

# AUBURN CITY COUNCIL

To the Joint Regional Planning Panel

JRPP Report

## 1 25 Nyrang Street, LIDCOMBE

DA-220/2011 GF/HP

### SUMMARY

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

### Recommendation

- 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.

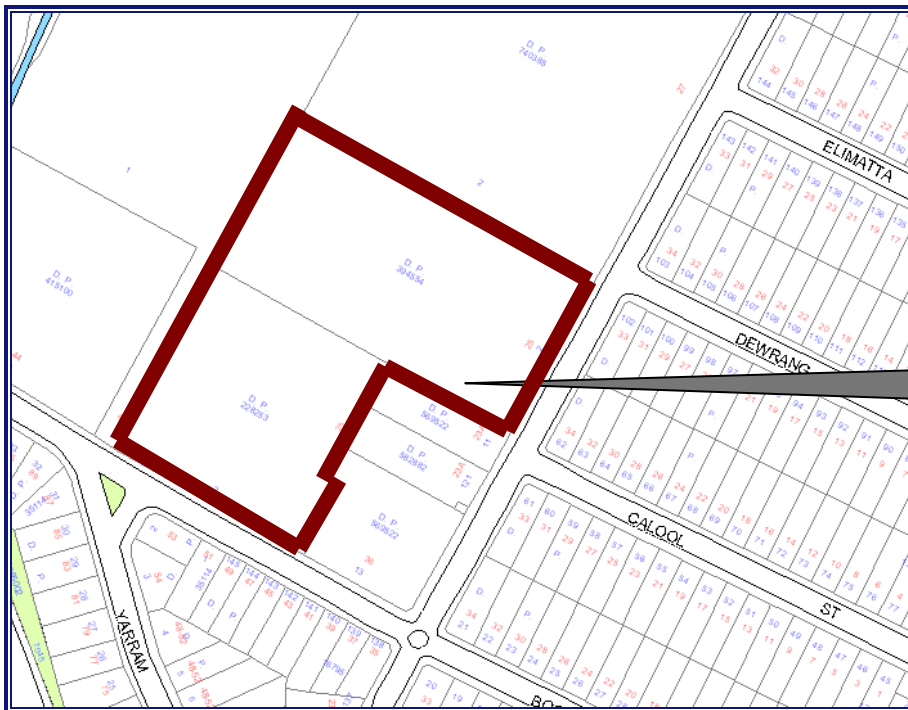
The levels and contours of the land indicate a slope away from Nyrang Street towards the west and south west.

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.



Location of the site in Lidcombe.



### 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.*

#### Comment

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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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, <b>asbestos production and disposal</b> , chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing ( <b>transformers</b> ), <b>electroplating and heat treatment premises</b> , engine works, explosive industry, gas works, iron and steel works, landfill sites, <b>metal treatment</b> , mining and extractive industries, <b>oil production and storage</b> , 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, <b>wood preservation</b>  <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 evident that asbestos was used on site.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?  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.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>A remediation action plan has been prepared by URS Australia Pty Ltd but provided with development applications 398/10 for demolition works on site and development application 411/2010 for a place of public worship. (Development application 411/2010 for the place of public worship was withdrawn.)</p> <p>The applicant has indicated to Council that site remediation works are progressing toward completion and a final site audit will be prepared in due course upon conclusion of works.</p> <p>The site was until recently used for the manufacture of sandpaper products and grinding wheels. Operations conducted on site included manufacturing, raw material storage, packaging and distribution. It is known that grinding wheels were occurring on site as well as:-</p> <ul style="list-style-type: none"> <li>• Underground storage tanks (Up to 26 in total).</li> <li>• Above ground tanks for the storage of formaldehyde resin.</li> <li>• Five waste water treatment facilities.</li> <li>• Two electrical transformers.</li> </ul> <p>Site history indicates heavy industrial use over many decades including the use of asbestos for manufacturing cement.</p> <p>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:-</p> <p>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.</p> <p>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.</p> <p>Asbestos was identified within fill material at a number of soil borings across the site within shallow soil samples. Bonded asbestos was not observed.</p>	

Matter for Consideration	Yes/No
<p>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.</p> <p>As such it is recommended that a validation and or site audit statement confirming the site suitability be provided prior to CC being issued.</p> <p><b>Acid sulphate soils:</b></p> <p>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.</p>	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

SEPP/REP	Applicable	SEPP/REP	Applicable	SEPP/REP	Applicable
SEPP 1 - Development Standards	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 4 - Development Without Consent and Miscellaneous Complying Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 6 - No. of Storeys in a Building	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 10 - Retention of Low-Cost Rental Accommodation	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 19 - Bushland in Urban Areas	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 33 - Hazardous & Offensive Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 53 - Metro Res. Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>SEPP 55 - Remediation of Land</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<b>SEPP 64 - Advertising &amp; Signage</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
SEPP 65 - Design Quality of Residential Flat Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Housing for Seniors & People with a Disability) 2004	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Building Sustainability Index: BASIX) 2004	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
<i>SEPP (Major Projects) 2005</i>	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Temporary Structures & Places of Public Entertainment)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>SEPP (Infrastructure) 2007</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
REP No. 24 - Homebush Bay Area	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>Sydney REP (Sydney Harbour Catchment) 2005</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> 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**

Requirement	Yes	No	N/A	Comment
<b>Part 1 - Preliminary</b>				
Clause 3(1)(a)(i) Aims, objectives <i>Signage is compatible with the desired amenity and visual character of an area.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development application proposes the erection of two business identification signs as follows:-</p> <p><u>Sign Number 1 and Number 2</u></p> <p>The signs will have the wording "COS" which is short for Complete Office Supplies.</p> <p>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.</p> <p>The signage has a total area of 13.5 square metres.</p> <p>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.</p> <p>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.</p> <p>The design element adds visual interest to the wall and could be supported.</p>
Clause 3(1)(a)(ii), Aims, objectives <i>Signage provides effective communication in suitable locations.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development application will comply with this Part.</p>
Clause 3(1)(a)(iii), Aims objectives <i>Signage is high quality design and finish.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The signs are high quality and appear as neat and tidy elements attached to the walls of the building.</p> <p>There are no issues raised with the position of the signs.</p> <p>The COS elements and scissors sculpture adds visual interest to a significant wall oriented to the south.</p>
<b>Part 2 - Signage Generally</b>				

Requirement	Yes	No	N/A	Comment
<p>Clause 8 Granting of consent to signage</p> <p><i>A consent authority must not grant consent to an application to display signage unless:</i></p> <p>(a) <i>that signage is consistent with the objectives of the Policy at clause 3(1)(a)</i></p> <p>(b) <i>that the signage satisfies the assessment criteria specified in Schedule 1</i></p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The business identification signs will comply with this Part.</p> <p>The scissors element could be considered to be a "Building identification sign". This is a sign that:-</p> <p><i>"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".</i></p> <p>The emphasis would be placed on a logo or other symbol.</p>
Part 4 - Definitions				<p>Definition: The COS signs and the associated "Scissors" are considered to be a "Business Identification Signs" and "building identification signs" respectively.</p>

<b>Part 3 - Advertisements</b> (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)				
<b>Schedule 1 - Assessment Criteria</b>				
<u>Character of the area</u>				
<p><i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed signage is considered to be compatible to the locality.</p> <p>Flush wall signs are commonplace in the locality. The signs will fit in with the streetscape.</p> <p>The scissors symbol is acceptable as it forms a design element for the southern wall of the building. It helps to provide interest to the wall by breaking the long expansive wall. The design element being a sculpture is supported.</p>
<p><i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There are no specific themes for advertising in the locality. Flush wall signs are commonplace in the locality within the industrial area and the signs will fit in with the streetscape.</p> <p>The scissors sculpture is unique in which it is a sculpture element to be incorporated onto the wall. It does not fit the usual advertising and it is not a logo.</p> <p>It is found to be a building identification sign forming part of the business theme.</p> <p>It can be supported as it adds interest to the southern wall as a design element.</p>
<u>Special areas</u>				

Requirement	Yes	No	N/A	Comment
<i>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?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The signage is satisfactory.
<b>Views and vistas</b>				
<i>Does the proposal obscure or compromise important views?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No views are compromised.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Streetscape, setting or landscape</b>				
<i>Are the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence of clutter occurring.
<i>Does the proposal screen unsightliness?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no unsightliness to screen.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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.
<i>Does the proposal require ongoing vegetation management?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Site and building</b>				
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which proposed signage is to be located?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<i>Does the proposal respect important features of the site or building, or both?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Does the proposal show innovation and imagination in its relationship to the site or building or both?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>Associated devices and logos with advertisements and advertising structures</b>				

Requirement	Yes	No	N/A	Comment
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is displayed?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The signs will be flood lit at night. The lighting is concentrated onto the lettering elements.  A condition would be required to address excessive light exposure.
<b>Illumination</b>				
<i>Would illumination result in unacceptable glare?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The signs will be flood lit at night. The lighting is concentrated onto the lettering elements.  A condition would be required to address excessive light exposure.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are residential properties 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.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Is the illumination subject to a curfew?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Safety</b>				
<i>Would the proposal reduce the safety for any public road?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sight lines from public areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The signage is contained wholly on the site. No pylon signs are 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:

Note:- 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
<b>Part 1 Preliminary</b>				
<b>1.1 Name of Plan</b> This Plan is <i>Auburn Local Environmental Plan 2010</i> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.1 AA Commencement</b> This Plan commences on the day on which it is published on the NSW legislation website.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan was gazetted on 29 October 2010.

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



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.				
<b>1.9 Application of SEPPs and REPs</b>				
(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The following state Environmental Planning Policies have been considered for the development application:-</p> <p>1 - State Environmental Planning Policy 55 "Remediation of Land".</p> <p>2 - State Environmental Planning Policy 64 "Advertising and Signage".</p> <p>The policies are addressed earlier in the report.</p>
(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>State Environmental Planning Policy No 1—Development Standards</i>				
<i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> (clause 6, clause 10 and Parts 3 and 4)				
<i>State Environmental Planning Policy No 60—Exempt and Complying Development</i>				
<i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i>				
<b>1.9A Suspension of covenants, agreements and instruments</b>				
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The clause will not apply to the application and works that are sought.</p>
(2) This clause does not apply:				
(a) to a covenant imposed by the Council or that the Council requires to be imposed, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(3) This clause does not affect the rights or interests of any public authority under any registered instrument.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Part 2 Permitted or prohibited development</b>				
<b>2.1 Land use zones</b> The land use zones under this Plan are as follows: <b>Residential Zones</b> R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential <b>Business Zones</b> B1 Neighbourhood Centre B2 Local Centre B4 Mixed Use B6 Enterprise Corridor B7 Business Park <b>Industrial Zones</b> <b>IN1 General Industrial</b> IN2 Light Industrial <b>Special Purpose Zones</b> SP1 Special Activities SP2 Infrastructure <b>Recreation Zones</b> RE1 Public Recreation RE2 Private Recreation <b>Environment Protection Zones</b> E2 Environmental Conservation <b>Waterway Zones</b> W1 Natural Waterways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is within zone IN1 General Industrial. A 14,630 square metre warehouse building is proposed. The building will be used for warehousing and distribution of stationery products. A warehouse operation with ancillary office is permitted with consent.







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				<p>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.</p> <p>Signage is permissible with consent.</p>

Clause	Yes	No	N/A	Comment
<b>Part 4 Principal development standards</b>				
<b>4.1 Minimum subdivision lot size</b>				
(1) The objectives of this clause are as follows:				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 addressed as a condition attached to any consent that may be issued.
(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to ensure that subdivision of land is capable of supporting a range of development types.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3B) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3C) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) if a garage will be accessed from the rear of the property - 290 square metres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) if the dwelling house will be on a zero lot line - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) semi-detached dwellings - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) multi dwelling housing - 170 square metres for each dwelling,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) attached dwellings - 170 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
plan or community title scheme.				
<b>4.3 Height of buildings</b>				
(1) The objectives of this clause are as follows:				
(a) to establish a maximum building height to enable appropriate development density to be achieved, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The warehouse building is 12.2 metres high. The height of the warehouse building is acceptable and not excessive.
(2) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The office building facing Nyrang Street will not be changing in height.
(2A) 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.4 Floor space ratio</b>				
(1) The objectives of this clause are as follows:				
(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A floor space ratio of 1:1 is specified for the site.
(b) To ensure that development intensity reflects its locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The new works are found to generate a floor space as follows:-
(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>A warehouse building encompassing 14,630 square metres of warehouse floor area.</li> <li>Offices occupying 2,666 square metres of floor area being the main offices and the ancillary office attached to the warehouse.</li> </ul>
(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:				The complex occupies 17,296 square metres of floor area.
(a) for sites less than 1,300 square metres—0.75:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site has an area of 28,630 square metres.
(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The floor space ratio of the site is 0.604:1. The floor space ratio will comply with Clause 4.4.
(c) for sites that are 1,800 square metres or greater—0.85:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space				







Clause	Yes	No	N/A	Comment
development is to be carried out.				
<b>(8) Existing buildings</b> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>(9) Covenants to prevent “double dipping”</b> <p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(10) Covenants affect consolidated sites</b> <p>If:</p> <p>(a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and</p> <p>(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.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(11) Definition</b> <p>In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>				
<b>4.6 Exceptions to development standards</b> <p>(1) The objectives of this clause are:</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p>(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.</p> <p>(3) Consent must not be granted for</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The clause does not need to be reviewed for this application.

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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Consent must not be granted for development that contravenes a development standard unless:				
(a) the consent authority is satisfied that:				
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the concurrence of the Director-General has been obtained.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not allow consent to be				



Clause	Yes	No	N/A	Comment
<p>If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 10 square metres.</p> <p><b>(7) Neighbourhood shops</b></p> <p>If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.</p> <p><b>(8) Roadside stalls</b></p> <p>If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres.</p> <p><b>(9) Secondary dwellings</b></p> <p>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:</p> <p>(a) 60 square metres,</p> <p>(b) 20% of the total floor area of both the self-contained dwelling and the principal dwelling.</p>				
<p><b>5.6 Architectural roof features</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and</p> <p>(b) To ensure that prominent architectural roof features are contained within the height limit.</p> <p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.</p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:</p> <p>(a) the architectural roof feature:</p> <p>(i) comprises a decorative element on the uppermost portion of a building, and</p> <p>(ii) is not an advertising structure, and</p> <p>(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and</p> <p>(iv) will cause minimal overshadowing, and</p>				<p>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 ground of the building.</p> <p>The roof of the office portion will not be changing. However a new skillion roof awning structure will be erected over the roof top staff function area.</p> <p>The roof designs are acceptable for this development.</p> <p>The roof design does not fall into the category suggested by Part 5.6 (subpart 3).</p>

Clause	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.7 Development below mean high water mark</b>				
(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.9 Preservation of trees or vegetation</b>				
(1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>Note.</b> A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.				Tree removal must be included in this application.
(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 the authority conferred by:				The plans have been placed before Council's Landscape Architect for review.
(a) development consent, or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A formal response was not forthcoming. 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) a permit granted by the Council.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of				





Clause	Yes	No	N/A	Comment
(d) to conserve places of Aboriginal heritage significance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(2) Requirement for consent</b>				
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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) altering a heritage item that is a building by making structural changes to its interior,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(3) When consent not required</b>				
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the development is in a cemetery or burial				

Clause	Yes	No	N/A	Comment
ground and the proposed development:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Note.</b> For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(4) Effect on heritage significance</b>  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).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(5) Heritage impact assessment</b>  The consent authority may, before granting consent to any development on land:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(6) Heritage conservation management plans</b>  The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	









Clause	Yes	No	N/A	Comment
area" on the Flood Planning Map, and				
(b) other land at or below the flood planning level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	to be 9.1 metres. The lowest point 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 granted for development on land to which this clause applies unless the consent authority is satisfied that the development:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Engineering drainage plans have been provided to verify levels, stormwater drainage and overland flow paths for the site. Council's Drainage and Development Engineer has reviewed the plans and has provided comments and conditions in relation to the project.
(a) is compatible with the flood hazard of the land, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) incorporates appropriate measures to manage risk to life from flood, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(5) In this clause:  <b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.  <b>Flood Planning Map</b> means the Auburn Local Environmental Plan 2010 Flood Planning Map.				

Clause	Yes	No	N/A	Comment
<b>6.5 Essential Services</b> (1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required: (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage. (d) stormwater drainage or on-site conservation, (e) suitable road access. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Services are provided to the site.
<b>6.8 Development in the Carter Street precinct</b> (1) This clause applies to land know as the Carter Street Precinct, as shown edged dark blue on the Key Sites Map. (2) Despite clause 5.4 (7) development consent may be granted for the purpose of a neighbourhood shop on land to which this clause applies if the consent authority is satisfied that the proposed development will not be greater than 1,000 square metres of floor area. (3) Despite any other provision of this plan, tertiary institution type educational establishments are permissible on land to which this clause applies in Zone IN2 Light Industrial.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	The site is not situated near or adjacent to the Carter Street precinct.
<b>Schedule 1 Additional permitted uses</b>				
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
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	application shows the use of earth tone colours such as:-
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>AZTEC Glimmer P13.H7 (Earth tone brown) which provides a good contrast to other colours.</li> <li>Woodland Grey for the upper walls of the warehouse.</li> <li>Pearl Ash for the walls.</li> <li>Composite aluminium for some wall finishes for the refurbished offices.</li> <li>Advantage Grey for some glazed window elements for the offices.</li> </ul>
The works do not involve a hotel / motel complex.				
<b>3.0 Streetscape and Urban Character</b>				
<b>Objectives</b>				
a. To ensure that all new development is compatible with the existing and intended future character of the locality in which it is located.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
c. 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>3.1 Streetscape</b>				
<i>Performance criteria</i>				
<b>P1</b> The appearance of the development is consistent with the streetscape of the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The street elevation will be upgraded. The changes to the building facing Nyrang Street are supported because office building will be refurbished and upgraded. The upgrade works will improve the streetscape.
<b>P2</b> Development conserves and enhances the visual character of the street particularly in relation to architectural themes, landscape themes and fencing styles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Development controls</i>				
<b>D1</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>The fence is setback 4.5 metres from the street generally in line with the existing fence to be replaced.</p>

Requirement	Yes	No	N/A	Comments
<b>D2</b> Facades of new industrial buildings shall adopt a contemporary appearance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.  The upgraded offices facing Nyrang Street will comply with this Part.
<b>D3</b> Facades of proposed infill development located in established industrial areas shall reflect the style and architecture of adjoining buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> 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;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• distinctive parapets or roof forms;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• visually interesting facades;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• architectural emphasis on the built form; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• a variety of window patterns.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.2 Front setbacks</b>				
<b>D1</b> New buildings within industrial areas shall have a minimum front setback of:				The setbacks of the building along Nyrang Street are not altered by the proposed works.  However a new canopy is situated on the street frontage which provides weather protection to the front walkway.
• 4.5m from other roads, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• 0m from laneways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
In the case of a corner allotment, the setback to the secondary road shall be 3m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> Front setback areas shall not be used for car parking, storage or display of goods.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>3.3 Side and rear setbacks</b>				
<i>Performance criteria</i>				
<b>P1</b> Developments are separated to minimise operational constraints imposed by one industrial use upon an adjacent industrial use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not adjacent to or adjoining Duck River.
<b>P2</b> New development facilitates foreshore access to Duck River.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> Buildings may be built on a nil side or rear setback except where a setback is required to				





Requirement	Yes	No	N/A	Comments
D9 Landscaping shall allow sufficient line of sight for pedestrians, cyclist and vehicles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	lighting is to be installed for the car park area.
D10 Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.0 Access and Car Parking</b>				
<b>Objectives</b>				
a. To ensure that all car parking demands generated by any particular industrial development are accommodated on the development site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 character, particularly the streetscape of an industrial area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The car park structure incorporates 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.
c. To ensure that road access facilities are commensurate with the scale and extent of the proposed development and compatible with the surrounding traffic network.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development provides 14,630 square metres of warehouse building which requires 49 car parking spaces.  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.

Requirement	Yes	No	N/A	Comments
<b>5.1 Access and car parking requirements</b>  Applicants shall refer to the Parking and Loading Part for parking and access requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is addressed in Part 5.0 above.
<b>5.2 Service areas</b>  <i>Performance criteria</i>  <b>P1</b> Garbage collection is carried out wholly within the site. Suitable collection points within the site are provided at convenient locations.  <i>Development controls</i>  <b>D1</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant has stated that waste collection points are provided around the site at convenient locations.
<b>6.0 Stormwater Drainage</b>				
Applicants shall consult the Stormwater Drainage Part of this DCP for stormwater drainage requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>7.0 Energy Efficiency and Water Conservation</b>				
<b>Objectives</b>  a. To encourage a high standard of environmental design within new and existing industrial areas.  b. To minimise energy use in buildings while creating a comfortable working environment.  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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.1 General requirements</b> <b>Performance criteria</b>  <b>P1</b> Buildings permit maximum solar access in winter and minimise the heating of buildings during summer.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.

Requirement	Yes	No	N/A	Comments
<b>P2</b> Natural lighting is relied upon to reduce the requirement for artificial lighting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shading devices are to be included into the office upgrade. Shading devices are marked on the plans for approval.
<b>P3</b> Buildings employ thermal mass and insulation techniques to reduce energy consumption.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P4</b> Energy use is minimised by appropriate building design, site layout, internal design and energy efficient appliances, fixtures and fittings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P5</b> Use of solar hot water heaters and renewable energy sources is considered within non-residential development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
Development controls				
<b>D1</b> Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<b>D2</b> Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is achieved and shown on the plans.
<b>D3</b> The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>D4</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar hot water systems may be used during the final design.
<b>D5</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b> High thermal mass materials shall be used wherever possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D7</b> Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D8</b> Low energy lighting shall be used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Low energy lighting is proposed both within the warehouse and office.
<b>D9</b> Energy efficient appliances,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Requirement	Yes	No	N/A	Comments
fittings and fixtures shall be used.				
<b>D10</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is being considered by the applicant.
<b>7.2 Ventilation</b>  <b>Performance criteria</b>  <b>P1</b> To encourage the design of development to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.  <b>Development controls</b>  <b>D1</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>7.3 Water conservation</b>  <i>Performance criteria</i>  <b>P1</b> Water use and consumption is reduced.  <b>P2</b> Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.  <b>Development controls</b>  <b>D1</b> New buildings shall provide water efficient fixtures to reduce the demand for (mains) water and wastewater discharge.  <b>D2</b> 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.  <b>D3</b> 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.  <b>D4</b> Development shall install all water using fixtures to meet the	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	The warehouse operation will not have an excessive water use.      The proposal includes water efficient fixtures.  Not applicable to this development. This is not available for the locality.  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.  Water saving fixtures are to be installed as per the requirements of Part J of the Building Code of Australia.

Requirement	Yes	No	N/A	Comments
WELS (Water Efficiency Labelling Scheme) rated industry standards.				
<b>7.4 Rainwater tanks</b>				
<b>Performance criteria</b>				
<b>P1</b> Collection and reuse of stormwater is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P2</b> Stormwater runoff is reduced.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> Rainwater tanks installed above ground or underground shall meet the relevant Australian Standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are two above ground tanks setback from Boorea Street which are not visually prominent and are therefore acceptable.
<b>D2</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b> Above ground rainwater tanks installed shall not be visible from a primary road frontage and shall not be visually dominant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An onsite detention basin is proposed which is connected into the stormwater system.
<b>8.0 Operational restrictions</b>				
<b>Objectives</b>				
a. To ensure that industrial development operates in a manner compatible with adjoining land uses, particularly residential areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.1 Hours of operation</b>				
<b>Performance criteria</b>				
<b>P1</b> The hours of operation are managed to ensure residential amenity is protected.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant is seeking to operate the warehouse facility 24 hours daily.
<b>Development controls</b>				An acoustic report has been submitted with the application and it makes the following recommendations.
<b>D1</b> Where an industrial site is located adjacent to or within 200m of a residential zoned area or where in the opinion of	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Roller shutters of the warehouse operation will need to be closed no later than 10 pm daily for internal operations.</li> </ul>





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.				
<b>8.6 Dangerous goods and hazardous materials</b>				
<i>Performance criteria</i>				
<b>P1</b> Development incorporates measures needed to protect the community from dangerous or hazardous goods storage and hazardous processes or uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This part is not relevant to the application.
<i>Development controls</i>				
<b>D1</b> For development proposals which can potentially pose a risk to the locality or discharge pollutants, applicants shall demonstrate that consideration has been given to:				
<ul style="list-style-type: none"> <li>• application guidelines published by the Department of Planning relating to hazardous and offensive development; and</li> <li>• whether any public authority should be consulted concerning any environmental and land use safety requirement.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>9.0 Subdivision</b>				
<b>Objectives</b>				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A subdivision is not proposed.
b. To encourage the redevelopment of industrial land through lot consolidation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To provide lots of sufficient size to satisfy user requirements and to facilitate development of the land having regard to site opportunities and constraints.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>9.1 Lot sizes and access</b>				

Requirement	Yes	No	N/A	Comments
<i>Performance criteria</i>				
<b>P1</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<i>Development controls</i>				
<b>D1</b> The minimum average width shall be 30m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Direct access onto state roads shall not be granted unless presently provided or if an alternative vehicular access point is unavailable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> New lots shall remove or reduce vehicular driveways and access points to main or arterial roads where alternatives are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>9.2 Utility services</b>				
<i>Performance criteria</i>				
<b>P1</b> 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing services are provided to the site.
<i>Development controls</i>				
<b>D1</b> 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Note:</b> 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

### **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.*

### Comment

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 to 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 or 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.