protect, maintain and enhance the \boxtimes $\left| \right|$ natural ecosystems, including The site is not situated adjacent to watercourses, wetlands and riparian a watercourse. land. \boxtimes (g) to facilitate economic growth and The development if approved will opportunities emplovment within create up to 136 new employment Auburn. opportunities for the municipality (h) to identify and conserve the natural, \square \square although it is expected that most built and cultural heritage, staff will be relocated from their provide recreational (i) to land. current location at Rydalmere. \boxtimes community facilities and land for public purposes. 1.3 Land to which Plan applies (1) This Plan applies to the land identified on \square The plan will apply to the site. the Land Application Map. Note. Part 23 of Schedule 3 to the State Environmental Planning Policy (Major Development) 2005 applies to certain land identified on the Land Application Map. (2) Despite subclause (1), this Plan does not \square apply to the land identified on the Land Application Map as "Deferred matter". **1.6 Consent authority** \square \square The Joint Regional Planning Panel The consent authority for the purposes of this is the consent authority because Plan is (subject to the Act) the Council. the capital investment cost is approximately \$10.5 million. 1.8 Repeal of other local planning instruments applying to land (1) All local environmental plans and deemed \square The Auburn Local Environmental \square environmental planning instruments Plan 2010 is applicable to the applying only to the land to which this Plan development. applies are repealed. Note. The following local environmental plans are repealed under this provision: Auburn Local Environmental Plan 2000

 \boxtimes

 \square

(2) All local environmental plans and deemed

Clause	Yes	No	N/A	Comment
environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan applies. 1.9 Application of SEPPs and REPs				
 (1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act. 	\boxtimes			The following state Environmental Planning Policies have been considered for the development application:-
(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:			\boxtimes	 State Environmental Planning Policy 55 "Remediation of Land". State Environmental Planning Policy 64 "Advertising and Signage".
State Environmental Planning Policy No 1— Development Standards				The policies are addressed earlier in the report.
State Environmental Planning Policy No 4— Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6, clause 10 and Parts 3 and 4)				
State Environmental Planning Policy No 60— Exempt and Complying Development				
Sydney Regional Environmental Plan No 24— Homebush Bay Area				
1.9A Suspension of covenants, agreements and instruments				
(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.				The clause will not apply to the application and works that are sought.
(2) This clause does not apply:				
 (a) to a covenant imposed by the Council or that the Council requires to be imposed, or 			\boxtimes	
 (b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i>, or 			\boxtimes	
(c) to any conservation agreement within the meaning of the <i>National Parks and</i> <i>Wildlife Act 1974</i> , or			\boxtimes	
(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i> , or			\boxtimes	
<i>(e)</i> to any property vegetation plan within the meaning of the <i>Native Vegetation</i> <i>Act 2003</i> , or			\boxtimes	
(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act</i> 1995, or			\boxtimes	
(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.			\boxtimes	

Clause Yes No N/A Comment (3) This clause does not affect the rights or \boxtimes interests of any public authority under any registered instrument. (4) Under section 28 of the Act, the Governor, \square before the making of this clause, approved of subclauses (1)-(3). Part 2 Permitted or prohibited development 2.1 Land use zones The site is within zone IN1 General Industrial. A 14,630 square metre The land use zones under this Plan are as warehouse building is proposed. follows: The building will be used for warehousing and distribution of **Residential Zones** stationery products. A warehouse R2 Low Density Residential operation with ancillary office is R3 Medium Density Residential permitted with consent. R4 High Density Residential **Business Zones B1** Neighbourhood Centre B2 Local Centre B4 Mixed Use **B6 Enterprise Corridor B7** Business Park **Industrial Zones IN1** General Industrial \square \square \square IN2 Light Industrial **Special Purpose Zones SP1 Special Activities** SP2 Infrastructure **Recreation Zones RE1** Public Recreation **RE2** Private Recreation **Environment Protection Zones** E2 Environmental Conservation Waterway Zones

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W1 Natural Waterways

Clause	Yes	No	N/A	Comment
2.2 Zoning of land to which Plan applies For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.				
2.3 Zone objectives and land use table				
 (1) The Table at the end of this Part specifies for each zone: (a) the objectives for development, and 				
(b) development that may be carried out without consent, and				
(c) development that may be carried out only with consent, and	\boxtimes			The development is permitted with consent. The use carried out on site is defined as a warehouse complex
(d) development that is prohibited.				with attached offices.
(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.			\boxtimes	
(3) In the Table at the end of this Part:				
 (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and 				
(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.				
(4) This clause is subject to the other provisions of this Plan.Notes.				
 Schedule 1 sets out additional permitted uses for particular land. 				
 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 				
3. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).				
4. Clause 2.6 requires consent for subdivision of land.				
5. Part 5 contains other provisions which require consent for particular development.				
6. Part 6 contains local provisions which require consent for particular development.				
2.4 Unzoned land				

Clau	JSe	Yes	No	N/A	Comment
(1)	Development may be carried out on unzoned land only with consent.				This is not applicable because the site is within the IN 1 General
(2)	 Before granting consent, the consent authority: (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and 				Industrial zone.
	(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.				
	Additional permitted uses for particular and				
(1)	Development on particular land that is described or referred to in Schedule 1 may be carried out: (a) with consent, or (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.			\boxtimes	
(2)	This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.				
2.6 S	ubdivision—consent requirements				
(1)	Land to which this Plan applies may be subdivided, but only with consent.			\boxtimes	A subdivision is not proposed. However there will be a need to
(2)	However, consent is not required for a subdivision for the purpose only of any one or more of the following:				consolidate the two allotments into one new lot. This can be addressed as a condition attached to any consent that may be issued.
	(a) widening a public road,			\square	
	(b) a minor realignment of boundaries that does not create:				
	(i) additional lots or the opportunity for additional dwellings, or			\square	
	(ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land				
	 concerned, (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings, 				
	(d) rectifying an encroachment on a lot,			\square	
	 (e) creating a public reserve, (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or 			\boxtimes	

Clause	Yes	No	N/A	Comment
public toilets.				
Note. If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.				
2.6 AA Demolition requires consent The demolition of a building or work may be carried out only with consent.			\boxtimes	Demolition work is to be addressed as a separate development application.
Note. If the demolition of a building or work is identified in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> as exempt development, the Act enables it to be carried out without consent.				
Zone IN1 General Industrial				
1 Objectives of zone				
• To provide a wide range of industrial and warehouse land uses.	\boxtimes			Emphasis is on warehouse and office use in this application.
• To encourage employment opportunities.	\boxtimes			There is a need to address truck movements and noise associated
To minimise any adverse effect of industry on other land uses.	\square			with the operations. This requires further review below.
To encourage economic growth of the locality.	\square			Land zoning map
To minimise adverse effects on the natural environment.	\boxtimes			
 2 Permitted without consent Nil 3 Permitted with consent 	\boxtimes			
Building identification signs; Business identification signs; Depots; Freight transport facilities; Kiosks; Light industries; Markets; Neighbourhood shops; Restaurants; Roads; Warehouse or distribution centres; Any other				Subject site.
development not specified in item 2 or 44 Prohibited				The development is permitted with consent. The use carried out on site is defined as a warehouse operation with ancillary offices.
Agriculture; Amusement centres; Boat sheds; Bulky goods premises; Canal estate developments; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Correctional centres; Crematoria; Educational establishments; Entertainment facilities; Environmental facilities: Exhibition homes:				A warehouse is defined as "A building or place used mainly or exclusively for storing and handling items (whether goods or materials) pending their sale, but from which no retail sales are made".
Environmental facilities; Exhibition nomes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Funeral chapels; Funeral homes; Health services facilities; Heavy industries; Highway service centres; Home occupations (sex services); Information and education facilities; Landscape and garden supplies; Marinas; Medical centres; Moorings;				Ancillary offices attached to the warehouse use are permissible with consent. The offices will be used for the day to day operations of the warehouse as well as an administrative role for the company.

S	S
2	2

Clause	Yes	No	N/A	Comment
Office premises; Passenger transport facilities; Places of public worship; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Rural supplies; Signage; Timber and building supplies; Tourist and visitor accommodation; Vehicle sales or hire premises; Veterinary hospitals; Water recreation structures; Water supply systems				The offices will have a call centre capability to meet the needs for sales and administration. The offices will occupy 15.41% of the size of the complex which suggests ancillary use only. Signage is permissible with consent.

Clause			No	N/A	Comment
Part	4 Principal development standa	rds			
4.1 M	inimum subdivision lot size				
	The objectives of this clause are as follows:				
	(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and	\boxtimes			A subdivision of the land is not proposed. There will be a need to consolidate the two allotments into one allotment to facilitate the development. This can be
((b) to ensure that subdivision of land is capable of supporting a range of development types.				addressed as a condition attached to any consent that may be issued.
	This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.			\boxtimes	
	The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.			\boxtimes	
	Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.			\boxtimes	
	Despite subclause (3), if a lot is a battle- axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.				
 	Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:				
	(a) dwelling houses:				
	(i) 350 square metres, or			\boxtimes	
	(ii) if a garage will be accessed from the rear of the property - 290 square metres, or				
	(iii) if the dwelling house will be on a zero lot line - 270 square metres,			\boxtimes	
	(b) semi-detached dwellings - 270 square metres,			\boxtimes	
	(c) multi dwelling housing - 170 square metres for each dwelling,			\boxtimes	
	(d) attached dwellings - 170 square metres.			\boxtimes	

 \boxtimes

(4) This clause does not apply in relation to the subdivision of individual lots in a strata

Clau	ISE	Yes	No	N/A	Comment
	plan or community title scheme.				
	eight of buildings				
	The objectives of this clause are as follows:				
	 (a) to establish a maximum building height to enable appropriate development density to be achieved, and 	\boxtimes			A specific maximum height for buildings is not stated on the Height of Buildings Map.
	(b) to ensure that the height of buildings is compatible with the character of the locality	\boxtimes			The warehouse building is 12.2 metres high. The height of the warehouse building is acceptable and not excessive.
	The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.				The office building facing Nyrang Street will not be changing in height.
. ,	Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:				The new awning to be erected on the rooftop is less than the height created by the building core which encloses the light and stairwell.
	 (a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres, 			\boxtimes	
	(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.			\boxtimes	
4.4 F	loor space ratio				
	The objectives of this clause are as follows:				
	(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved,	\boxtimes			A floor space ratio of 1:1 is specified for the site.
	(b) To ensure that development intensity reflects its locality.				The new works are found to generate a floor space as follows:-
	The maximum floor space ratio for a building on any land is not to exceed the	\boxtimes			• A warehouse building encompassing 14,630 square metres of warehouse floor area.
	floor space ratio shown for the land on the Floor Space Ratio Map.				Offices occupying 2,666 square
	Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land				metres of floor area being the main offices and the ancillary office attached to the warehouse.
	other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as				The complex occupies 17,296 square metres of floor area.
	follows: (a) for sites less than 1,300 square				The site has an area of 28,630 square metres.
	metres—0.75:1,(b) for sites that are 1,300 square metres or greater but less than 1,800 square			\boxtimes	The floor space ratio of the site is 0.604:1. The floor space ratio will comply with Clause 4.4.
	metres—0.80:1, (c) for sites that are 1,800 square metres				
(27)	or greater—0.85:1.				
S O W	Despite subclause (2), the maximum floor pace ratio for the following development n land in Zone B6 Enterprise Corridor <i>v</i> ithin the Parramatta Road Precinct, as hown edged orange on the Floor Space				

Clau	ISE	Yes	No	N/A	Comment
R	atio Map, is as follows:				
	(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and			\boxtimes	
	(b) 3:1 for office premises and hotel or motel accommodation.			\square	
	Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:				
1	 (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and 			\boxtimes	
	(b) 2:1 for office premises and hotel or motel accommodation.			\boxtimes	
	Despite subclause (2), the maximum floor space ratio for retain premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is				
4.5	1.5:1. Calculation of floor space ratio and site area				
(1)	Objectives				
The o	bjectives of this clause are as follows:				
(a) i	to define <i>floor space ratio</i> ,	\square			
	to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:				
	 prevent the inclusion in the site area of an area that has no significant development being carried out on it, and 			\boxtimes	This part will not apply.
	 prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in 				
	another building, and(iii) require community land and public places to be dealt with separately.			\boxtimes	

Cla	use	Yes	No	N/A	Comment
(2)	Definition of "floor space ratio"				
The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.					
(3)	Site area				
deve	determining the site area of proposed elopment for the purpose of applying a floor ce ratio, the site area is taken to be:				
(a)	if the proposed development is to be carried out on only one lot, the area of that lot, or			\boxtimes	
(b)	if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.				
calc appl	addition, subclauses (4)–(7) apply to the ulation of site area for the purposes of ying a floor space ratio to proposed elopment.				
(4)	Exclusions from site area				
	following land must be excluded from the area:				
(a)	land on which the proposed development is prohibited, whether under this Plan or any other law,			\boxtimes	The development is permissible with consent in the zone.
(b)	community land or a public place (except as provided by subclause (7)).			\boxtimes	
(5)	Strata subdivisions				
of a be i only anot	area of a lot that is wholly or partly on top nother or others in a strata subdivision is to ncluded in the calculation of the site area to the extent that it does not overlap with her lot already included in the site area ulation.				A subdivision is not proposed.
(6)	Only significant development to be included				
not whic unle sign	site area for proposed development must include a lot additional to a lot or lots on h the development is being carried out ss the proposed development includes ificant development on that additional lot.				Significant development is included.
(7)	Certain public land to be separately considered				
to a belo area or b and prop	the purpose of applying a floor space ratio iny proposed development on, above or w community land or a public place, the site must only include an area that is on, above elow that community land or public place, is occupied or physically affected by the osed development, and may not include other area on which the proposed				

Clause	Yes	No	N/A	Comment
development is to be carried out.				
(8) Existing buildings				
The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.				
(9) Covenants to prevent "double dipping"				
When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.				
(10) Covenants affect consolidated sites				
lf:				
 (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and 			\boxtimes	
(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.				
(11) Definition				
In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act</i> 1993.				
4.6 Exceptions to development standards				
(1) The objectives of this clause are:				
 (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and 			\boxtimes	The clause does not need to be reviewed for this application.
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.			\boxtimes	
 (2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. (3) Consent must not be granted for 				
(3) Consent must not be granted for				

Clause		Yes	No	N/A	Comment
	development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:				
	 (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and 			\boxtimes	
	(b) that there are sufficient environmental planning grounds to justify contravening the development standard.				
(4)	Consent must not be granted for development that contravenes a development standard unless:				
	(a) the consent authority is satisfied that:				
	 the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and 				
	 (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and 				
	(b) the concurrence of the Director- General has been obtained.				
(5)	In deciding whether to grant concurrence, the Director-General must consider:				
	(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and				
	(b) the public benefit of maintaining the development standard, and			\boxtimes	
	(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.				
(6)	Not applicable				
(7)	After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).			\boxtimes	
(8)	This clause does not allow consent to be				

Clause	Yes	No	N/A	Comment
granted for development that would contravene any of the following:				
(a) a development standard for complying development,			\bowtie	
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,				
(c) clause 5.4.			\square	
Part 5 Miscellaneous provisions				
5.4 Controls relating to miscellaneous permissible uses				
(1) Bed and breakfast accommodation				
If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.				
(2) Home businesses				
If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.				
(3) Home industries				
If development for the purposes of a home industry is permitted under this Plan, the carrying on of the light industry must not involve the use of more than 30 square metres of floor area.				
(4) Industrial retail outlets				
If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:				
 (a) 30 % of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or 				
(b) 400 square metres,			\boxtimes	
whichever is the lesser.				
(5) Farm stay accommodation			\square	
If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.				
(6) Kiosks			\square	

Cla	use		Yes	No	N/A	Comment
pern	nitted und	It for the purposes of a kiosk is er this Plan, the gross floor area ed 10 square metres.				
(7)	Neighbo	urhood shops				
neig Plan	hbourhood	ent for the purposes of a d shop is permitted under this il floor area must not exceed 80			\square	
(8)	Roadsid	e stalls				
stall	is permitte	t for the purposes of a roadside ed under this Plan, the gross floor exceed 8 square metres.				
(9)	Seconda	ary dwellings				
If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:						
(a)	60 squar	e metres,				
(b)		ne total floor area of both the self- d dwelling and the principal				
5.6	Architectu	ural roof features				
(1)	The obje	ctives of this clause are:				
	elen	ensure that any decorative roof nent does not detract from the itectural design of the building,				The roof the warehouse building is contemporary in nature being flat. A zincalume material will be used as well as some translucent material to permit light to penetrate to the
		ensure that prominent itectural roof features are ained within the height limit.	\square			ground of the building. The roof of the office portion will not
(2)	Developr					be changing. However a new skillion roof awning structure will be erected over the roof top staff
()	architect	ural roof feature that exceeds, or				function area.
	limits se	a building to exceed, the height t by clause 4.3 may be carried only with consent.				The roof designs are acceptable for this development.
(3)	granted	nent consent must not be to any such development unless ent authority is satisfied that:				
	(a) the a	architectural roof feature:				
	(i)	comprises a decorative element on the uppermost portion of a			\boxtimes	The roof design does not fall into the category suggested by Part 5.6 (subpart 3).
	(ii)	building, and is not an advertising structure, and			\square	(5500010).
	(iii)	does not include floor space area and is not reasonably capable of modification to include floor space area, and				
	(iv)	will cause minimal overshadowing, and			\boxtimes	

Cla	use	Yes	No	N/A	Comment
	(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.				
5.7 mar	Development below mean high water k				
(1)	The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.				This is not applicable to the development application.
(2)	Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).				
5.9	Preservation of trees or vegetation				
(1)	The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.	\boxtimes			The application involves the removal of several trees along the Boorea Street frontage of the site.
(2)	This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.				The plans show 12 trees to be removed which vary in size and stature. The trees to be removed will interfere with the new warehouse building to be erected.
pres this	e. A development control plan may scribe the trees or other vegetation to which clause applies by reference to species, , location or other manner.				Tree removal must be included in this application. The plans have been placed before
(3)	A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without				Council's Landscape Architect for review. A formal response was not forthcoming. It is considered that no
	the authority conferred by:(a) development consent, or	\boxtimes			objections are raised to the removal of the trees along the Boorea Street frontage to facilitate the
	(b) a permit granted by the Council.	\boxtimes			development that is proposed.
(4)	The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.				
(5)	This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.				
(6)	This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.				
(7)	A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of				

Clause		No	N/A	Comment
a tree or other vegetation:				
(a) that is or forms part of a heritage item, or			\bowtie	
(b) that is within a heritage conservation area.			\boxtimes	
Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.				
(8) This clause does not apply to or in respect of:				
 (a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or 				
 (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or 				
(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i> , or				
(d) action required or authorised to be done by or under the <i>Electricity</i> <i>Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying Act 2002</i> , or				
(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i> .			\boxtimes	
5.10 Heritage conservation				
Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.				
(1) Objectives				
The objectives of this clause are:				The state is set that the set of the
(a) to conserve the environmental heritage of Auburn, and				The site is not listed as a heritage item in the Auburn LEP 2010. The heritage provisions do not need to be considered
(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and			\boxtimes	
(c) to conserve archaeological sites, and			\boxtimes	

Clause		Yes	No	N/A	Comment
(d)	to conserve places of Aboriginal heritage significance.			\boxtimes	
(2)	Requirement for consent				
Development consent is required for any of the following:					
(a)	demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,			\boxtimes	
(b)	altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,				
(c)	altering a heritage item that is a building by making structural changes to its interior,			\boxtimes	
(d)	disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,				
(e)	disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,				
(f)	erecting a building on land on which a heritage item is located or that is within a heritage conservation area,				
(g)	subdividing land on which a heritage item is located or that is within a heritage conservation area.			\boxtimes	
(3)	When consent not required				
	However, consent under this clause is not required if:				
(a)	the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:				
	 (i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and 				
	 (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or 				
(b)	the development is in a cemetery or burial				

Clause		Yes	No	N/A	Comment
	ground and the proposed development:				
	 (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and 				
	 (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or 				
(C)	the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or				
(d)	the development is exempt development.			\boxtimes	
zone from is n use grav herit	e. For land known as Rookwood Cemetery ed SP1 Cemetery, development consent a, and notification to, the consent authority ot required under this plan for the further of an existing grave site or crypt within a eyard that is a heritage item, provided the age significance of the item is not ersely affected.				
(4)	Effect on heritage significance				
The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).					
(5)	Heritage impact assessment				
	consent authority may, before granting sent to any development on land:			\square	
(a)	on which a heritage item is situated, or				
(b)	within a heritage conservation area, or				
(c)	within the vicinity of land referred to in paragraph (a) or (b),				
require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.				\boxtimes	
(6)	Heritage conservation management plans				
cons and subr man	consent authority may require, after sidering the significance of a heritage item the extent of change proposed to it, the nission of a heritage conservation agement plan before granting consent				

Clause		No	N/A	Comment
(7) Archaeological sites				
The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):			\boxtimes	
(a) notify the Heritage Council of its intention to grant consent, and			\boxtimes	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
(8) Places of Aboriginal heritage significance				
The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:			\square	
 (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and 			\boxtimes	
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.				
(9) Demolition of item of State significance				
The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):				
(a) notify the Heritage Council about the application, and			\boxtimes	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.			\boxtimes	
(10) Conservation incentives				
The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:				
(a) the conservation of the heritage item is facilitated by the granting of consent, and				
(b) the proposed development is in				

Clause		Yes	No	N/A	Comment
	accordance with a heritage conservation management plan that has been approved by the consent authority, and				
(c)	the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and				
(d)	the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and				
(e)	the proposed development would not have any significant adverse effect on the amenity of the surrounding area.				
Pai	rt 6 Additional local provisions				
6.1	Acid sulfate soils				
(1)	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.				The land is given a Class 5 Rating. Acid sulphate soils are not considered to be a significant issue for the site.
(2)	Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.				
	Class Works				
<u>of</u> 1	land Any works.			\square	
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.				
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.				
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.				
(3)	Development consent must not be			\square	
Clause		Yes	No	N/A	Comment
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	granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.				
(4)	Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:				
	(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and				
	(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.				
(5)	Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):				
	(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,				
	(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),				
	(c) minor work, being work that costs less than \$20,000 (other than drainage work).				
(6)	Despite subclause (2), development consent is not required under this clause to carry out any works if:				
	(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or				
	(b) the works are likely to lower the watertable.			\square	
6.2	Earthworks				
(1)	The objectives of this clause are as follows:				
	(a) to ensure that earthworks for which a	\square			Earthworks will be required for the

Clause	Yes	No	N/A	Comment
development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land, (b) to allow earthworks of a minor nature				application. Site levelling, some excavation works and filling will be undertaken as part of this application. This will ensure that a suitable level is provided for the foundations. The earthworks are substantial and
without separate development consent.				requiring consent.
(2) Development consent is required for earthworks, unless:				
(a) the work does not alter the ground level (existing) by more than 600 millimetres, or				The plans suggest that some earthworks will exceed 600 mm in depth.
(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or				
(c) the work is ancillary to other development for which development consent has been given.				The works are ancillary to the development but consent has not been granted to the earthworks. The earthworks form part of this
(3) Before granting development consent for earthworks, the consent authority must consider the following matters:				application.
 (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, 	\boxtimes			
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	\boxtimes			The development application indicates a redevelopment of the site. The earthworks form part of
(c) the quality of the fill or of the soil to be excavated, or both,	\square			the redevelopment that is proposed.
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	\boxtimes			The site has been the subject of remediation works.
(e) the source of any fill material and the destination of any excavated material,	\square			
(f) the likelihood of disturbing relics,	\square			The site is not identified as an
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.				archaeological significant site. Watercourses are not affected by the proposed works.
Note. The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				
6.3 Flood planning				
(1) The objectives of this clause are:				
 (a) to minimise the flood risk to life and property associated with the use of land, 				The western part of the site is shown on the Council planning maps to be affected by minor flooding during a 1 in 100 year rain
(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,				Buckton Lysenko Consulting Engineers have reviewed the
 (c) to avoid significant adverse impacts on flood behaviour and the environment. 	\boxtimes			relevant flooding documentation and have identified that the site is above the 1 in 100 ARI flood event.
(2) This clause applies to:				The flood level has been identified
(a) land that is shown as "Flood planning				

Clause	Yes	No	N/A	Comment
area" on the Flood Planning Map,	and			to be 9.1 metres. The lowest point
(b) other land at or below the final planning level.	flood			on the site is 10.5 metres. The site is situated well above the Haslam's Creek flood level.
(3) Development consent must not be gra for development on land to which clause applies unless the consent auth is satisfied that the development:	this 📈			Engineering drainage plans have been provided to verify levels, stormwater drainage and overland
 (a) is compatible with the flood hazan the land, and 	rd of			flow paths for the site. Council's Drainage and Development Engineer has reviewed the plans
(b) is not likely to significantly adve affect flood behaviour resulting detrimental increases in the pote flood affectation of other develope or properties, and	g in 🔀 ential			and has provided comments and conditions in relation to the project.
 (c) incorporates appropriate measure manage risk to life from flood, and 	es to			
 (d) is not likely to significantly adve affect the environment or ca avoidable erosion, silta destruction of riparian vegetation reduction in the stability of river ba or watercourses, and 	ause tion, or a			
 (e) is not likely to result in unsustain social and economic costs to community as a consequence flooding. 	the 🔀			
(4) A word or expression used in this cla has the same meaning as it has in NSW Government's Flood Development Manual published in 2 unless it is otherwise defined in this cla	the 🖄 <i>plain</i> 005,			
(5) In this clause:				
<i>flood planning level</i> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.				
<i>Flood Planning Map</i> means the Auburn L Environmental Plan 2010 Flood Planning M				

Clause		Yes	No	N/A	Comment
6.5 Essential Services	5				
consent authority the following ser for the propo available or that	velopment unless the is satisfied that any of rvices that are essential				
(a) the supply of v	water,	\boxtimes			Services are provided to the site.
(b) the supply of e	electricity,				
(c) the disposal sewage.	and management of	\square			
(d) stormwater conservation,	drainage or on-site	\square			
(e) suitable road	access.	\square			
for the purpose augmenting, main	not apply to development of providing, extending, taining or repairing any eferred to in this clause.				
6.8 Development i precinct	n the Carter Street				
	ies to land know as the ecinct, as shown edged Key Sites Map.			\boxtimes	The site is not situated near or adjacent to the Carter Street precinct.
consent may be of a neighbourho this clause applie is satisfied that th	5.4 (7) development granted for the purpose od shop on land to which as if the consent authority he proposed development ater than 1,000 square				
 (3) Despite any other tertiary instituti establishments a 	er provision of this plan,				
Schedule 1 Add	litional permitted use	es			
Left Blank at time	of gazettal				

The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))

There are no draft planning instruments that require review for this application.

Control Plans (EP& A Act s79C(1)(a)(iii))

DCP 2010 Industrial Areas

The relevant objectives and requirements of the DCP 2010 Industrial Areas have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comments
1.0 Introduction				
1.1 Development to which this Part applies				
This Part applies to land zoned:				
 IN1 General Industrial IN2 Light Industrial, B6 Enterprise Corridor and B7 Business Park 				The land is within zone IN1 which permits the type of development that is proposed being a warehouse development. The development forms the redevelopment of the
under the Auburn LEP 2010. In the case of the Carter Street Precinct, only Sections 8.0 and 9.0 apply.				site from industrial uses to a warehouse operation.
2.0 Built Form				
Objectives				
a. To ensure that the form, scale, design and nature of development maintains and enhances the streetscape and visual quality of industrial areas.				A warehouse building with a floor area of 14,630 square metres is proposed which will accommodate high bay racking. The building will be 12.2 metres high at the ridgeline.
b. To ensure that the scale of any new industrial development is compatible with surrounding industrial buildings.	\boxtimes			The building will be supported by a steel structure and constructed from a concrete wall to 2.4 metres high with steel cladding above. The elevations of the building are to be treated.
 c. To ensure the intensity of development recognises the environmental constraints of the site and its locality. Performance criteria 	\boxtimes			The roof of the building will be constructed from zincalume steel cladding as well as translucent material. An awning structure over the southern hardstand area is included in the design of the warehouse building. The structure will provide a loading and unloading facility that is protected from the weather.
P1 The built form of proposed development is consistent with the existing character of the	\boxtimes			The southern section of the awning is enclosed to mitigate potential noise impacts generated by such activities.
locality. Development controls D1 Buildings shall be designed to:				The proposed awning covers the extent of the proposed at grade hardstand area. It does not cover the proposed recessed loading bays at the south west corner of the building.
• introduce variations in unit	\square			The offices facing Nyrang Street will be refurbished.
 design within building groups. introduce solid surfaces, preferably masonry, incorporate horizontal and vertical modulation including windows in 				The external shell of the building will be subject to upgrade works including new glazing and enhanced landscaping. The main entry will be enhanced through the modernisation of the front reception area as well as simple but appropriate upgrades to
appropriate proportions and configurations.				the original southern portion of the building such as new windows.
• include an appropriate variety of materials and façade treatments so as to create visual interest on a high quality design outcome.	\boxtimes			The works include a new canopy for the front walk way. A new car park for 175 vehicles is proposed and will
D2 On corner sites, the building reinforces the corner by massing and facade orientation.			\boxtimes	be located between the front office and the warehouse. It will barely be seen from the street due to the position of the main buildings on site.
D3 Number of storeys - B6 Enterprise Corridor				Other ancillary buildings and structures include new fencing, a water pump room and two water tanks for fire fighting purposes and water storage.
				A materials colour sheet submitted with the

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Req	uirement	Yes	No	N/A	Comments
	Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Silverwater Road shall be a maximum of three (3) storeys. Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Parramatta Road shall be a maximum of six (6) storeys.				 application shows the use of earth tone colours such as:- AZTEC Glimmer P13.H7 (Earth tone brown) which provides a good contrast to other colours. Woodland Grey for the upper walls of the warehouse. Pearl Ash for the walls. Composite aluminium for some wall finishes for the refurbished offices.
					 Advantage Grey for some glazed window elements for the offices.
	<u> </u>				The works do not involve a hotel / motel complex.
	Streetscape and Urban Ch	aracte	er		
Obje	ectives				
a.	To ensure that all new development is compatible with the existing and intended future character of the locality in which it is located.				The street elevation is to be upgraded. The current offices facing Nyrang Street will be the subject of refurbishment works. The works include a new canopy structure situated over the main walkway to the building.
b.	To promote industrial development which is both functional and attractive in the context of its local environment through appropriate design.				The main entry will be enhanced through the modernisation of the front reception area as well as simple but appropriate upgrades to the original southern portion of the building such as new windows.
с.	To encourage innovative industrial design which adds to and enhances the quality of the existing industrial areas of the Auburn local government area whilst recognising the design attributes of traditional industrial development.				New materials and a new colour scheme will be added to provide a new look to the office building. The works proposed is an effective reuse of a tired looking building.
3.1	Streetscape				
Per	formance criteria				
P1	The appearance of the development is consistent with the streetscape of the locality.	\boxtimes			The street elevation will be upgraded. The changes to the building facing Nyrang Street are supported because office building will be refurbished and
P2	Development conserves and enhances the visual character of the street particularly in relation to architectural themes, landscape themes and fencing styles.				upgraded. The upgrade works will improve the streetscape.
Dev	elopment controls				
D1	Fencing along street boundaries with a height greater than 1m shall be located at a minimum setback applicable to buildings (refer to setback controls overleaf) and with landscaping in the area available between the fence and the property boundary.				A new side boundary fence is proposed. The fence will be 1.8 metres high and be open palisade. It will replace an existing fence structure. The new fence is an improvement on what currently exists on site. The fence is setback 4.5 metres from the street generally in line with the existing fence to be replaced.

Req	uirement	Yes	No	N/A	Comments
D2	Facades of new industrial buildings shall adopt a contemporary appearance.	\boxtimes			
D3	Facades of proposed infill development located in established industrial areas shall reflect the style and architecture of adjoining buildings.	\boxtimes			The refurbishment of the office building facing Nyrang Street is supported. The building is retained providing a link to the past but upgraded to a more modern structure.
D4	Architectural features shall be included in the design of new buildings to provide for more visually interesting industrial areas, including:				
	• elements which punctuate the skyline;	\square			The upgraded offices facing Nyrang Street will comply with this Part.
	 distinctive parapets or roof forms; 	\boxtimes			
	 visually interesting facades; architectural emphasis on the built form; and 	\boxtimes			
	• a variety of window patterns.	\boxtimes			
3.2	Front setbacks				
D1	New buildings within industrial areas shall have a minimum front setback of:				
	 4.5m from other roads, and 	\square			The setbacks of the building along Nyrang Street are not altered by the proposed works.
	• 0m from laneways.			\square	However a new canopy is situated on the street
	e case of a corner allotment, the ack to the secondary road shall m.			\boxtimes	frontage which provides weather protection to the front walkway.
D2	Front setback areas shall not be used for car parking, storage or display of goods.	\boxtimes			The building along Boorea Street is setback 4.5 metres from the street. Cut away drawings and an eastern elevation being Sheet A301 provided shows the loading dock canopy having a setback of 4.5 metres from Boorea Street. Compliance is achieved.
					The loading dock canopy helps to screen the loading bay area on the southern side of the warehouse building.
3.3	Side and rear setbacks				
Per	formance criteria				
P1	Developments are separated to minimise operational constraints imposed by one industrial use upon an adjacent industrial use.	\boxtimes			
P2	New development facilitates foreshore access to Duck River.			\square	The site is not adjacent to or adjoining Duck River.
Dev	elopment controls				
D1	Buildings may be built on a nil side or rear setback except where a setback is required to				

Req	uirement	Yes	No	N/A	Comments
	screen buildings from:				
	• public places;			\square	
	 adjoining residential properties; 			\square	
	 other sensitive land uses; 			\square	The site does not adjoin a sensitive land use however there are residential properties to the south
	 where rear access is required; or 				along Boorea Street and east along Nyrang Street. Boorea Street to the south and Nyrang Street to the east provide some buffer to the residential area to
	• where land adjoins the M4 Motorway.			\square	the south and east.
	such circumstances a 4.5m scape setback is required.				
D2	Where a site adjoins a residential zone, side and rear setbacks of 3m shall be required.				
	Development adjacent to Duck River shall provide a 5m easement for public access within the foreshore building line area along Duck River. This easement shall be established under a Section 88B instrument and shall be registered with the NSW Land and Property Management Authority.				The site is not close to Duck River.
4.0	Landscaping	1	1	1	
Obje	ectives				
a.	To improve the visual quality and amenity of industrial development through effective landscape treatment of individual sites and to achieve a pleasant working environment.				Landscaping on site is affected by the proposed works.
b.	To ensure a high standard of environmental quality of individual sites whilst enhancing the general streetscape and amenity of the area.				
C.	To ensure that the location and design of driveways, parking and servicing areas are efficient, safe, convenient and suitably landscaped.				
Per	formance criteria				
P1	Landscaping forms an integral part of the overall design concept.	\boxtimes			
P2	Landscaped areas soften the impact of buildings and car parking areas as well as for screening purposes.				Landscape plans submitted with the application shows the landscaping being upgraded and or altered. The works include the removal of 12 trees along the southern side of the building.
P3	Landscaped areas provide for passive/recreational use of workers of industrial areas.	\boxtimes			Landscaping includes the planting of new trees to offset the losses that need to be made.

Req	uirement	Yes	No	N/A	Comments
P4	Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.				
Dev	elopment controls				
D1	All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.				
D2	Storage areas and other potentially unsightly areas shall be screened from adjacent properties.				
D3	Landscaping within setback areas shall be of a similar scale to buildings. All landscaped areas shall be separated from vehicular areas by means of a kerb or other effective physical barriers.				The landscape elements along Nyrang Street are to be upgraded and improved. A row of trees along Boorea Street are to be retained
D4	Car parking areas, particularly large areas shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large car parks.				
D5	In open parking areas, 1 shade tree per 10 spaces shall be planted within the parking area.				The car park is not landscaped because it is contained within a new concrete structure. The car park is not visible to the street as it is located internal of the site. The plans for the car park are supported.
D6	A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic				The site is provided with 1,724 square metres of landscaping which is 6% of the site. A figure of 15% would yield 4,294.5 square metres of landscaping on site. The variation is in the order of 2,570 square metres.
	purposes and the enjoyment of workers of the site.				The existing landscaping on site is unlikely to have covered 15% given that much of it was paved with car parking and covered with industrial buildings. The amount of landscaping previously on site is not known.
					Refer to discussion below.
D7	Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.				New fencing is proposed along the Boorea Street frontage which forms part of the development proposal. The new fence is 1.8 metres high and consists of an open steel palisade structure. The amount of fencing is limited to the Boorea Street frontage.
D8	Landscaping shall promote safety and surveillance of the street.	\boxtimes			
	Note: Applicants shall refer to Council's Policy on Crime Prevention Through Environmental Design (CPTED).	\boxtimes			Part 4.7 of the statement of environmental effects addresses CPTED matters. New fencing, lighting and a security system will be installed. Suitable

Req	uirement	Yes	No	N/A	Comments
D9	Landscaping shall allow sufficient line of sight for pedestrians, cyclist and vehicles.				lighting is to be installed for the car park area.
	Paving and other hard surfaces shall be consistent with architectural elements.	\square			
5.0	Access and Car Parking				
Obje	ectives				
a.	To ensure that all car parking demands generated by any particular industrial development are accommodated on the development site.				A car park structure is to be constructed to accommodate 175 vehicles which is "split level". The structure is located to the west of the existing office building and east of the warehouse. Ingress and egress is from Nyrang Street from two driveways.
b.	To ensure that the provision of off-street car parking facilities do not detract from the visual	\square			The car park structure incorporates internal ramps providing access to each level.
	character, particularly the streetscape of an industrial area.				A further five spaces have been provided within the loading bay area to provide convenient parking for courier vans requiring direct access to the loading bay office. The spaces are accessible from Boorea
C.	facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding	scale and extent of the sed development and atible with the surrounding	commensurate with and extent of the development and		Street. The development provides 14,630 square metres of warehouse building which requires 49 car parking spaces.
	traffic network.				The offices occupy an area of 2,666 square metres and will require 67 car parking spaces.
					The development will require 116 car parking spaces.
					With 180 car parking spaces, a surplus of 64 spaces is provided on site.
					The applicant has stated that staff numbers are as follows:-
					• Offices - 110 staff. • Warehouse - 26 staff.
					There will be 136 staff working inside the building. This may grow in future which will be dictated by demand and sales and or performance of the company.
					There is a tendency to supply car parking based on projected population of the building rather than based on Council adopted codes.
					Generally a large surplus of car parking has been identified.
					However, if the building was ever to be used for manufacturing, then 190 spaces would be needed for the industrial building plus 67 spaces for the offices resulting in a maximum of 257 spaces being required for the site. A shortfall of 77 spaces would result under this scenario.
					It is identified that a mid range approach is taken and hence in future, it may be possible to investigate a change of use to manufacturing knowing that there is spare capacity on site to do so.

Req	uirement	Yes	No	N/A	Comments
5.1	Access and car parking requirements				
and	licants shall refer to the Parking Loading Part for parking and ess requirements.	\boxtimes			This is addressed in Part 5.0 above.
5.2	Service areas				
Per	formance criteria				
P1	Garbage collection is carried out wholly within the site. Suitable collection points within the site are provided at convenient locations.				The applicant has stated that waste collection points are provided around the site at convenient locations.
Dev	elopment controls				
D1	In the design of industrial developments, consideration shall be given to the design of garbage storage areas, and other waste provisions held in the Waste Part of this DCP.	\boxtimes			
6.0	Stormwater Drainage				
Stor DCF	licants shall consult the mwater Drainage Part of this 9 for stormwater drainage irements.				A stormwater drainage system is provided for the building. Council's Drainage Engineers have addressed the stormwater drainage system and it is concluded that the application may proceed subject to conditions.
7.0	Energy Efficiency and Wat	er Co	nser	vatior	
Obje	ectives				
a.	To encourage a high standard of environmental design within new and existing industrial areas.	\boxtimes			
b.	To minimise energy use in buildings while creating a comfortable working environment.	\boxtimes			
C.	To give greater protection to the natural environment by reducing the amount of greenhouse gas emissions.				
d.	To reduce the consumption of non-renewable energy sources for the purposes of heating water, lighting and temperature control.				
e.	To minimise potable water mains demand of non residential development by implementing water efficiency measures.				
7.1 Perf	General requirements ormance criteria				
P1	Buildings permit maximum solar access in winter and minimise the heating of buildings during summer.	\boxtimes			The office building has a north to south alignment. Measures are to be installed into the office upgrade to ensure that natural light is maximised while heat loads are minimised. The windows will be double glazed to achieve better performance.

4	8

Req	uirement	Yes	No	N/A	Comments
P2	Natural lighting is relied upon to reduce the requirement for artificial lighting.	\boxtimes			Shading devices are to be included into the office upgrade. Shading devices are marked on the plans for approval.
P 3	Buildings employ thermal mass and insulation techniques to reduce energy consumption.	\square			
P4	Energy use is minimised by appropriate building design, site layout, internal design and energy efficient appliances, fixtures and fittings.	\boxtimes			The warehouse building will incorporate opportunities for natural ventilation to ensure that internal temperatures can be managed through natural processes. The roof plan shows some translucent material as well as zincalume to be used to allow some natural light to penetrate to the ground of the warehouse building.
Р5	Use of solar hot water heaters and renewable energy sources is considered within non- residential development.	\boxtimes			The applicant has stated that hot water systems are to comply with Part J of the Building Code of Australia.
Dev D1	Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.				The office building has a north to south alignment. Rather than demolish a good building, the applicant has chosen to refurbish it thus cutting down on waste, use of building materials and costs of establishing the plant on the site. A good sustainable approach has been taken.
D2	Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.	\square			This is achieved and shown on the plans.
D3	The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.	\boxtimes			The glazed elements facing east are to be upgraded and the plans show good treatment and finishes to be used. The western elevation of the office building has less glazing. The building materials to be used and colours are good.
D4	Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.	\boxtimes			Solar hot water systems may be used during the final design.
D5	Lighter reflective colours shall be used on external walls of the building to reduce heat gain in summer especially for building facades facing east, west and north.	\boxtimes			
D6	High thermal mass materials shall be used wherever possible.	\square			
D7	Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.	\boxtimes			
D8 D9	Low energy lighting shall be used. Energy efficient appliances,	\boxtimes			Low energy lighting is proposed both within the warehouse and office.

Requirement		Yes	No	N/A	Comments
	fittings and fixtures shall be used.				
D10	Any hot water heaters to be installed, as far as practicable, shall be solar, and to the extent where this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.				This is being considered by the applicant.
7.2	Ventilation				
	ormance criteria				
P1	To encourage the design of development to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.				A ridge vent will be constructed along the ridge of the warehouse to help facilitate natural ventilation. Some translucent roof sheeting will be installed to maximise natural light into the facility.
Dev	elopment controls				
	Where applicable, cross ventilation shall be maximised by use of high-level ventilators. Where practical or appropriate sky lights and/or wind powered ventilators shall be installed.				
7.3	Water conservation				
Per	formance criteria				
P1	Water use and consumption is reduced.	\square			The warehouse operation will not have an excessive water use.
P2	Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.				
Dev	elopment controls				
D1	New buildings shall provide water efficient fixtures to reduce the demand for (mains) water and wastewater discharge.				The proposal includes water efficient fixtures.
D2	New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.				Not applicable to this development. This is not available for the locality.
D3	Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.				Rainwater harvesting is planned to be used for the purpose of toilet flushing and irrigation and topping up the water tanks for fire fighting.The plans show a 948 cubic metre underground OSD to be installed at the south western portion of the site that can be used for this purpose.
D4	Development shall install all water using fixtures to meet the	\square			Water saving fixtures are to be installed as per the requirements of Part J of the Building Code of Australia.

Req	uirement	Yes	No	N/A	Comments
	WELS (Water Efficiency Labelling Scheme) rated industry standards.				
7.4	Rainwater tanks				
Perf	ormance criteria				
P1	Collection and reuse of stormwater is encouraged.	\square			
P2	Stormwater runoff is reduced.	\square			
Dev	elopment controls				
D1	Rainwater tanks installed above ground or underground shall meet the relevant Australian Standards.				There are two above ground tanks setback from Boorea Street which are not visually prominent and are therefore acceptable.
D2	Above ground rainwater tanks shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject site and surrounding developments.				
D3	Above ground rainwater tanks installed shall not be visible from a primary road frontage and shall not be visually dominant.				
D4	The overflow from industrial rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.	\boxtimes			An onsite detention basin is proposed which is connected into the stormwater system.
	Operational restrictions				
- UDJe	ectives	_			
a.	To ensure that industrial development operates in a manner compatible with adjoining land uses, particularly residential areas.				
b.	To ensure noise, air and water discharges, waste storage and removal, working hours and storage of dangerous goods and hazardous chemicals will not have a detrimental effect on environmental amenity.				
8.1	Hours of operation				
Per	formance criteria				
P1	The hours of operation are managed to ensure residential amenity is protected.	\boxtimes			The applicant is seeking to operate the warehouse facility 24 hours daily.
Dev	elopment controls				An acoustic report has been submitted with the application and it makes the following recommendations.
D1	Where an industrial site is located adjacent to or within 200m of a residential zoned area or where in the opinion of				 Roller shutters of the warehouse operation will need to be closed no later than 10 pm daily for internal operations.

Requirement		No	N/A	Comments
Council truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7:00am to 6:00pm Monday to Saturday. Note: Where an extension to these hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council demonstrating how environmental impacts can be minimised to acceptable levels if the extended hours of operation are approved.				 Truck drivers will be required to switch engines off whilst their vehicle is stationary in the hardstand area. Mechanical plant associated with the development should be selected, positioned and treated to ensure compliance with the noise criterion of 53 decibels during the daytime for nearby residential receivers. As suggested by the applicant, heavy vehicle movements should be restricted with no semi trailer and B Double vehicles between the hours of 6 pm nightly to 7 am daily. This would maintain noise impacts to daytime hours. The report indicates other noises are acceptable including road traffic noise, noise from the rooftop staff breakout area and noise from within the warehouse. If this application is to be supported, there will be a need to restrict heavy vehicle movements to daylight hours in line with the recommendations of the acoustic report. It is also considered appropriate to trial the hours of operation for a period of 12 months which will permit
8.2 Noise				a review.
Performance criteria				
P1 Development minimises the possibility of noise to the occupants of adjoining or neighbouring dwellings. The use of premises, any plant, equipment and building services associated with a premise does not create an offensive noise or add significantly to the background noise level of a locality.				This has been addressed in the acoustic report and the recommendations made if supported would need to be carried out otherwise the use would have adverse impacts on residents situated along Boorea Street and Nyrang Street. More detailed comments are provided in the assessment under the Auburn Local Environmental Plan 2010.
P2 Where practicable, sources of noise such as garbage collection, machinery, parking areas and air conditioning plants are sited away from adjoining properties and, where necessary screened by walls or other acoustical treatment.				
Development controls				
D1 All development applications for potential noise generating industries adjacent to residential zoned land shall be accompanied by relevant documentation from a qualified acoustic engineer. The documentation shall also comply with the relevant Acts, Regulations, Australian Standards and guidelines by the NSW Department of				

Requirement		Yes	No	N/A	Comments
	Environment, Climate Change and Water (DECCW) below, as applicable for noise, vibration and quality assurance.				
8.3	Storage yards				
Per	formance criteria				
P1	Unsightly storage yards are not established within industrial areas of the Auburn local government area.				This part is not relevant to the application.
De	elopment controls				
D1	Storage yards, junk yards or waste depots shall be screened by suitable fencing to a height of 2.5m and setback 4.5m from any street alignment and will require:				
	• suitable site sealing;				
	 runoff and silt trap controls; and 			\boxtimes	
	• dense screen landscaping between the street alignment and the fence.			\square	
8.4	Air pollution				
Per	formance criteria				
P1	Any machinery or processes used should not result in air pollution emissions that have a detrimental impact on the environment.			\boxtimes	There are no processes on site that will create air pollution.
De	elopment controls				
D1	Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application.			\boxtimes	
	All spray painting shall be carried out in a spray booth constructed and ventilated in accordance with the relevant Australian Standards.				
8.5	Water pollution				
Per	formance criteria				
P1	Development incorporates discharge systems designed to minimise the discharge of pollutants into the waste water and stormwater system.			\boxtimes	This part is not relevant to the application.
De	elopment controls				
D1	For industrial developments such as mechanical repair			\square	

Requirement		Yes	No	N/A	Comments
	workshops and garages, pollution control monitoring equipment, e.g. retention pits, traps, or bunding shall be used to the satisfaction of Council to control the discharge of pollutants into the stormwater system.				
8.6	Dangerous goods and hazardous materials				
Per	formance criteria				
P1	Development incorporates measures needed to protect the community from dangerous or hazardous goods storage and hazardous processes or uses.				This part is not relevant to the application.
Dev	elopment controls				
D1	For development proposals which can potentially pose a risk to the locality or discharge pollutants, applicants shall demonstrate that consideration has been given to:				
	• application guidelines published by the Department of Planning relating to hazardous and offensive development; and	\boxtimes			
	• whether any public authority should be consulted concerning any environmental and land use safety requirement.	\boxtimes			
	Any premises with storage tanks for oil or dangerous goods outside the building shall submit an emergency spill contingency plan to Council. The DECCW and Work Cover Authority may need to be consulted.				
9.0	Subdivision				
Obje	ectives				
a.	To ensure that development sites are of a reasonable size to accommodate buildings and adequate car parking, manoeuvring and landscaping and minimise access points to major roads.				A subdivision is not proposed.
b.	To encourage the redevelopment of industrial land through lot consolidation.				
С.	To provide lots of sufficient size to satisfy user requirements and to facilitate development of the land having regard to site opportunities and constraints.				
9.1	Lot sizes and access				

Requirement		Yes	No	N/A	Comments
Per	formance criteria				
P1	Proposed lots are of a sufficient area and dimension to allow for the siting of buildings including provision of adequate car parking, landscaping, access and other potential site activity and where possible reduce driveways to main roads.	\boxtimes			There will be a need to consolidate the allotments into one large lot. This can be addressed as a condition attached to any consent that may be issued.
Dev	velopment controls				
D1	The minimum average width shall be 30m.			\boxtimes	
	Direct access onto state roads shall not be granted unless presently provided or if an alternative vehicular access point is unavailable.			\boxtimes	
D2	New lots shall remove or reduce vehicular driveways and access points to main or arterial roads where alternatives are available.				
9.2	Utility services				
Per	formance criteria				
P1	All proposed allotments are able to be connected to appropriate public utility services including water, sewerage, power and telecommunications in an orderly, efficient and economic manner.	\boxtimes			Existing services are provided to the site.
Dev	elopment controls				
D1	Any application for strata subdivision shall demonstrate that each lot is serviced for parking and loading and shall not exceed the requirements of the Parking and Loading Part of this DCP.				
	Note: The applicant shall demonstrate that each proposed lot can be connected to appropriate utility services including water, sewerage, power and telecommunications (and where available gas). This may include advice from the relevant service authority or a suitably qualified consultant.				

Summary of Non-Compliances/Variations to DCP 2010 Industrial Areas

Part 4.0 (Subpart D6) Landscaping

A minimum of 15% of the site should be landscaped and soft soil areas. The site is provided with 1,724 square metres of landscaping which is 6% of the site.

Applicant response

The proposed landscape setbacks reflect the existing extent of landscaping on the site however significant improvements to the quality and quantity are being made.

The proposed retention of the main office building limits the extent of additional landscape setback that can be provided to the Nyrang Street frontage. Instead of increasing the landscaping, the proposed development involves significant improvements to the planting quality and density whilst retaining existing significant trees (where appropriate) to improve the sites visual appearance from Nyrang Street, consistent with the upgrade to the building's facade.

Areas around the office including the staff outdoor area, pathways linking the building and car parking and areas along the driveway will also be significantly enhanced with landscape treatments to improve the overall appearance and amenity of the site.

The compliant landscape setbacks along Boorea Street will be landscaped as shown on the illustrated landscape plans. The planting has been designed to help improve the visual outlook from residential properties on the opposite side of Boorea Street that currently overlook the site.

The landscape areas respond to the functional needs of the site and represent manageable portions of landscape treatment in the context of such a large industrial site. The proposed extent of landscaping although not compliant is proportionally higher than most other smaller sites within the immediate context and is therefore considered appropriate.

<u>Comment</u>

The applicant's submission is considered acceptable in this instance on the following grounds:

- Landscaping is being upgraded and much improved compared to what currently exists on the site.
- Redevelopment of the site will provide an improved appearance to the locality.
- Landscaping to be provided will soften the impact of the development.

Stormwater Drainage Development Control Plan

The relevant requirements and objectives of the Stormwater Drainage DCP have been considered in the assessment of the development application. Suitable stormwater plans and specifications have been submitted to accompany the development application. Council's Engineers have raised no objection to the proposed stormwater design and appropriate conditions have been provided to be imposed on any development consent. The application is considered to be consistent with the objectives and relevant requirements of the DCP.

Parking and Loading Development Control Plan

The relevant requirements and objectives of the Parking and Loading Development Control Plan have been considered in the assessment of the development application.

Car Parking

There is 180 car parking spaces provided on the site leading to a surplus of 64 spaces. The development control plan discourages excessive car parking for developments. To counteract this argument, the applicant has stated the staff may increase over time and the additional parking will allow for this expansion to occur.

It is also noted that an overprovision of parking will allow for a broader range of industrial uses at a later time including manufacturing. To this extent, the proposed parking numbers are considered acceptable in the circumstances of the case.

Loading

The DCP requires loading bays to be provided at a rate of 1 space per 800 square metres gross floor area up to 8,000 square metres with one space per 1,000 square metres thereafter.

The development would therefore require seventeen (17) loading bays in order to achieve technical compliance with the DCP requirements. It is noted however that only ten (10) dedicated loading bays have been proposed.

The applicant has stated that the number of loading docks covers the specific needs of the client being Complete Office Supplies and additional loading bays are not required. Given that 6 additional loading bays for vans have also been proposed, the variation is considered to be acceptable in the circumstances of the case.

Access and Mobility Development Control Plan

The relevant requirements and objectives of the Access and Mobility Development Control Plan have been considered in the assessment of the development application. The following is identified for the complex being proposed.

- There are three car parking spaces marked or capable of being used for people with disabilities with two of those located close to the rear entrance of the office building.
- A ramp provides access to the office building from the new car park to be constructed.
- There is an internal lift within the three storey office building which provides access to all three floors.
- Toilets suitable for people with disabilities are provided on all three levels of the office building.
- The roof top terrace is accessible via a lift.
- Access from Nyrang Street is via a ramp.

Access to the services within the warehouse is also at grade. The development proposal is considered to be satisfactory with regard to the provision of equitable access and the requirements of the DCP.

Waste Development Control Plan

The relevant requirements and objectives of the Waste Development Control Plan have been considered in the assessment of the development application. A waste management plan submitted with the development application showing method of waste disposal is considered satisfactory. Further, an operational waste management plan has been submitted incorporated substantial recycling where possible. The development proposal satisfies the requirements of the Waste DCP.

Section 94 Contributions Plan

Section 94 Contributions will need to be paid in accordance with Council Section 94 Contributions Plans. It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any construction certificate for the development.

The development application is an employment generating warehouse complex and office. As at 4 August 2011, the fee payable is 1% of \$10,500,000. The fee payable is \$105,000. The figure is subject to indexation.

Disclosure of Political Donations and Gifts

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality subject to appropriate conditions addressing all facets of the development.

The suitability of the site for the development (EP&A Act s79C(1)(c)

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard it its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act of	r Regulation (EP&A Act s79C(1)(d)

Advertised (newspaper) Mail

Sign 🖂

Not Required

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days from 5 July to 19 July 2011. The matter was also notified in the local newspaper and a site notice was erected which is over and above the development control plan requirements.

There were no submissions or objections to the proposed development.

The public interest (EP& A Act s79C(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within the General Industrial IN1 zone under the provisions of the Auburn Local Environmental Plan 2010. A number of minor variations in relation to the landscaping requirements of the Industrial Areas DCP and the loading requirements of the Car Parking and Loading DCP are identified. However, having regard to the assessment of the proposal from a merit perspective, Council may be satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for the locality. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non statutory controls applying to the land.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979.