

## JRPP PLANNING REPORT

<b>JRPP NO:</b>	2011SYW104
<b>DA NO:</b>	294/2012/JP
<b>PROPOSED DEVELOPMENT:</b>	BULK EARTHWORKS, RETAINING WALLS, CONSTRUCTION OF A NEW PRIVATE ACCESS ROAD AND CONSTRUCTION AND OCCUPATION OF TWO INDUSTRIAL BUILDINGS
<b>SUBJECT SITE:</b>	PROPOSED LOTS 1 & 2 IN A THREE LOT TORRENS TITLE SUBDIVISION OF LOT 3 DP 234036 and LOT 3 DP 538765 – NO. 11 GIBBON ROAD, WINSTON HILLS
<b>APPLICANT:</b>	AUSTRALAND HOLDINGS PTY LTD
<b>LODGEMENT DATE:</b>	12 SEPTEMBER 2011
<b>REPORT BY:</b>	CLARO PATAG DEVELOPMENT ASSESSMENT COORDINATOR
<b>RECOMMENDATION:</b>	APPROVAL SUBJECT TO CONDITIONS

### EXECUTIVE SUMMARY

The Development Application is for bulk earthworks, retaining walls, construction of a new private access road and the construction of two warehouse buildings on proposed Lots 1 & 2 in a recently approved 3-lot subdivision of Lot 3 DP 234036 and Lot 3 DP 538765 known as 11 Gibbon Road, Winston Hills (DA 70/2012/ZA). The two warehouse buildings are proposed to be occupied by an industrial firm engaged in electronics design, manufacturing and distribution. It is proposed to relocate the company's existing operation in Gladesville to the subject site.

The building on Lot 1 (Warehouse 1) is proposed to be occupied for purposes of manufacturing and distribution of electronic goods while the building on Lot 2 (Warehouse 2) is proposed to be used for purposes of storage and distribution in support of Warehouse 1. Main access to the new subdivision will be from a private access road centrally located on the frontage to Gibbon Road. All loading operations will take place on site accessed from the private access road. This access road will also serve as access to the rear car parking area. The primary car parking area to Lot 1 containing 202 parking spaces will be accessed directly via a driveway off Gibbon Road and the rear car parking area (containing 48 spaces) and loading dock being accessed via the western side of the cul-de-sac head of the private access road. Lot 2 will have its access point from the cul-de-sac head of the private access road with separate access driveways for cars and trucks. The access driveways and manoeuvring areas will facilitate access by large articulated vehicles.

The subject site is currently zoned Light Industrial 4(b) under the provisions of the Baulkham Hills Local Environmental Plan 2005 and is proposed to be zoned as IN1 General Industrial in the Draft Local Environmental Plan 2010. The proposed use is permissible with consent in both the current and draft LEP. The overall site is 80,987m<sup>2</sup> in area.

The applicant has an existing approval over the subject site for demolition and the construction of eight industrial warehouses (Development Consent No.7/2009/HC/A). The consent also included a retaining wall along the site's western and northern boundaries adjacent to Council's Sierra Place Basin and Toongabbie Creek respectively. The applicant has indicated that they do not intend to act upon this previous approval. In lieu, the applicant is proposing an alternate staged development option for the whole site that contains four industrial warehouse buildings. The subject Development Application is the second stage of this alternate approach, the first stage being the recently approved re-subdivision of the site into 3 lots. The subject development site comprises Lots 1 and 2 in the approved 3-lot subdivision, with Lot 3 the subject of a separate Development Application to further subdivide it into 2 lots (DA 515/2012/ZA) which is currently under assessment by Council's Subdivision and Certification Team.

The proposal was notified to adjoining and affected property owners and two submissions were received in response. The concerns raised in the submissions have been addressed in the report and do not warrant amendment or refusal of the application.

The proposal does not provide the number of car parking spaces required by the Baulkham Hills Development Control Plan Part D Section 1 – Parking. However, the proposed parking provision is more than the parking rate of 1 space per 125m<sup>2</sup> of floor space accepted by Council during the review of determination of DA 7/2009/HC. Having regard to the previous acceptance by Council of a lower parking rate for the site and to the operational characteristics of the intended occupant, the proposed parking variation is supported as sufficient on site parking that is convenient for the use of employees and visitors is provided.

The proposed development complies with the Baulkham Hills Development Control Plan Part C Section 9 – Light Industry in terms of floor space ratio, building height and setbacks. Warehouse 1 and Warehouse 2 are well under the maximum allowable floor space ratio of 1:1, i.e. at 0.55:1 and 0.44:1 respectively and are both under the building height limit of 16m, having a maximum height of 12.15m. The proposal also complies with the required 30m setback to Gibbon Road and required 5m setback to the side and rear boundaries.

The proposed hours of operation of 7:00am to 10:00pm, Monday to Saturday do not strictly comply with the restricted hours of operation contained within the Light Industry DCP being 7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays. However the DCP allows extended hours subject to acoustic verification. The proposal was accompanied by an acoustic assessment report providing justification to the extended hours and has been assessed as satisfactory.

The proposal is classified as an Integrated Development requiring separate approval from the NSW Office of Water under the provisions of Section 91 of the Environmental Planning and Assessment Act, 1979. The NSW Office of Water has issued its General Terms of Approval. Part of the site is bushfire affected, however the NSW Rural Fire Service has raised no objection to the proposal.

The application is referred to the NSW Joint Regional Planning Panel for determination as it has a Capital Investment Value of \$16.1 million.

The Development Application is recommended for approval subject to conditions.

**BACKGROUND****MANDATORY REQUIREMENTS**

Owner:	Australand Holdings Pty Lt	1.	<u>LEP 2005</u> – Complies.
Zoning:	Light Industry 4(b)	2.	<u>SEPP Major Development 2005</u> – Complies
Area:	Overall site are: 80,987m <sup>2</sup> Proposed Lot 1: 19,425m <sup>2</sup> Proposed Lot 2: 12,033m <sup>2</sup>	3.	<u>BHDCP Part C Section 9 – Light Industry</u> – Variation, see Report.
Existing Development:	Former golf driving range and vacant industrial building currently under demolition.	4.	<u>BHDCP Part D Section 1 – Parking</u> – Variation, see Report.
		5.	<u>BHDCP Part D Section 2 – Signage</u> – Complies.
		6.	<u>Section 79C (EP&amp;A Act)</u> – Satisfactory.
		7.	<u>Section 94A Contribution</u> – \$161,000.00

**SUBMISSIONS****REASONS FOR REFERRAL TO  
NSW JOINT REGIONAL  
PLANNING PANEL**

1. Exhibition:	Yes, 31 days.	1.	Capital Investment Value in excess of \$10 million.
2. Notice Adj Owners:	Yes, 31 days.		
3. Number Advised:	Thirty three (33) including Parramatta City Council		
4. Submissions Received:	Two (2)		

**HISTORY****15/12/2009**

Development Consent No. 7/2009/HC/A granted by Council pursuant to the provisions of Section 82A of the Environmental Planning Assessment Act, 1979 for the construction of eight (8) industrial warehouses subject to deferred commencement conditions. The deferred commencement conditions mainly relate to the submission of detailed engineering analysis and designs for the modification of the existing main wall of the adjacent Sierra Place Flood Detention Basin including supporting design reports to satisfy Council's obligations under Section 60 of the Local Government Act 1993, and approval requirements of the NSW Dams Safety Committee.

<b>7/07/2011</b>	Sufficient evidence submitted by the applicant satisfying the Deferred Commencement Consent conditions imposed by Council under DA 7/2009/HC/A. Operative Development Consent issued.
<b>12/04/2011</b>	Pre-lodgement meeting held with applicant in conjunction with the plan for subdivision into 3 lots.
<b>19/07/2011</b>	DA 70/2012/ZA for a 3-lot subdivision including demolition of existing structures on site and construction of a private road/ shared access way from Gibbon Road lodged with Council.
<b>18/10/2011</b>	DA 70/2012/ZA for a three lot subdivision including demolition of existing structures on site and construction of a private road/ shared access way from Gibbon Road approved by Council's Development Assessment Unit. The subject development site comprises Lots 1 and 2 of the approved subdivision.
<b>9/11/2011</b>	DA 515/2012/ZA for further subdivision of Lot 3 in the approved 3-lot subdivision (DA 70/2012/ZA) lodged with Council, and is currently under assessment.

## **THE SITE**

The subject site comprises Lots 1 and 2 of a recently approved 3-lot subdivision (Development Application No. 70/2012/ZA) granted by Council's Development Assessment Unit on 18 October 2011. The original lots have a combined site area of 80,987m<sup>2</sup> and are located at the western most end of the Gibbon Road Industrial area. Immediately to the north and west lies the Sierra Place Reserve containing Toongabbie Creek and a prescribed dam known as the Sierra Place Flood Detention Basin. The basin is located on the western side of the site and part of the basin wall encroaches into the site.

Further to the north is the M2 Motorway and further to the west are residential dwellings in Sierra Place.

To the east of the site is a mixture of light industrial developments and to the south low density residential development within the Parramatta Local Government Area. The site is well located in respect to road transport access being adjacent to the M2 and within close proximity to the M7 motorway.

The site fronts Gibbon Road and contains a former golf driving range on the western portion and industrial buildings (previously occupied by a firm engaged in manufacturing and distribution of pharmaceutical products) on the eastern portion currently under demolition.

The land extends across the rear of the site bordering the Sierra Place Reserve, which contains the northern portion of the golf driving range and slopes downward to Toongabbie Creek.

## **PROPOSAL**

The Development Application is to carry out private access road construction, bulk earthworks and construction of retaining walls. It is also proposed to construct two warehouse buildings on proposed Lots 1 and 2 of a recently approved subdivision to be

occupied by a communications equipment manufacturing and distribution company, as outlined below:

#### Earthworks

The earthworks will consist of two pads on the eastern and western sides of the 3-lot subdivision connected by the private access road.

#### Retaining Walls

Reinforced earth concrete block retaining walls are proposed along the northern and western boundaries of the site in order to provide a level platform for construction works. The eastern retaining wall will be a bored pier wall with concrete face.

A retaining wall is required along part of the frontage of Lot 1 to the access road. Creation of the level building platforms necessitates the removal of existing trees on the site including street trees, however a large amount of replacement trees, shrubs and groundcover planting is proposed to compensate for the loss.

It is also proposed to carry out modification works within the Sierra Place Reserve associated with the proposed adjustment to the existing prescribed dam on the Sierra Place Basin. The Development Application is accompanied by owner's consent from Council signed by the General Manager to allow for these works.

#### Lot 1 Warehouse

Lot 1 fronts Gibbon Road and has a site area of 19,425m<sup>2</sup>. It will contain Warehouse 1 with a gross floor area of 9,000m<sup>2</sup> and ancillary office gross floor area of 1,745m<sup>2</sup> located on the southern (Gibbon Road) elevation of the building. Warehouse 1 will contain a manufacturing area for products made and distributed by the intended occupant. The ground floor level of Warehouse 1 will house a technical service area, engineering research area, NSW Branch Area, Assembly Area 1, Assembly Area 2 and Surface Mounted Device Area with associated reception area, offices, meeting rooms, storage rooms and staff amenities such as a lunch room, kitchen, male and female toilets and change rooms. The first floor level will house the majority of offices and associated rooms with staff amenities and a kitchen. Warehouse 1 will be serviced by a lift from the car park area.

The main car parking area for Warehouse 1 is within the 30m front setback to Gibbon Road behind a 10m landscape buffer with a portion of the car parking spaces located beneath the building overhang. A building setback of 41.055m is provided to Gibbon Road with 30m to the office component providing visual depth and articulation to the Gibbon Road frontage.

Warehouse 1 will have its primary vehicular access to the car parking area (containing 202 spaces) via a 2-way driveway crossing centrally located on the frontage of Lot 1 directly off Gibbon Road. This driveway is situated approximately 65m west of the private access road. A secondary vehicular access point to the rear car park (containing 48 spaces) and a loading dock is provided on the western side of the cul-de-sac head of the private access road within the site. A total of 250 off-street parking spaces are proposed to be provided for Warehouse 1.

#### Lot 2 Warehouse

Lot 2 has a site area of 12,033m<sup>2</sup> and will contain Warehouse 2 with a gross floor area of 4,788m<sup>2</sup> and ancillary office floor area of 500m<sup>2</sup>. Warehouse 2 will only accommodate the warehousing and distribution of products in association with the use of Lot 1. The warehousing component will be located at the ground floor with associated staff amenities. The offices will be housed at the first floor level together with a reception area, open plan work area and staff amenities which will be serviced by a lift from the ground floor located next to the stairwell.

Main access to the development site will be from a new private access road located centrally on the frontage of the overall site.

The applicant has an existing approval over the subject site for demolition works and the construction of eight industrial warehouses pursuant to Development Consent No. 7/2009/HC/A granted by Council on 15 December 2009. This existing approval also included a retaining wall along the site's western and northern boundaries adjacent to Council's Sierra Place Basin and Toongabbie Creek respectively. The retaining wall adjacent to Toongabbie Creek, which included filling a portion of the site that is flood-prone land, required that additional flood storage be provided in conjunction with the establishment of a riparian corridor. The existing Sierra Place Basin extends partially into the site, meaning that the retaining wall includes an adjustment to this existing prescribed dam.

The subject development site is not flood affected as a result of filling undertaken for the golf driving range in line with the works undertaken on the Sierra Place Basin in the late 1990s.

The applicant has indicated that they do not intend to act upon this previous approval. At a pre-lodgement meeting held on 2 April 2011 the applicant outlined an alternate staged development option for the subject site. The recent subdivision approval was the first of the proposed alternate staged development option for the site, which was for re-subdivision of the site only. The subject Development Application is the second of the alternate staged development options. The third stage is the further subdivision of Lot 3 in the recently approved subdivision into 2 lots, the subject of a separate Development Application, DA 515/2012/ZA currently under assessment. The fourth and last stage will be the construction of 2 additional warehouses on those proposed 2 lots.

The proposed hours of operation are between 7:00am to 10:00pm, Monday to Saturday only.

A 4m x 3m wall sign with wording "GME Kingray" is proposed on the southern elevation of Warehouse 1.

## **ISSUES FOR CONSIDERATION**

### **1. Compliance with SEPP (Major Development) 2005**

As part of the NSW Government's commitment to reform the NSW planning system, from 1 October 2011 Joint Regional Planning Panels (JRPP) no longer determine:

- Development Applications for some designated development;
- Development Applications for smaller coastal subdivisions and other coastal development;
- Development Applications lodged from 1 October 2011 for residential subdivisions of more than 250 lots; and
- Development Applications lodged from 1 October 2011 for 'general development' with a capital investment value (CIV) of between \$10 million and \$20 million.

However, the subject application was lodged prior to 1 October 2011 and as such is subject to a savings provision which requires that applications with a CIV between \$10 million to \$20 million lodged with council before 1 October 2011 will continue to be determined by the relevant regional panel.

The proposed development has a Capital Investment Value of \$16.1 million thereby requiring referral to, and determination by, a Joint Regional Planning Panel (JRPP). In

accordance with this requirement the application is referred to the JRPP for determination.

## **2. Compliance with the Baulkham Hills Local Environmental Plan 2005 (BHLEP 2005)**

The subject site is currently zoned Light Industrial 4(b) under the provisions of the Baulkham Hills Local Environmental Plan 2005. The proposed development is permissible in the zone with consent.

The subject application is considered satisfactory with respect to the BHLEP 2005.

## **3. Compliance with the Draft Local Environmental Plan 2010**

The Draft Local Environmental Plan 2010 (Draft LEP) was placed on public exhibition between 29 March 2011 and 15 May 2011. On 23 August 2011 Council resolved to adopt the Draft LEP. Until such time as it is gazetted, the Draft LEP remains a relevant head of consideration under Section 79C as a draft instrument for Development Applications Shire-wide.

The site is proposed to be zoned IN1 General Industrial and the proposed development is permissible with consent.

The subject application is considered satisfactory with respect to the Draft LEP.

## **4. Compliance with BHDGP Part C Section 9 – Light Industry**

The proposed development has been assessed against the relevant development standards and objectives of Baulkham Hills Development Control Plan Part C Section 9 – Light Industry as detailed in the following compliance table.

<b>DEVELOPMENT STANDARD</b>	<b>BHDGP REQUIREMENTS</b>	<b>PROPOSED DEVELOPMENT</b>	<b>COMPLIANCE</b>
2.1 Precinct Plans	30m to Gibbon Road.	30m setback to Gibbon Road as a minimum.	Yes
2.2 Site Analysis	A site analysis to accompany a Development Application to take into consideration the following site constraints: topography, drainage, soil landscapes, flora, fauna, bushfire hazard, disturbance to existing natural vegetation, landforms, creeks, wetlands and overland flow paths, and adjoining bushland reserves.	The application was accompanied by a site analysis addressing the site opportunities and constraints.	Yes
2.3 Development	a) Minimum site	Lot 1 – 18,767m <sup>2</sup>	Yes

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
Sites	<p>area: 8,000m<sup>2</sup></p> <p>(b) Minimum road frontage - 60m</p> <p>(c) Not to isolate an area of land that does not meet the minimum site area requirements of the DCP.</p>	<p>Lot 2 – 11,325m<sup>2</sup></p> <p>Each lot exceeds the minimum area of 8,000m<sup>2</sup> pursuant to Development Consent No. 70/2012/ZA.</p> <p>Road frontage width exceeds 60m.</p> <p>No lots will be isolated as a result of this proposal.</p>	<p>Yes</p> <p>Yes</p>
2.4 Safety by Design	<p>(a) Ensure natural surveillance of pathways and open space setback areas around buildings, from within the building, and/or from adjoining roads and open space areas;</p> <p>(b) Building entrances are visible and discourage entrapment;</p> <p>(c) Appropriate lighting and signage to be provided to identify and promote use of safe access routes.</p>	<p>The entry to the proposed warehouse buildings on Lots 1 &amp; 2 are legible and enable surveillance over the driveways and site entry points as well as the streetscape of Gibbon Road, and suitable lighting and signage are proposed to be provided.</p>	<p>Yes. Condition recommended requiring submission of plans and details for approval demonstrating that the design of the development has considered the NSW Police Crime Prevention Through Environmental Design (CPTED) factors. Refer Condition No. 41.</p>
2.5 Floor Space	<p>(a) Maximum FSR of 1:1</p> <p>(b) Up to 50% of buildings/units may have a floor area between 100m<sup>2</sup> and 150m<sup>2</sup>. All other units/buildings must have a minimum floor area of 150m<sup>2</sup>.</p> <p>(c) Max. ancillary office floor space - 50% of the unit floor</p>	<p>Lot 1 - 0.55:1 Lot 2 - 0.44:1</p> <p>Each building is well over 150m<sup>2</sup> in area.</p> <p>Ancillary offices are below 50% of the floor space</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>



DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	area.	maximum.	
2.6 Setbacks	<p>(a) Front setback (Gibbon Road) - minimum 30m setback</p> <p>(b) Other site boundary setbacks:</p> <p>Min. 5m for buildings and min. 2m for ground level car parking</p>	<p>Min. 30m to Gibbon Road including a 10m wide landscape buffer</p> <p>West – 6 to 13.785m East – 5m side setback to private access road</p>	<p>Yes</p> <p>Yes</p>
2.7 Building Heights	<p>Max. 15 metres above ground level, except:-</p> <p>- where the building is within 30 metres of a residential property boundary where the height will be a maximum of 10 metres.</p>	The proposed building on Lot 1 is max. 10m in height.	Yes
2.8 Building materials	<p>Must comply with the Environmental Planning and Assessment Act, 1979 and Building Code of Australia</p> <p>Selection of materials to consider factors relating to suitability, durability, long term appearance, local environmental impacts, broader and longer term environmental impacts, quantity of materials and life cycle assessment.</p>	Building materials for the proposed warehouses achieve compliance with the provisions of the DCP and include a variety of materials ranging from painted pre cast panels and patterned colorbond to aluminium framed glazing and metal panels. Variety in colours and textures will also be achieved as set out in the submitted materials schedule.	Yes
2.9 Signage	Comply with Part D Section 2 – Signage controls.	4m x 3m wall sign with wording "GME Kingray" as shown on the southern elevation of Warehouse 1.	Yes
2.10 Fencing	No fencing, other	A new palisade style	No, however it is

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	<p>than of a low, ornamental type may be erected within the building setback area to any road.</p> <p>Pre-painted solid, metal fencing (i.e. colorbond fencing) is not acceptable because of its poor visual appearance.</p>	<p>open form fence is proposed to Gibbon Road. It is noted that the pharmaceutical (Schering Plough) facility currently under demolition already has a high black palisade fence security.</p>	<p>considered that the proposed fencing is common in many new and developing industrial estates in Sydney and provides an elegant resolution to site security whilst allowing lines of sight to the landscape planting and buildings beyond. As such these fences do not form visual barriers or appear obtrusive. The low visual impact of the existing high black palisade fence is testament to this. Notwithstanding the DCP provision for low front fences, it is considered that the proposal is justified in this case. The remainder of the fencing controls are complied with.</p>
2.11 Hours of operation	<p>7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays.</p> <p>Notwithstanding the above, occupants of sites that are not adjoining or adjacent to a residential property may request that the site be considered as a "Low Noise Generating" use. Low noise generating uses may be permitted extended</p>	<p>Hours of operation are proposed to be 7:00am - 10:00pm Monday - Saturday.</p>	<p>No. The application is accompanied by an acoustic assessment report which demonstrates that the impacts on the adjacent residential properties along Gibbon Road and Sierra Place are satisfactorily addressed by adequate acoustic treatment and screening to be provided for the buildings. It is</p>

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	<p>days and hours (up to 24 hours) of operation beyond those specified above. In order to be considered as a Low Noise Generating use the application must be accompanied by a report from an acoustic consultant that demonstrates that the proposed use will not generate noise in excess of 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property. This report must include all activities including any vehicle (especially heavy vehicle) movements to and from the site.</p>		<p>also recommended in the acoustic report that air brake use by trucks be controlled during night time hours and that any limitation on truck movements should be subject to characteristics of future occupiers. The EPA criteria are noted as being able to be achieved subject to air brake use being controlled.</p> <p>Condition recommended to comply with the recommendations of the acoustic report. Refer Condition No. 29.</p>
2.12 Energy Efficiency	<p>Consider orientation of roof pitch, provision of solar panels, insulation, ventilation and orientation.</p> <p>All buildings with office &gt; 100m<sup>2</sup> must achieve a 4 star Greenhouse rating.</p>	The proposal has been designed taking these matters into consideration.	Yes
2.13 Biodiversity	Significant bushland should be retained where possible and ensure appropriate Flora and Fauna Assessment is undertaken. This could include a Species Impact Statement (SIS) addressing the EP&A Act 1979 and Threatened Species	Flora and Fauna reports have been prepared to address the removal of vegetation from the site and the impact has been found to be acceptable noting that a large vegetated riparian zone is to be created at the rear (North) of the site and in the	Yes

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	Biodiversity Conservation Act 1995.	north western corner.	
2.14 Erosion and Sediment Control	Erosion and Sedimentation Control Plans / measures to be considered.	An erosion and sedimentation control plan accompanied the application.	Yes
2.15 Landscaping & Tree Preservation	<p>Preserve all vegetation where possible.</p> <p>Landscaping to be in accordance with BHDCP Part D, Section 3 – Landscaping.</p> <p>Grassed embankments not to exceed 1:6 slope</p> <p>Earth mounding is desirable within setback areas to reduce noise impacts.</p> <p>All landscape areas to have a minimum width of 2.0 metres</p>	Landscape plan submitted with the application to the DCP standards. A supplementary arborist report has also been prepared to examine the impact of the retaining walls on the abutting property to the west.	Yes. Council's Tree Management Coordinator has assessed the application and the submitted arborist report and no objection is raised to the proposal subject to conditions.
2.16 Car Parking (also as per BHDCP Part D Section 1 – Parking)	<p><b>Light Industry</b> 1 space per 50m<sup>2</sup> of GFA, or 1 space per 2 employees</p> <p><b>Warehouse</b> 1 space per 50m<sup>2</sup> of GFA</p> <p><b>Ancillary Office</b> 1 space per 25m<sup>2</sup> of GFA</p> <p>Visitor Parking 1 space for every 2 units constructed</p> <p>Based on the above rates:</p>		No, however the shortfall is considered acceptable. It is noted that the RTA would require considerably less number of spaces at a rate of 1 space per 300m <sup>2</sup> of GFA. The overall car parking provision is significantly greater than the 1 per 125m <sup>2</sup> accepted by Council in the previous application (DA

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	<p><b><u>Warehouse 1:</u></b> Warehouse GFA: 9000m<sup>2</sup> = 180 spaces</p> <p>Office: 1,745m<sup>2</sup> = 70 spaces</p> <p>Therefore requires 250 spaces</p> <p><b><u>Warehouse 2:</u></b> Warehouse GFA: 4,788m<sup>2</sup> = 96 spaces</p> <p>Office: 456m<sup>2</sup> = 18 spaces</p> <p>Therefore requires 114 spaces</p> <p>Total parking requirement: 364 spaces</p>	<p><b><u>Warehouse 1:</u></b> 202 spaces and 48 provisional spaces, total of 250 spaces</p> <p><b><u>Warehouse 2:</u></b> 42 spaces and 7 provisional spaces, total of 49 spaces.</p> <p>Total provision = 299 spaces</p>	<p>7/2009/HC/A).</p> <p>The proposed use involves an element of manufacturing and therefore the level of staff is slightly more than a pure warehouse operation. However as the proposal is for relocation of an existing operation, the exact staff complement is known.</p> <p>The application was accompanied by a traffic study which concludes the following:</p> <ul style="list-style-type: none"> <li>•The recently completed Transitway offers convenient public transport;</li> <li>•There is adequate onsite parking provision;</li> <li>• The provision is significantly more than provided or demanded at a number of surveyed sites;</li> </ul> <p>The driveways, loading docks and manoeuvring areas have also been designed in accordance with Australian Standards to accommodate likely future users of the warehouses.</p>
2.18 Bicycle and motorcycle parking	2 plus 5% of total parking required (not clustered in more		

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	<p>than 16) for developments which exceed 4,000m<sup>2</sup> of floor area or increase in existing development by 4,000m<sup>2</sup> or greater.</p> <p><b><u>Warehouse 1:</u></b> 2 plus 5% of 250 spaces = 13 spaces</p> <p><b><u>Warehouse 2:</u></b> 2 plus 5% of 114 spaces = 8 spaces</p>	<p><b><u>Warehouse 1:</u></b> 4 motorbike spaces 12 bicycle spaces Total = 16 spaces</p> <p><b><u>Warehouse 2:</u></b> 1 motorbike space 8 bicycle spaces Total = 9 spaces</p>	<p>Yes</p> <p>Yes</p>
2.19 Loading Facilities	<p>Loading docks are not to be visible from the public domain and should not be provided on any street frontage. If this is required they are to be appropriately screened.</p> <p>The number of loading docks and design is to comply with the requirements of BHDCP Part D, Section 1 – Parking.</p> <p>The design is to comply with AUSTRoads Design Vehicular Turning Templates.</p>	Warehouses 1 & 2 have loading docks sufficient to accommodate semi trailer sized vehicles. Proposed docks are internally oriented and located between the buildings for visual and noise related reasons as required.	Yes
2.20 Pedestrian access and movement	<p>Pathways and ramps to conform to AS 1428 – 1 – 1998 Design for Access and Mobility</p> <p>All surfaces should be stable, even and non slip</p> <p>Clear pedestrian pathways are to be indicated along</p>	<p>Disabled parking provided as required.</p> <p>A condition is recommended in any consent to require the provision of a 1.5m footpath along the Gibbon Road frontage.</p> <p>Pedestrian links have been provided</p>	Yes. Condition recommended, see Condition No. 44(ii).

<b>DEVELOPMENT STANDARD</b>	<b>BHDCP REQUIREMENTS</b>	<b>PROPOSED DEVELOPMENT</b>	<b>COMPLIANCE</b>
	arterials road, between developments and links to Public transport stations and rail link lines.	throughout the site via formal pathways along the route of the private access road.  Warehouses 1 and 2 are provided with lifts.	
2.21 Services	Consider service provision for Sydney Water, Telecommunications, Electricity, Gas and NSW Fire Brigades	The land is able to be fully serviced and contains existing development in an established industrial area.	Yes. Conditions are recommended to consult with relevant service authorities, refer Condition Nos. 43, 81, 82 and 83.
2.22 Storm water Management	Consider Water Sensitive Urban Design Measures.  Consider satisfactory stormwater collection, discharge and drainage system design against Council's Work Specifications.  Development proposals should not include filling of flood liable land or the erection of buildings on flood liable land.	Detailed stormwater strategy accompanied the application.  On-site Stormwater Detention. Water sensitive urban design measures are to be implemented as required.  Commercial stormwater quality devices will be coupled with rainwater harvesting.  The site is not identified as flood liable land and the proposed buildings are not located on a flood liable land.	Yes  Yes  Yes  N/A
2.23 Water Efficiency	Consider water flow devices on showerheads and taps.  Consider AAA rated fittings.  Water cooled air conditioning systems are discouraged.	Plumbing fixtures for the proposed warehouses will be installed in accordance with the requirements.	Yes
2.24 Pollution	Air, water and other	The proposal	Yes

<b>DEVELOPMENT STANDARD</b>	<b>BHDCP REQUIREMENTS</b>	<b>PROPOSED DEVELOPMENT</b>	<b>COMPLIANCE</b>
Control	<p>pollutants to be considered.</p> <p>Noise generating works should consider the Protection of the Environment Operations Act 1997.</p> <p>Incinerators are not permitted for waste disposal.</p>	<p>includes earthworks, retaining walls, road construction as well as the erection and occupation of warehouses on Lots 1 &amp; 2. The site will be connected to all necessary services. An erosion &amp; sedimentation control plan accompanied the application to address the issue of sediment runoff.</p> <p>The proposed use of Warehouses 1 &amp; 2 does not involve any process or activity that will cause pollution concerns.</p> <p>The site layout and location of the loading docks have been designed to reduce noise emissions to complying levels.</p>	
2.25 Waste Management-Storage & Facilities	<p>All waste areas to be screened from the street and adjoining properties.</p> <p>Waste storage areas to be kept clean and tidy.</p>	<p>Waste storage facilities for the warehouses will be screened from public view located at ground level adjacent to the loading docks.</p>	Yes
2.26 Waste Management Planning	<p>WMP required to be submitted and address demolition, construction and on going use requirements.</p>	<p>A waste management plan accompanied the application.</p>	Yes
2.27 Heritage	<p>All developments must address the provisions of Part D Section 5 – Heritage where:</p> <ul style="list-style-type: none"> <li>- The development</li> </ul>	<p>The development site is not heritage listed.</p>	N/A



DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	<p>site is listed in Schedule 1 of BHLEP 2005 or is within a conservation area under BHLEP 2005; or</p> <p>- The development site adjoins a site listed in Schedule 1 of BHLEP 2005 or adjoins a conservation area under BHLEP 2005.</p>		
2.28 Developer Contributions	Refer to Council's Development Contributions Officer for Section 94 Contributions Calculation if relevant.	Section 94A applies to the land.	Yes. Condition recommended, refer Condition No. 42.

As shown in the above compliance table, the proposal complies with the development standards of BHDCP Part C Section 9 – Light Industry with the exception of the following:

#### **i) Fencing**

Clause 2.10 of BHDCP Part C Section 9 – Light Industry requires that no fencing, other than of a low, ornamental type may be erected within the building setback area to any road.

It is proposed to erect a new 2.1m high palisade fence on the Gibbon Road frontage and a chain wire fence along the private access road for the frontage of proposed Lots 1 & 2 to enhance the street frontage and provide security. It is noted that the pharmaceutical (Schering Plough) facility on the eastern portion of the development site (i.e. within Lot 3 of the approved 3-lot subdivision) already has a high black palisade fence whilst the golf driving range on the western portion (i.e. Lots 1 and 2) has a chain wire fence with barbed wire.

The above standard in the BHDCP is underpinned by the following objectives:

*"To ensure that fencing does not detract from the overall visual amenity and character of the area."*

**Comment:**

The variation to the above standard is supported as it is considered that the proposed fencing is common in many new and developing industrial estates and provides an elegant resolution to site security whilst allowing lines of sight to the landscape planting and buildings beyond. As such these fences do not form visual barriers or appear obtrusive. The proposal satisfies the above objective as the low visual impact of the existing high black palisade fence is a testament to this. Notwithstanding the DCP provision for low front fences, it is considered that the proposal is justified in this case. The remainder of the fencing controls are complied with.

**ii) Hours of Operation**

Clause 2.11 of BHDCP Part C Section 9 – Light Industry stipulates the following hours of operation:

*7.00am to 6.00pm Monday to Saturday with no work or activity to be carried out on Sundays or public holidays.*

Notwithstanding, occupants of sites that are not adjoining or adjacent to a residential property may request that the site be considered as a “Low Noise Generating” use. Low noise generating uses may be permitted extended days and hours (up to 24 hours) of operation beyond those specified above. In order to be considered as a Low Noise Generating use the application must be accompanied by a report from an acoustic consultant that demonstrates that the proposed use will not generate noise in excess of 5dB(A) above the background noise levels, where measured at any boundary adjoining or adjacent to a residential property. This report must include all activities including any vehicle (especially heavy vehicle) movements to and from the site.

The proposal is to operate between 7:00am - 10:00pm Monday - Saturday.

The above standard in the BHDCP is underpinned by the following objectives:

*“(i) To ensure that industrial developments operate in a manner compatible with adjoining land uses.”*

**Comment:**

The site does not physically adjoin any residential properties. The nearest and the most likely affected residential properties would be those across Gibbon Road which are situated within the Parramatta LGA. The application is accompanied by an acoustic assessment report which demonstrates that the impacts on the residential properties are satisfactorily addressed by provision of adequate acoustic treatment and construction materials to the buildings. It is also recommended in the acoustic report that air brake use by trucks be controlled during night time hours and that any limitation on truck movements should be subject to characteristics of future occupiers. The EPA criteria are noted as being able to be achieved subject to air brake use being controlled.

The proposed hours of operation is supported in this regard and conditions relating to acoustics are recommended in any approval. See Condition Nos. 99, 102, 103, 105 and 106.

**iii) Parking**

Clause 2.16 of BHDCP Part c Section 9 – Light Industry requires the following car parking rates:

*Light Industry  
1 space per 50m<sup>2</sup> of GFA, or*

*1 space per 2 employees*

*Warehouse*

*1 space per 50m<sup>2</sup> of GFA*

*Ancillary Office*

*1 space per 25m<sup>2</sup> of GFA*

*Visitor Parking*

*1 space for every 2 units constructed*

Based on the above rates, the following is required:

**Warehouse 1**

Warehouse GFA of 9,000m<sup>2</sup> = 180 spaces

Office GFA of 1,745m<sup>2</sup> = 70 spaces.

Number of parking spaces required for Warehouse 1 = 250 spaces

**Warehouse 2**

Warehouse GFA of 4,788m<sup>2</sup> = 95.76 spaces

Office GFA of 456m<sup>2</sup> = 18.24 spaces

Number of parking spaces required for Warehouse 2 = 114 spaces

**Total parking requirement for the site = 364 spaces**

The parking provision for the proposed warehouse buildings is as follows:

Warehouse 1 - 250 spaces

Warehouse 2 - 49 spaces

The above standards in the BHDCP are underpinned by the following objectives:

*"(i) To ensure the safety of all road users in Light Industrial Areas.*

*(ii) To ensure that all car parking demands generated by the development are accommodated on the development site.*

*(iii) To protect the free flow of traffic into and out of the industrial allotments and the surrounding street network.*

*(iv) To ensure that the provision of off-street parking facilities does not detract from the overall visual amenity and character of the neighbourhood in relation to streetscape."*

**Comment:**

Strict compliance with the BHDCP would require the provision of 364 car spaces. It is noted that Council has accepted a much lower parking rate during the determination of the previous Development Application for the site, which had a rate of 1 space per 125m<sup>2</sup> of floor area.

The proposal (Warehouses 1 and 2 combined) is deficient by 65 parking spaces overall. It is noted that based on the RTA guidelines, the development would require considerably less spaces. The overall car parking provision is significantly greater than the 1 per 125m<sup>2</sup> as previously accepted by Council in the previous application.

The application was accompanied by a traffic study which concludes the following:

- The recently completed Transitway offers convenient public transport;
- There is adequate onsite parking provision;
- The provision is significantly more than provided or demanded at a number of surveyed sites;

The driveways, loading docks and manoeuvring areas have also been designed in accordance with Australian Standards to accommodate likely future users of the warehouses.

The parking study includes a parking survey of similar warehouse operations in the Sydney Metropolitan Area. The survey found that the average peak parking demand was 1 space per 207m<sup>2</sup> of gross floor area.

The parking provision for the proposed warehouse buildings is as follows:

Warehouse 1 - 250 spaces  
Warehouse 2 - 49 spaces  
Total = 249 spaces

This equates to an average in relation to the building areas of:

Warehouse 1 – 1 space per 43m<sup>2</sup>  
Warehouse 2 – 1 space per 108m<sup>2</sup>

Thus, the proposed parking provision is significantly more than that provided or demanded at the comparable surveyed sites while the nearby Transitway offers a convenient public transport facility. The applicant has indicated in the traffic study that commitment will be given to encourage the use of public transport by:

- appropriate provision of a paved and lit pathway connection to the Transitway and the other nearby bus services
- provisions for cyclists
- tenant requirement for Workplace Travel Plans.

The proposed use involves an element of manufacturing and therefore the level of staff is slightly more than a pure warehouse operation. However, as the proposal is for the relocation of an existing operation, the exact number of staff is known.

In the worst case, the intended occupant will have 167 employees in Warehouse No. 1 and 30 employees in Warehouse No. 2. Thus in the circumstance of all staff being present and requiring parking spaces the maximum parking demand would be 167 spaces for Warehouse 1 and 30 spaces for Warehouse 2. It is also noted that the previous consent included the provision of parking at a rate of 1 space per 125m<sup>2</sup> whereas the provision under the new DA is significantly greater.

For the reasons outlined above, it is considered that the number of car parking spaces proposed is adequately justified. The scale of development is not envisaged by Council's parking controls and it is appropriate to seek guidance on an applicable car parking rate. The proposal has been assessed against and exceeds the car parking required for this type of development as set down by the NSW RTA, the neighbouring Blacktown Council and surveys of like businesses.

In summary, sufficient on site car parking will be provided to adequately serve the development.

#### 4. Issues Raised in Submissions

The application was notified to adjoining and surrounding properties including the residents of the Parramatta LGA. Two submissions were received during the notification period and the issues raised in the submission are addressed in the following table.

ISSUE/OBJECTION	COMMENT	OUTCOME
Gibbon Road is continuously busy with high levels of traffic during peak hours turning into Old Windsor Road. Due to traffic on the streets, it causes residents difficulty entering and driving out their driveways. However, the future development would bring additional traffic into the streets. The additional heavy vehicles will increase danger hazards in traffic for all residences as well as school children who walk to and from school.	<p>Council's Principal Traffic and Transport Coordinator has assessed the application including the traffic assessment submitted with the application and raised no objection to the amount of traffic to be generated by the proposed development.</p> <p>No evidence has been provided regarding the devaluation of properties nor is it a planning matter.</p>	Issue addressed.
The construction site will cause many negative affects to the residents' lifestyle. The noise will interfere with their resting time and make them unable to get proper rest for work the next day and reduce performance during work. This will become a health concern for all residents of all ages. Therefore the construction of this development will cause negative impacts to their lifestyle if it goes on 24 hours/7 days a week.	<p>The submitted acoustic report recommends the implementation of acoustic treatments to the construction materials to mitigate these concerns.</p> <p>Hours of construction work will be limited to Monday to Saturday, 7.00am to 5.00pm and no work to be carried out on Sunday or public holidays.</p> <p>The proposed hours of operation are between 7.00am to 10.00pm, Monday to Saturday, and no work during Sunday and public holidays.</p>	Issue addressed. Conditions recommended, refer Condition Nos. 72, 99, 102, 108 and 109.
Three years ago at the meeting held in Council the residents were assured that nothing or no occupants would be able to occupy these units and it seems the applicant has already found a tenant. The residents were assured at the Council meeting when the previous proposal was considered and determined that nothing or no occupants would be able	The existing Development Consent No. 7/2009/HC/A involved three separate driveways to Gibbon Road. The current proposal seeks to rationalise access to the site by providing for a single private access road. The proposed private access road is located in the centre of the subject site. If it was to be relocated opposite Simon Street, shown on the attached locality plan (refer	Issue addressed.

ISSUE/OBJECTION	COMMENT	OUTCOME
<p>to occupy these units unless the residents get notified to review who would be occupying the buildings. The objector lives directly opposite the proposed entry driveway, can it be changed to coincide with Simon Street. This change could assist traffic as they would be going straight across the road. Also at the meeting, it was indicated that it would only be uses like bulk storage, not manufacturing allowed on site. The land is zoned light industrial but this structure does not seem to be what they would call light industrial.</p>	<p>Attachment 1), then the area within the site east of this road would be limited in size, affecting its ability to be developed in a manner consistent with the DCP. Also, this would create a four-way intersection requiring intersection treatment, such as a roundabout or similar. This access arrangement has been approved as part of the Subdivision Development Application (70/2012/ZA).</p> <p>The proposed centralised private access road is considered to be an appropriate access arrangement to the site for the above reasons.</p>	
<p>The air pollution especially dust from heavy vehicles and the smell from the factory units will negatively affect the health of residents in the neighbourhood particularly those with asthma problems.</p>	<p>The development is unlikely to cause detrimental effects to the environment in terms of air pollution given the nature of the proposed operation.</p>	<p>Issue addressed.</p>
<p>The road is such a busy road now, even cars and trucks making 2 lanes now coming down the hill, with a development of this size the lives of residents will be changed dramatically with more heavy vehicles using this road, going in /out of this complex at given times throughout day and night. It is hard to get in and out of driveways now at certain times of the day, mainly from 3.30pm to approx. 6.30pm, sometimes before 9am, with road rage occurring what is it going to be like if all this other traffic is thrust upon the local community.</p>	<p>The issue raised regarding difficulty in getting in and out of driveways due to the existing truck movements in the area is a separate matter that requires compliance action.</p> <p>As assessed by Council's Principal Traffic &amp; Transport Coordinator, the proposed development will not generate significant traffic movement in the area.</p>	
<p>If this development and the access road goes ahead residents will be subject to heavy truck movements</p>	<p>A standard condition is recommended to ensure no adverse impact will be caused on the amenity of the</p>	<p>Issue addressed. Condition recommended, refer Condition No. 107.</p>

ISSUE/OBJECTION	COMMENT	OUTCOME
coming and going with their headlights spilling into bedroom windows at all hours and the noise associated with those movements, which will be unhealthy for the residents if this is going to be a 24hr / 7 day a week concern.	surrounding area by light spill as a result of the proposed operation.	
Residents cannot sell their homes because the prices have gone down since the proposal of the first application from the applicant 3 years ago.	This issue is not a planning consideration under Section 79C of the Act. No evidence is provided to substantiate this claim.	Issue addressed.

#### **WATERWAYS COMMENTS**

The proposal has been assessed by Council's Waterways Team in relation to the works required within the Sierra Place Reserve and adjustment required to the existing dam within the Sierra Place Basin. No objection is raised to the proposal from a floodplain management and infrastructure asset perspective, subject to conditions.

#### **SUBDIVISION ENGINEERING COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **TRAFFIC MANAGEMENT COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **TREE MANAGEMENT COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **HEALTH & ENVIRONMENTAL PROTECTION COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **FLORA & FAUNA COMMENTS**

No objection is raised to the proposal subject to conditions imposed in the previous approval to DA 7/2009/HC.

#### **WASTE MANAGEMENT COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **NSW OFFICE OF WATER**

No objection is raised to the proposal subject to the General Terms of Approval issued.

#### **ROADS & TRAFFIC AUTHORITY COMMENTS**

No objection is raised to the proposal subject to conditions.

#### **NSW RURAL FIRE SERVICE COMMENTS**

No objection is raised to the proposal subject to a condition to comply with the subdivision layout identified on the drawing prepared by the applicant numbered SP-WH-DA-14A dated 9 September 2011.

## **CONCLUSION**

The Development Application has been assessed against the heads of consideration under Section 79C of the Environmental Planning and Assessment Act 1979, Baulkham Hills Local Environmental Plan 2005 and Baulkham Hills Development Control Plan and is considered satisfactory.

Council's Waterways Team has undertaken an assessment of the proposed changes to the Sierra Place Flood Detention Basin and have raised no objections to the proposal from an asset management and floodplain management perspective, subject to conditions of consent.

The proposal is considered to be consistent with the overall objectives and Light Industry 4(b) zone objectives of the Baulkham Hills Local Environmental Plan 2005.

While the proposal does not provide the required number of car parking spaces required by the Baulkham Hills Development Control Plan Part D Section 1 – Parking, it is considered in this instance that the variation sought is worthy of support as the applicant has provided greater detail regarding the operational characteristics of the intended occupant and comparative analysis of similar uses within the locality and adjoining LGAs. It is considered that sufficient on site parking will be provided that is convenient for the use of employees and visitors.

Two submissions were received to the application and the issues raised have been addressed in the report and do not warrant amendments or refusal. Conditions are recommended to address key issues particularly in relation to noise and light spill.

It is recommended that the Development Application be approved subject to conditions.

## **IMPACTS:**

### **Financial**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

### **Hills 2026**

The proposed development is consistent with the planning principles, vision and objectives outlined within "Hills 2026 – Looking Towards the Future" as the proposed development provides balanced urban growth, satisfactory traffic mobility and employment generation. In addition the resulting built form and operation is not considered to detrimentally impact upon environmental or social amenity.

## **RECOMMENDATION**

That Development Application No. 294/2011/JP be approved subject to the following conditions:

## **GENERAL MATTERS**

### **1. Development in Accordance with Submitted Plans**

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

#### **REFERENCED PLANS AND DOCUMENTS**

<b>DRAWING NO</b>	<b>DESCRIPTION</b>	<b>REVISION</b>	<b>DATE</b>
SP-WH-DA-010	Location Plan	A	30/03/2011
SP-WH-DA-011	Masterplan	A	31/03/2011



SP-WH-DA-014	Stage 1 Bulk Earth Works, Retaining Walls & Access Road	A	31/03/2011
GK-WH-DA-015	Stage 2 Site Plan Lots 1 + 2	A	31/03/2011
GK-WH-DA-101	Stage 2 Site Plan Lot 1	A	31/03/2011
GK-WH-DA-102	Stage 2 Site Plan Lot 2	A	31/03/2011
GK-WH-DA-103	Basement Parking + Details	A	31/03/2011
GK-WH-DA-201	Stage 2 Lot 1 Warehouse 1 Plan	A	31/03/2011
GK-WH-DA-202	Stage 2 Lot 2 Warehouse 2 Plan	A	31/03/2011
GK-WH-DA-301	Stage 2 Lot 1 Warehouse 1 Ground Floor Plan 1	A	31/03/2011
GK-WH-DA-302	Stage 2 Lot 1 Warehouse 1 Ground Floor Plan 2	A	31/03/2011
GK-WH-DA-303	Stage 2 Lot 1 Office 1 First Floor Plan	A	31/03/2011
GK-WH-DA-304	Stage 2 Lot 2 Office 2 Plans	A	31/03/2011
GK-WH-DA-401	Stage 2 Warehouse 1 & Office 1 Elevations	A	31/03/2011
SP-WH-DA-402	Stage 2 Warehouse 2 & Office 2 Elevations	A	31/03/2011
GK-WH-DA-403	Stage 2 Warehouse & Offices Sections	A	31/03/2011
GK-WH-DA-501	Stage 2 Warehouse 1 & Office 1 Coloured Elevations	A	31/03/2011
GK-WH-DA-502	Stage 2 Warehouse 2 & Office 2 Coloured Elevations	P1	31/03/2011
GK-WH-DA-601	Stage 2 Warehouse 1 & Office 1 Perspective	A	31/03/2011
GK-WH-DA-602	Stage 2 Warehouse 2 & Office 2 Perspective	A	31/03/2011
1116-01	Landscape Plan Warehouse 1	B	12/09/2011
1116-02	Landscape Plan Warehouse 2	B	12/09/2011

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

## **2. Construction Certificate**

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

## **3. Building Work to be in Accordance with BCA**

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

## **4. Provision of Parking Spaces**

The development is required to be provided with two hundred and ninety nine (299) off-street car parking spaces, five (5) motorbike spaces and twenty (20) bicycle spaces. These parking spaces shall be available for off street parking at all times.

## **5. Separate Application for other Signs**

A separate application is required to be submitted to, and approved by Council prior to the erection of any advertisements or advertising structures other than the sign(s) approved in this consent.

## **6. External Finishes**

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

## **7. Works on adjacent Sierra Place Flood Retarding Basin**

All proposed works associated with the modification to the wall of the adjacent Sierra Place Flood Retarding Basin are to be strictly in accordance with the recommendations in the report by Costin Roe Consulting entitled "*Review of Site Flooding Proposed Industrial Development 11-13 Gibbon Road Winston Hills NSW*" Revision C dated 2 August 2011, together with the plan by Costin Roe Consulting Drawing No.Co10714.00 – PC02 Issue F. This is to ensure compliance with the requirements of the NSW Dams Safety Committee.

## **8. Final Engineering Construction Drawings**

Final engineering construction drawings for works associated with the modification to the wall of the adjacent Sierra Place Flood Retarding Basin are to be submitted to Council for approval as owner of the Dam prescribed by the NSW Dams Safety Committee.

## **9. Photographic Records of Construction**

During construction of the works associated with the modification to the wall of the adjacent Sierra Place Flood Retarding Basin, Council must be given at least 24 hours notice for inspections required at significant construction milestones. This is to ensure that photographic records of construction are taken to ensure compliance with the requirements of the NSW Dams Safety Committee.

## **10. Compliance with NSW Rural Fire Service Requirements**

The development proposal is to comply with the subdivision layout identified on the drawing prepared by Australand numbered SP-WH-DA-014 A, dated 9 September 2011.

## **11. Compliance with NSW Office of Water's General Terms of Approval**

Compliance with the NSW Office of Water's General Terms of Approval attached as Appendix (1) to this consent and dated 11 October 2011.

## **11. NSW RTA Requirements**

Compliance with the requirements of the NSW Roads and Traffic Authority as outlined in their letter dated 14 October 2011.

## **12. Australia Post Mail Box Requirements**

Australia Post requires there be one (1) single group of cluster mail boxes, should more than one (1) cluster be required, contact Australia Post to get their approval. Mail boxes to have a minimum internal dimension of 230mm wide x 160mm high x 330mm long, and to be provided with an opening 230mm x 30mm for the reception of mail.

## **13. Property Numbering for Commercial Developments & Industrial Developments.**

The responsibility for property and unit numbering is vested solely in Council.

The primary and mailing address for this development is as follows:

**Lot 1 - 17 Gibbon Road Winston Hills 2153**

**Lot 2 – 15 Gibbon Road, Winston Hills 2153**

Clear and accurate external directional signage is to be erected on site at driveway entry points, visitor car parks and on buildings. It is essential that all directional signage throughout the complex is clear and accurate to assist emergency service providers locate a destination with ease and speed in the event of an emergency.

## **14. Protection of Flora & Fauna**

The development being carried out in accordance with Recommendations numbered 1 & 2 in the Section 4.3 Conclusions and Recommendations of the Flora and Fauna Assessment Report prepared by Conacher Environmental Group dated June 2008 (REF: 8056F).

### **15. Graffiti Management**

Both the north and west facing concrete retaining walls addressing Sierra Place Reserve are to be painted in a camouflage pattern using green and light brown paint. The owner is to ensure that any graffiti on the walls is painted over/ removed within fourteen (14) days of becoming aware of the graffiti.

### **16. Planting Along Western Boundary Concrete Retaining Wall**

The following landscaping is to be undertaken along the western boundary concrete retaining wall addressing Sierra Place Reserve:-

- Within the 55m long landscaping bed at the top of the wall, plant *Grevillea* 'royal mantle' at 0.5m centres and train down the wall.
- At the base of the concrete wall plant *Ficus pumila* (Climbing Fig) at 1m centres and train up the wall.

These plants are to be maintained for the life of the development. Should at anytime the plants be found to be dead, dying or diseased then they are to be replaced with the same species.

### **17. Separate Application for Strata Subdivision**

A separate application must be submitted for any proposed strata titled subdivision of the approved development.

### **18. Protection of Public Infrastructure**

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

### **19. Structures Adjacent to Piped Drainage Easements**

Buildings and structures, including footings and brick fences, adjacent to existing or proposed drainage easements must be located wholly outside the easement. A design must be provided by a structural engineer certifying that the structure will not impart a load on the pipe in the easement.

### **20. Vehicular Access and Parking**

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps is required, with their design and construction complying with:

- a) AS/ NZS 2890.1:2004
- b) AS/ NZS 2890.6:2009
- c) AS 2890.2:2002
- d) DCP Part D Section 1 – Parking
- e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- i. All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- ii. All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.

- iii. In urban areas, all driveways and car parking areas must be concrete or bitumen. The pavement design must consider the largest design service vehicle expected to enter the site.
- iv. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

#### **21. Gutter and Footpath Crossing Application**

Each driveway requires the lodgement of a separate gutter and footpath crossing application, accompanied by the current fee as prescribed by Council's Schedule of Fees and Charges.

#### **22. Engineering Works – Design and Construction Approval Process**

The design certification and construction approval of the engineering works nominated in this consent require separate approval prior to the commencement of any works.

Works on existing public roads or any other land under the care and control of Council require an Engineering Construction Certificate (ECC) in accordance with the Roads Act 1993 or the Local Government Act 1993. This includes the construction of new roads which are to be dedicated as public road. An ECC can only be issued by Council.

All other engineering works must be approved by either Council or an accredited certifier. This certification must be included with the documentation approved as part of any Construction Certificate. The designer of the engineering works must be qualified, experienced and have speciality knowledge in the relevant field of work.

For Council to issue an ECC the following must be provided:

- a) A completed application form.
- b) Four copies of the design plans and specifications.
- c) Payment of the applicable application and inspection fees.
- d) Payment of any required security bonds.

#### **23. Supervision of Works**

All work in the road reserve must be supervised by a suitably qualified and experienced person. The supervisors name, address and contact phone number must be submitted to Council prior to works commencing in the road reserve. A construction programme and anticipated duration of works must be submitted to Council prior to works commencing in the road reserve.

#### **24. Public Liability Insurance**

All contractors working in the road reserve must have a current public liability insurance policy with an indemnity limit of not less than \$10,000,000.00. A copy of this insurance must be submitted to Council prior to works commencing in the road reserve.

#### **25. Upgrading of Existing Water and Sewerage Services**

Should the development necessitate the installation or upgrade of water or sewerage services within an area that is either heavily vegetated or traversed by a natural watercourse, services must be located in a route that causes the least amount of impact on the natural environment. Excavation by hand or small machinery is required where the ecological impact would otherwise be considered excessive.

#### **26. Tree Removal**

Approval is granted for the removal of trees numbered 1-134, 138, 140-162, X, G1- G6, & A-D as per Tree Report prepared by Mark Hartley and dated 14 October 2008.

#### **27. Planting Requirements**

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. All groundcovers are to be planted at 5/m<sup>2</sup>.

Drip irrigation is to be provided to all landscape areas.

### **28. Tree/s to be retained**

To maintain the treed environment of the Shire, trees numbered 135-137, 139, & 163 as per Tree Report prepared by Mark Hartley and dated 14 October are to be retained.

### **29. Noise Impact Assessment Recommendations**

The recommendations of the Acoustic Assessment and Report prepared by Acoustic Logic, referenced as 20110370.1/2807A/R4/JS, dated 28 July 2011 and submitted as part of the Development Application are to be implemented as part of this approval. In particular: The planning levels for residences listed in Table 4 of the report for the operation of the warehouses, the traffic noise criteria listed in Table 5, the operational noise objectives listed in Table 6, the vehicle movement predicted noise levels in Table 8, and the loading dock predicted noise level listed in Table 9 and the warehouse one and warehouse two predicted noise levels in Tables 10 and 11 respectively.

Furthermore, the recommended treatments as listed in Section 7 of the report and management controls in Section 8 shall be implemented.

### **30. Construction Noise and Vibration Management**

The recommendations of the Acoustic Assessment and Report prepared by Acoustic Logic, referenced as 20110370.3/1208A/R2/JS, dated 12 August 2011 and submitted as part of the Development Application are to be implemented as part of this approval. In particular: the construction noise criteria for the site as listed in Table 5, and the vibration criteria for the site as listed in Table 6.

### **31. Bunding - Work Areas**

All work areas where spillage is likely to occur shall be bunded. This is to be done by way of speed humps, grading the floor area or by any other appropriate means, to prevent contaminated water entering the stormwater system. The bunded area is then to be drained to a sump for collection and appropriate disposal of the liquid.

### **32. Liquid Spill Clean-up Equipment**

Sufficient supplies of appropriate absorbent materials and/or other spill clean up equipment shall be kept on site to cover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.

### **33. Liquid Storage**

All liquids onsite are to be stored within bunded areas so as to prevent water pollution. All secondary and site containment mechanisms are to be implemented as per Appendix 2: Technical Considerations within the Storing and Handling Liquids: Environmental Protection – Participants Manual prepared by the Department of Environment and Climate Change NSW dated May 2007.

### **34. Adherence to Approved Waste Management Plan**

The Waste Management Plan submitted to and approved by Council must be adhered to at all stages in the demolition/construction/design of facilities and on-going use phases. All waste material nominated for recycling must be reused or recycled. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

### **35. Waste Storage and Separation - Construction and Demolition**

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- 1) masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- 2) timber waste to be separated and sent for recycling;
- 3) metals to be separated and sent for recycling;

- 4) clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
- 5) mixed waste (plastic wrapping, cardboard etc) to be sent to a licenced recycling or disposal facility

This can be achieved by constructing a minimum of five trade waste compounds on-site. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

### **36. Surplus Excavated Material**

The disposal/landfill of surplus excavated material, other than to a DECC licensed facility, is not permitted without formal approval from Council prior to the commencement of works. Any unauthorised disposal of waste, which includes excavated material, is a breach of the *Protection of the Environment Operations Act 1997* and subject to substantial penalties. Unless Council approves an alternate site, then all surplus excavated material must be disposed of at a licensed waste facility. Copies of actual receipts verifying recycling/disposal must be kept and presented to Council when required.

### **37. Garbage Collection – Commercial/Industrial**

Collection of waste and recycling material, generated by the premises, must not cause nuisance or interference with the amenity of the surrounding area.

### **38. Waste Collection**

Waste and recycling material, generated by the premises, must only be collected between the hours of 6am and 10pm except for Sundays and public holidays, where collection shall be between 8am and 10pm.

### **39. Garbage Storage – Odour Control**

A waste contractor shall be engaged to remove all waste from the garbage storage area on a regular basis so that no overflow of rubbish will occur. Practical measures are also to be taken to ensure that odour emission from the garbage storage area does not cause offensive odour as defined by the *Protection of the Environment Operations Act, 1997*.

### **40. Waste Management- Commercial/Industrial**

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. Arrangement must be in place in all areas of the development for the separation of recyclable materials from general waste and for the movement of recyclable materials and general waste to the main waste/recycling storage room/area.

The waste storage area must be:

- i) provided with a hose tap connected to the water supply;
- ii) paved with impervious floor materials;
- iii) graded and drained to a waste disposal system in accordance with the requirements of the relevant regulatory authority (Sydney Water);
- iv) adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the *Protection of the Environment Operations Act 1997*;
- v) fitted with appropriate interventions to meet fire safety standards in accordance with the *Building Code of Australia*.

## **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

#### **41. Crime Prevention Through Environmental Design Factors**

Prior to the issue of a Construction Certificate, plans and details shall be submitted for approval demonstrating that the design of the development has considered the NSW Police Crime Prevention Through Environmental Design (CPTED) factors.

#### **42. Section 94A Contribution**

Pursuant to section 80A (1) of the Environmental Planning and Assessment Act 1979, and The Hills Shire Wide Section 94A Contributions Plan, a contribution of **\$161,000** shall be paid to Council. This amount is to be adjusted at the time of the actual payment in accordance with the provisions of the Hills Shire Wide Section 94A Contributions Plan.

The contribution is to be paid prior to the issue of the Construction Certificate/ Subdivision Certificate/ Complying Development Certificate

You are advised that the maximum percentage of the levy for development under section 94A of the Act having a proposed construction cost is within the range specified in the table below;

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001 - \$200,000	0.5 %
More than \$200,000	1%

#### **43. Notice of Requirements**

The submission of documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

Following an application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.

#### **44. Engineering Works and Design**

The design and construction of the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Any variance from these documents requires separate approval from Council.

The works listed below require an Engineering Construction Certificate (ECC) as outlined earlier in this consent. The following engineering works are required:

Works on existing public roads or any other land under the care and control of Council must be approved and inspected by Council in accordance with the Roads Act 1993 or the Local Government Act 1993.\

##### **i. Driveway Requirements**

The design, finish, gradient and location of all driveway crossings must comply with the above documents and Council's driveway specifications which can be found on Council's website:

<http://www.thehills.nsw.gov.au/>

The proposed driveways must be built to Council's heavy duty standard.

A separate driveway application fee is payable as per Council's Schedule of Fees and Charges.

**ii. Concrete Footpath Paving**

A 1.5m wide concrete footpath, including access ramps at all intersections, must be provided on both sides of the proposed road in accordance with the DCP and the above documents.

**iii. Concrete Cycleway**

A 2.5m wide concrete cycleway, including access ramps at all intersections, must be provided on one side of the proposed road in accordance with the DCP and the above documents.

**iv. Footpath Verge Formation**

The grading, trimming, topsoiling and turfing of the Gibbon Road footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

**v. Gutter Crossings**

Gutter crossings to each of the proposed developments are required.

**vi. Water Sensitive Urban Design Elements**

Water sensitive urban design elements, as those nominated as part of the development (WSUD measures M4, M6, M7 & M8), are to be located generally in accordance with the plans and information submitted with the application.

Detailed plans for the water sensitive urban design elements must be submitted to Council for approval. The detailed plans must be suitable for construction, and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following NSW Department of Environment, Climate Change and Water environmental targets:

- 90% reduction in the annual average load of gross pollutants.
- 85% reduction in the annual average load of total suspended solids.
- 65% reduction in the annual average load of total phosphorous.
- 45% reduction in the annual average load of total nitrogen.

All model parameters and data outputs are to be provided to Council.

These elements must be designed and constructed in accordance with best practice water sensitive urban design techniques and guidelines. Such guidelines include, but are not limited to, the following:

- Water Sensitive Urban Design – Technical Guidelines for Western Sydney, 2004, <http://www.wsud.org/tech.htm>; and
- Australian Runoff Quality – A Guide to Water Sensitive Urban Design, 2005, <http://www.ncwe.org.au/arq/>.

**vii. Developed Site Stormwater Drainage**



The entire developed site area must be graded, collected and drained by pits and pipes to a suitable point of legal discharge based on a 1 in 10 year ARI storm event.

#### **viii. Inter-allotment Stormwater Drainage**

Piped inter-allotment drainage designed for a 1 in 10 year ARI storm event catering for the entire area of each lot must be provided. Each lot must be uniformly graded to its lowest point where a grated surface inlet pit must be provided. All collected inter-allotment stormwater is to be piped to an approved constructed public drainage system.

Where OSD is required to be provided on each allotment within the subdivision, a minimum level difference of 1m measured to the invert must be provided in the stormwater pit on each lot.

#### **45. Onsite Stormwater Detention – Upper Parramatta River Catchment Area**

Onsite Stormwater Detention (OSD) is required in accordance with Council's adopted policy for the Upper Parramatta River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook.

The stormwater concept plan prepared by Constin Roe Consulting Drawing Co10714.00 Revision F dated 25/10/11 is for DA purposes only and is not to be used for construction. The detailed design must reflect the approved concept plan.

Comprehensive design plans showing full construction details must be prepared by an accredited OSD designer and submitted with:

- A completed OSD Drainage Design Summary Sheet;
- Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes;
- A completed OSD Detailed Design Checklist;
- A maintenance schedule.

The design and construction of the OSD system must be approved by either Council or an accredited certifier. This certification must be included with the documentation approved as part of any Construction Certificate.

A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council subject to the following being provided:

- i. A completed application form;
- ii. Four copies of the design plans and specifications;
- iii. Payment of the applicable application and inspection fees.

#### **46. Works on Adjoining Land**

Where the engineering works included in the scope of this approval extend into adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council before a Construction Certificate is issued.

#### **47. Stormwater Discharge Acceptance**

Where the engineering works included in the scope of this approval necessitate the discharge of stormwater onto adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council before a Construction Certificate is issued.

#### **48. Stormwater Drainage to Natural Watercourse**

Stormwater connections to a natural watercourse must be approved by the NSW Office of Water.

#### **49. Draft Legal Documents**

Where an encumbrance on title is required to be created as part of this consent, draft copies of all legal documents must be submitted to Council for checking before a Construction Certificate is issued.

#### **50. Security Bond – Pavement and Public Asset Protection**

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of \$43,200 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of \$30.00 per square metre based on the public road frontage of the subject site (120m) and the width of the road measured from face of kerb on both sides (12m), or \$10,000.00, whichever is the greater.

The bond must be lodged with Council prior to the issue of a Construction Certificate.

The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash, an unconditional bank guarantee or retainment of \$43,200 from the bond detailed as Condition 30 of DA70/2012/ZA should that bond condition be satisfied. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

#### **51. Security Bond – External Works**

In accordance with Section 80A(6)(b) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works, or \$10,000.00, whichever is the greater.

The bond must be lodged with Council prior to the issue of any Construction Certificate.

The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash, an unconditional bank guarantee or retainment of the amount from the bond detailed as Condition 30 of DA70/2012/ZA should that bond condition be satisfied. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being completed to Council's satisfaction.

#### **52. Bank Guarantee Requirements (Development)**

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 294/2012/JP;
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

#### **53. Landscape Bond**

To ensure the public amenity of the streetscape a landscape bond in the amount of \$30,000.00 is to be lodged with Council prior to the issue of the Construction Certificate. It shall be refunded 6 months following the issue of the Final Occupation Certificate and the submission to Council of certification from a qualified Landscape Architect or Council's Tree Management Team that the works have been carried out in accordance with the approved landscape plan.

#### **54. Mechanical Noise**

Upon completion of the design for mechanical services and plant to serve the development, an acoustic assessment shall be submitted to Council prepared by a suitably qualified acoustic consultant detailing the specific mechanical services and plant to be installed at the site, their associated noise emission levels in Sound Pressure, and an assessment of their likely impact on sensitive receivers, when assessed working simultaneously with the combined predicted noise levels generated from the operation of the site.

#### **55. Internal Pavement Structural Design Certification (Waste Services)**

A Certified Practising Engineer (CPEng) must confirm the structural adequacy of the internal pavement design to Council prior to the issue of a Construction Certificate. The proposed pavement design must be adequate to withstand the loads imposed by a loaded waste vehicle (i.e. 28 tonne axle load) from the boundary to the waste collection point including any manoeuvring areas.

### **PRIOR TO ANY WORK COMMENCING ON SITE**

#### **56. Approved Temporary Closet**

An approved temporary closet connected to the sewers of Sydney Water, or alternatively an approved chemical closet is to be provided on the land, prior to building operations being commenced.

#### **57. Builder and PCA Details Required**

Notification in writing of the builder's name, address, telephone and fax numbers to be submitted to the Principal Certifying Authority prior to work commencing.

Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with the Regulations.

#### **58. Management of Building Sites – Builder's Details**

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied.

The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number. In the case of a privately certified development, the name and contact number of the Principal Certifying Authority.

#### **59. Notification**

Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with Form 7 of the Regulation.

#### **60. Consultation with Service Authorities**

Applicants are advised to consult with Telstra and Australia Post regarding the installation of telephone conduits and letterboxes respectively.

Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.

The building plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the building plans will be stamped indicating that no further requirements are necessary.

#### **61. Traffic Control Plan**

A Traffic Control Plan is required to be prepared in strict compliance with the requirements of AS 1742.3 and the current RTA Traffic Control and Work Sites Manual and submitted to Council for approval. The person preparing the plan must have the relevant RTA accreditation to do so. Where amendments to the approved plan are required, they must be submitted to Council for approval prior to being implemented.

#### **62. Separate OSD Detailed Design Approval**

No work is to commence until a detailed design for the OSD system has been approved by either Council or an accredited certifier.

#### **63. Pre-Construction Public Infrastructure Dilapidation Report**

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

- a) Designated construction access and delivery routes; and
- b) Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

#### **64. Protection of Existing Trees**

The trees that are to be retained are to be protected during all works strictly in accordance with recommendations made in Supplementary Arboricultural Impact Assessment Report prepared by Mark Hartley and dated 1 June 2011.

Additionally the protection measures detailed in the above report for trees numbered N1, N2, & N4 located within the adjoining property are to be strictly adhered to.

#### **65 Notification of Asbestos Removal**

Prior to commencement of any demolition works involving asbestos or asbestos containing materials, all adjoining neighbours and Council must be given a minimum five days written notification of the works.

#### **66. Stormwater Management**

All existing stormwater pits to the site will be covered with geofabric sediment fencing to prevent sediment runoff into the stormwater system. To prevent sediment contamination the filters will be regularly inspected and replaced during the duration of the works.

#### **67. Temporary Noise Barriers**

Prior to any work commencing on the site temporary noise barriers shall be constructed from hoarding (plywood boards, panels of steel sheeting, or compressed fibre cement board) with no gaps between the panels at the site boundary. The barriers shall work to reduce the transmission of noise between construction works and nearby residences, in doing so, the line-of-sight from residences into the site shall be reduced as much as possible.

#### **68. Site Water Management Plan**

A Site Water Management Plan is to be submitted to Council for approval. The plan is required to be site specific and be in accordance with "Managing Urban Stormwater - Soils and Construction" (The Blue Book) produced by the NSW Department of Housing.

#### **69. Stabilised Access Point**

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

#### **70. Erosion and Sedimentation Controls – Major Works**

Erosion and sedimentation control devices are to be provided in accordance with Council's "Works Specification - Subdivisions/Developments" (August 1997). All devices are to be established prior to the commencement of engineering works and maintained for a minimum period of six (6) months after the completion of all works. Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness.

On completion of works all land that has been disturbed by earthworks is to be sprayed or similarly treated to establish a grass cover.

#### **71. Erosion & Sediment Control Plan Kept on Site**

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and made available to Council officers on request.

### **DURING CONSTRUCTION**

#### **72. Hours of Work**

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, in the event that the building operations cause noise to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.

#### **73. Notice of Required Inspections for Demolitions**

Council requires twenty four (24) hours notice for inspections. Please ring Development Certification on 9843 0555 before 3.30pm to book an inspection for the following day.

The proposed demolition works must be inspected by Council at the following key stages:-

- a) Pre-demolition including sediment controls and site fencing / signage; and
- b) Completion of demolition (incorporates Infrastructure Inspection).

#### **74. Rock Breaking Noise**

Upon receipt of a justified complaint in relation to noise pollution emanating from rock breaking as part of the excavation and construction processes, rock breaking will be restricted to between the hours of 9am to 3pm, Monday to Friday.

Details of noise mitigation measures and likely duration of the activity, will also be required to be submitted to Council seven (7) days of receiving notice from Council.

#### **75. Construction Noise**

The emission of noise from the construction of the development shall comply with the *Interim Construction Noise Guideline* published by the Department of Environment and Climate Change (July 2009).

#### **76. Contamination**

Ground conditions are to be monitored and should evidence such as, but not limited to, imported fill and/or inappropriate waste disposal indicate the likely presence of contamination on site, works are to cease, Council is to be notified and a site contamination investigation is to be carried out in accordance with *State Environmental Planning Policy 55 – Remediation of Land*.

The report is to be submitted to Council for review prior to works recommencing on site.

### **77. Stockpiles**

Stockpiles of topsoil, sand, aggregate or other material capable of being moved by water shall be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

### **78. Asbestos Removal**

Asbestos and asbestos containing material shall be removed by a licenced asbestos removalists and all work must be in accordance with the requirements of the NSW Workcover Authority. Asbestos and asbestos containing material is to be disposed of in accordance with the requirements of the Department of Environment, Climate Change and Water (DECCW). All dockets and paper work for the disposal shall be retained and made available to Council upon request.

### **79. Dust Control**

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:

- Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the construction work.
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and
- All stockpiles of materials that are likely to generate dust must be kept damp or covered.

### **80. Construction Hours**

Demolition, Earthworks and Construction works shall be restricted to Monday to Friday 7am to 5pm, Saturday 8am to 1pm, and no works permitted on Sundays or Public Holidays. This is in accordance with the Interim Construction Noise Guidelines published by the Department of Environment and Climate Change NSW, dated July 2009.

## **PRIOR TO THE ISSUE OF OCCUPATION OR SUBDIVISION CERTIFICATE**

### **81. Section 73 Certificate**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Development and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) and then refer to Water Servicing Co-ordinator under "Developing Your Land" or telephone 13 20 92 for assistance.

### **82. Provision of Electricity Services**

Submission of a compliance certificate from the relevant provider confirming satisfactory arrangements have been made for the provision of electricity services (including undergrounding of services where appropriate).

### **83. Provision of Telecommunications Services**

The submission of a compliance certificate from the relevant telecommunications provider, authorised under the Telecommunications Act confirming satisfactory arrangements have been made for the provision of, or relocation of, telecommunication services including telecommunications cables and associated infrastructure. This includes undergrounding of aerial telecommunications lines and cables where required by the relevant telecommunications carrier.

### **84. Works as Executed Plans**

Works as Executed (WAE) plans prepared by a suitably qualified engineer or registered surveyor must be submitted to Council when the engineering works are complete. The WAE plans must be prepared in accordance with Council's Design Guidelines

Subdivisions/ Developments on a copy of the approved engineering plans. An electronic copy of the WAE plans, in ".dwg" format, must also be submitted.

Where applicable, the plans must be accompanied by pavement density results, pavement certification, concrete core test results and site fill results.

#### **85. Confirmation of Pipe Locations**

A letter from a registered surveyor must be provided certifying that all pipes and drainage structures are located within the proposed drainage easements.

#### **86. Removal of Sediment and Erosion Control Measures**

A \$5,000.00 bond must be submitted to Council to ensure the satisfactory removal of all sediment and erosion control measures, including the removal of any collected debris.

#### **87. Stormwater CCTV Recording**

All piped stormwater drainage systems and ancillary structures which will become Council assets must be inspected by a CCTV and a report prepared. A hard copy of the report must be submitted along with a copy of the CCTV inspection on either VHS or DVD (in WMA format).

#### **88. Public Asset Creation Summary**

A completed public asset creation summary form must be submitted with the WAE plans. A blank form can be found on Council's website.

#### **89. Prior or Concurrent Registration of Preceding Subdivision**

An Occupation Certificate cannot be issued for this development before a Subdivision Certificate has been registered with the NSW Land and Property Management Authority for the preceding stage/ subdivision pursuant to Development Consent DA 70/2012/ZA unless the two are issued and registered concurrently.

#### **90. Flooding Extent Plan**

A plan of survey prepared by a registered surveyor must be provided that shows the Probable Maximum Flood (PMF) and 1 in 100 year ARI storm event flood levels associated with the adjacent drainage system. The plan must reflect the WAE plans and clearly indicate the extent of inundation.

#### **91. Completion of Engineering Works Required by the Facilitating Subdivision**

An Occupation Certificate must not be issued prior to the completion of all engineering works in accordance with DA 70/2012/ZA.

#### **92. Completion of Engineering Works**

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

#### **93. Post Construction Public Infrastructure Dilapidation Report**

Before an Occupation Certificate is issued, an updated public infrastructure inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets in the direct vicinity of the development site and the means of rectification for the approval of Council.

#### **94. Creation and Registration of Restrictions and Positive Covenants**

##### **a) Creation of Restrictions and Positive Covenants**

The submission to Council of all necessary documentation together with payment of the endorsement fee prescribed in Council's Schedule of Fees and Charges to create the following over the title of the property. The wording must nominate The Hills Shire Council as the authority to release, vary or modify each restriction or positive covenant.

##### **i. Restricting Development – OSD Modification**

A restriction as to user restricting development over or the varying of any finished levels and layout of the constructed onsite stormwater detention system.

##### **ii. Positive Covenant – OSD Maintenance**

A positive covenant must be created to ensure the ongoing maintenance of the constructed onsite stormwater detention system.

### **iii. Restricting Development – WSUD Modification**

A restriction as to user restricting development over or varying of the finished levels and layout of the constructed rain gardens, swales, vegetated buffers, pit inserts and rainwater pods and associated components.

### **iv. Positive Covenant – WSUD Maintenance**

A positive covenant must be created to ensure the ongoing maintenance of the constructed rain gardens, swales, vegetated buffers, pit inserts and rainwater pods and associated components.

### **b) Registration of Request Documents**

The request documents endorsed by Council must be registered and a copy of the registered documents submitted to Council before an Occupation Certificate is issued.

### **95. OSD System Certification**

The Onsite Stormwater Detention (OSD) system must be completed to the satisfaction of the Principal Certifying Authority (PCA) prior to the issuing of an Occupation Certificate. The following documentation is required to be submitted upon completion of the OSD system and prior to a final inspection:

- a) Works as executed plans prepared on a copy of the approved plans;
- b) A certificate from a suitably accredited engineer or surveyor verifying that the constructed OSD system will function hydraulically;
- c) A certificate of structural adequacy from a suitably accredited structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

### **96. Rights of Carriageway and Easements for Maintenance Access**

Prior to the issue of an Occupation Certificate the applicant is to create appropriate Rights of Carriageway and Easements for Maintenance Access granting Council or its approved contractors full and free access to carry out its dam surveillance and maintenance responsibilities with respect to the proposed retaining wall which is to operate as part of a modified main basin wall for the adjoining Sierra Place Flood Detention Basin.

### **97. Landscaping Prior to Issue of Occupation Certificate**

The landscaping of the site shall be carried out prior to issue of the Final Occupation Certificate in accordance with the approved plan. All landscaping is to be maintained at all times in accordance with BHDCP Part D, Section 3 – Landscaping and the approved plan.

### **98. Regulated Systems**

To ensure that adequate provision is made for ventilation of the building all mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

- a) Australian/New Zealand Standard AS/NZS 1668.1:1998 – The use of ventilation and air conditioning in buildings – fire and smoke control in multi-compartment buildings
- b) Australian Standard AS 1668.2 – 2002 - The use of ventilation and air conditioning in buildings – ventilation design for indoor air contaminant control



- c) Australian/New Zealand Standard AS/NZS 3666.1:2002 – Air handling and water systems of buildings – Microbial control – Design, installation and commissioning
- d) Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air handling and water systems of buildings - Microbial Control - Operation and maintenance
- e) Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air handling and water systems of buildings - Microbial Control – Performance based maintenance of cooling water systems; and
- f) Public Health (Microbial Control) Regulation 2000

The regulated system is to be registered with Council by completing and submitting an *Application for Registration of Regulated Water Cooling/Warm Water Systems*, available on Council's website [www.thehills.nsw.gov.au](http://www.thehills.nsw.gov.au) prior to commissioning.

#### **99. Acoustic Compliance Report**

The acoustic consultant shall progressively inspect the installation of the required noise suppressant components as recommended in the Acoustic Assessment and Report prepared by Acoustic Logic, referenced as 20110370.1/2807A/R4/JS, dated 28 July 2011.

Certification is to be provided to Council as to the correct installation of components and that the required criteria's have been met.

#### **100. Clearance Certificate for Asbestos Removal**

On completion of any required asbestos removal works a licensed contractor shall provide an asbestos clearance certificate for the works.

#### **101. Internal Pavement Construction Certification (Waste Services)**

Certification from a Certified Practicing Engineer (CPEng) must be submitted to Council prior to the issue of an Occupation Certificate confirming that the internal pavement has been constructed in accordance with the approved plans and is suitable for use by a loaded waste vehicle.

### **USE OF THE SITE**

#### **102. Final Acoustic Report**

Within three months from the issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the EPA's (DECCW) - *Industrial Noise Policy* and submitted to Council for consideration.

This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that activity does not give rise to "offensive noise" as defined under the *Protection of the Environment Operation Act 1997*.

#### **103. Noise to Surrounding Area**

There shall be no amplified music or speakers external to the building.

#### **104. Maintenance of Car Park Stormwater Treatment Device**

All wastewater and stormwater treatment devices (including drainage systems, sumps and traps), shall be regularly maintained in order to remain effective.

All solid and liquid waste is to be collected and removed by a licenced contractor.

#### **105. Offensive Noise - Acoustic Report**

The proposed use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Council an acoustic assessment is to be undertaken (by an appropriately qualified consultant), and an acoustic report is to be submitted to Council for review. Any noise attenuation recommendations recommended and approved by Council must be implemented.

**106. Offensive Noise**

The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provisions of the *Protection of the Environment Operation Act 1997*.

**107. Lighting**

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 The Control of Obtrusive Effects of Outdoor Lighting*.

**108. Restriction on hours of use - acoustics**

The premises shall not be used between the hours of 10:00pm and 7:00am, Monday to Saturday and no work on Sundays and public holidays.

**109. Hours of operation of the loading dock**

Delivery of goods shall be restricted to the following times;

Monday to Saturday – 7.00am to 10.00pm

No deliveries on Sundays and public holidays.

**110. Waste Storage and Collection – Commercial/Industrial**

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclables emanating from the premises must be stored in the designated waste storage area. Arrangement must be in place in all areas of the development for the separation of recyclable materials from general waste.

**111. Servicing of Bins**

Council contracted or private garbage/recycling collection vehicles servicing the development are not permitted to reverse in or out of the site. Collection vehicles must be travelling in a forward direction at all times to service bins.

**ATTACHMENTS**

1. Locality Plan
2. Aerial Photograph
3. Masterplan
4. Stage 2 Site Plan
5. Basement Parking Details (Warehouse 1)
6. Warehouse 1 Plan
7. Warehouse 1 Office First Floor Plan
8. Warehouse 2 Plan
9. Warehouse 2 Office Ground & First Floor Plans
10. Warehouse 1 Elevations
11. Warehouse 2 Elevations
12. Warehouse 1 Perspective
13. Warehouse 2 Perspective
14. Landscape Plan Warehouse 1
15. Landscape Plan Warehouse 2
16. RTA Requirements
17. Prelodgement Notes

## ATTACHMENT 1 – LOCALITY PLAN



- ☐ SUBJECT SITE
- SUBMISSIONS RECEIVED
- ✓ PROPERTIES NOTIFIED

NOTE: PARRAMATTA CITY COUNCIL  
AND RTA ALSO NOTIFIED

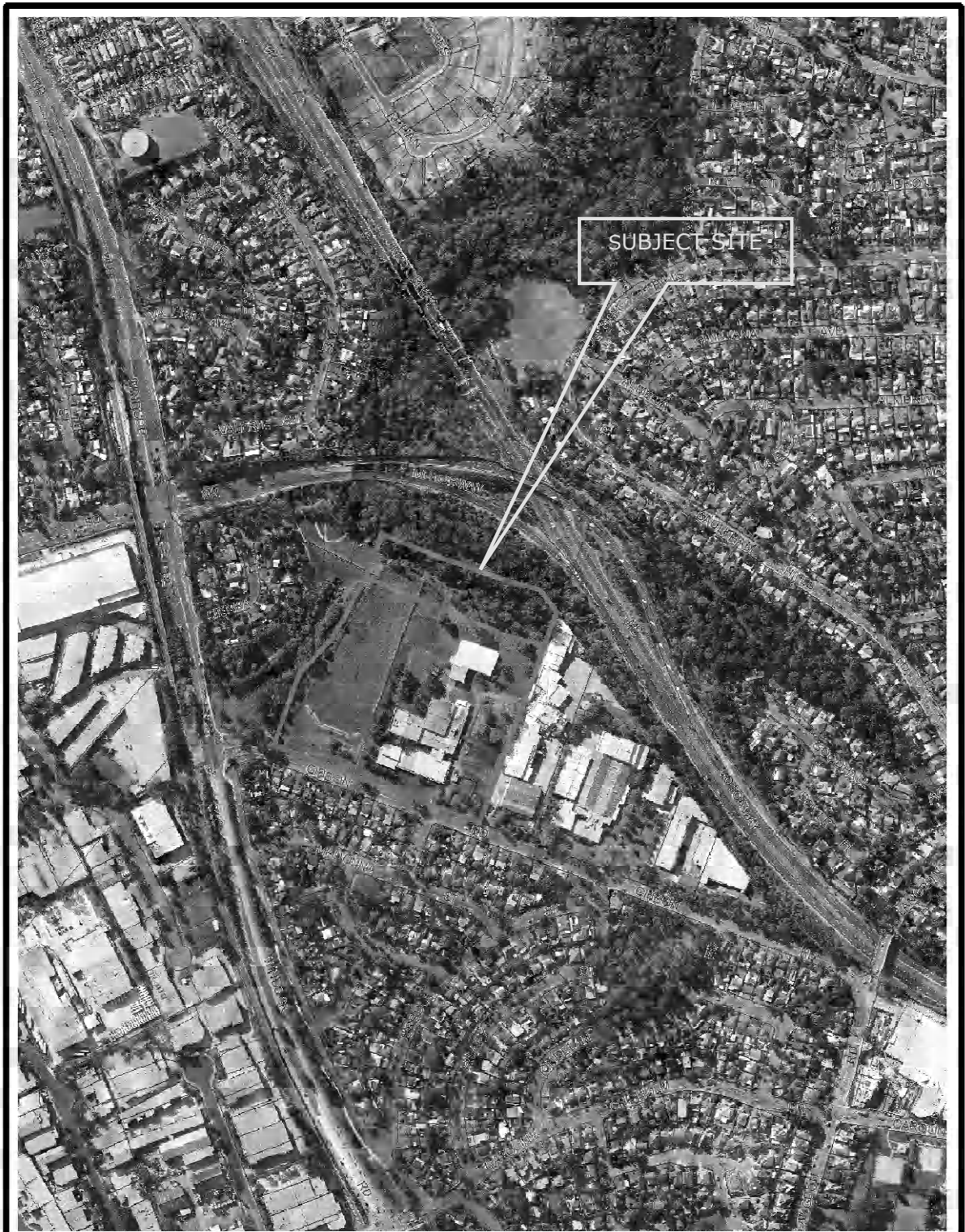
**THE HILLS**  
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

THE HILLS SHIRE COUNCIL DOES NOT GIVE ANY GUARANTEES CONCERNING THE ACCURACY, COMPLETENESS OR CURRENCY OF THE  
TEXTUAL INFORMATION HELD IN OR GENERATED FROM ITS DATABASE

BASED ON CADASTRE COPYRIGHT LAND & PROPERTY INFORMATION NSW (LPI), CADASTRE UPDATE INCLUDING COUNCIL GENERATED DATA IS SUBJECT  
TO THIS COPYRIGHT.

## ATTACHMENT 2 – AERIAL PHOTOGRAPH



THE HILLS SHIRE COUNCIL

The Hills Shire Council (THSC) does not give any guarantee concerning the accuracy, completeness or currency of its spatial and textual information held in or generated from its database. THSC therefore takes no responsibility for errors, omissions or inaccuracies on information found or provided.

Base cadastral copyright remains the property of Land and Property Management Authority NSW (LPM) Year 2008 contour copyright remains the property of the Department of Environment and Climate Change (DECC).

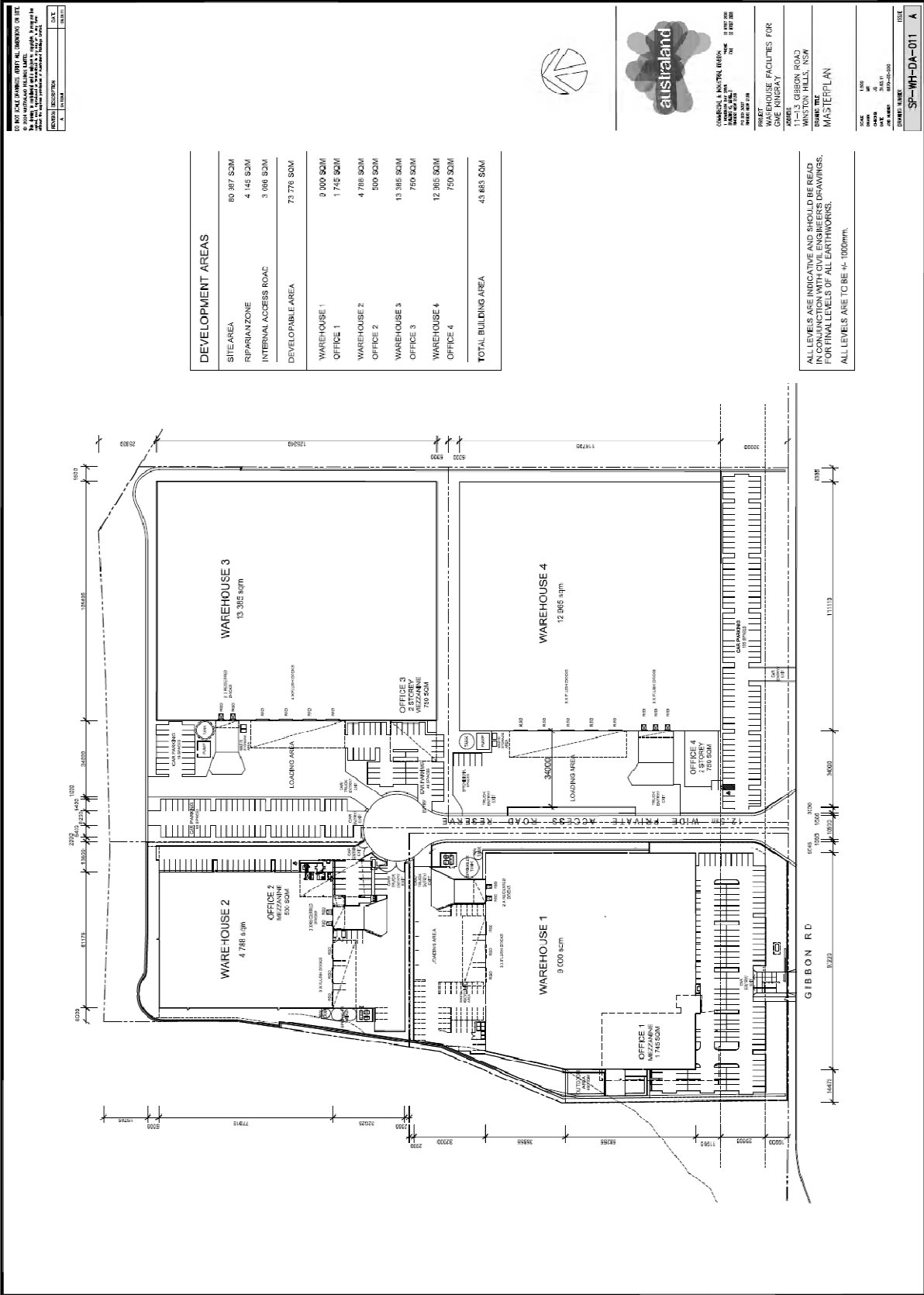
2011 Aerial Photography and Cadastre modifications including Council generated data is subject to THSC copyright.



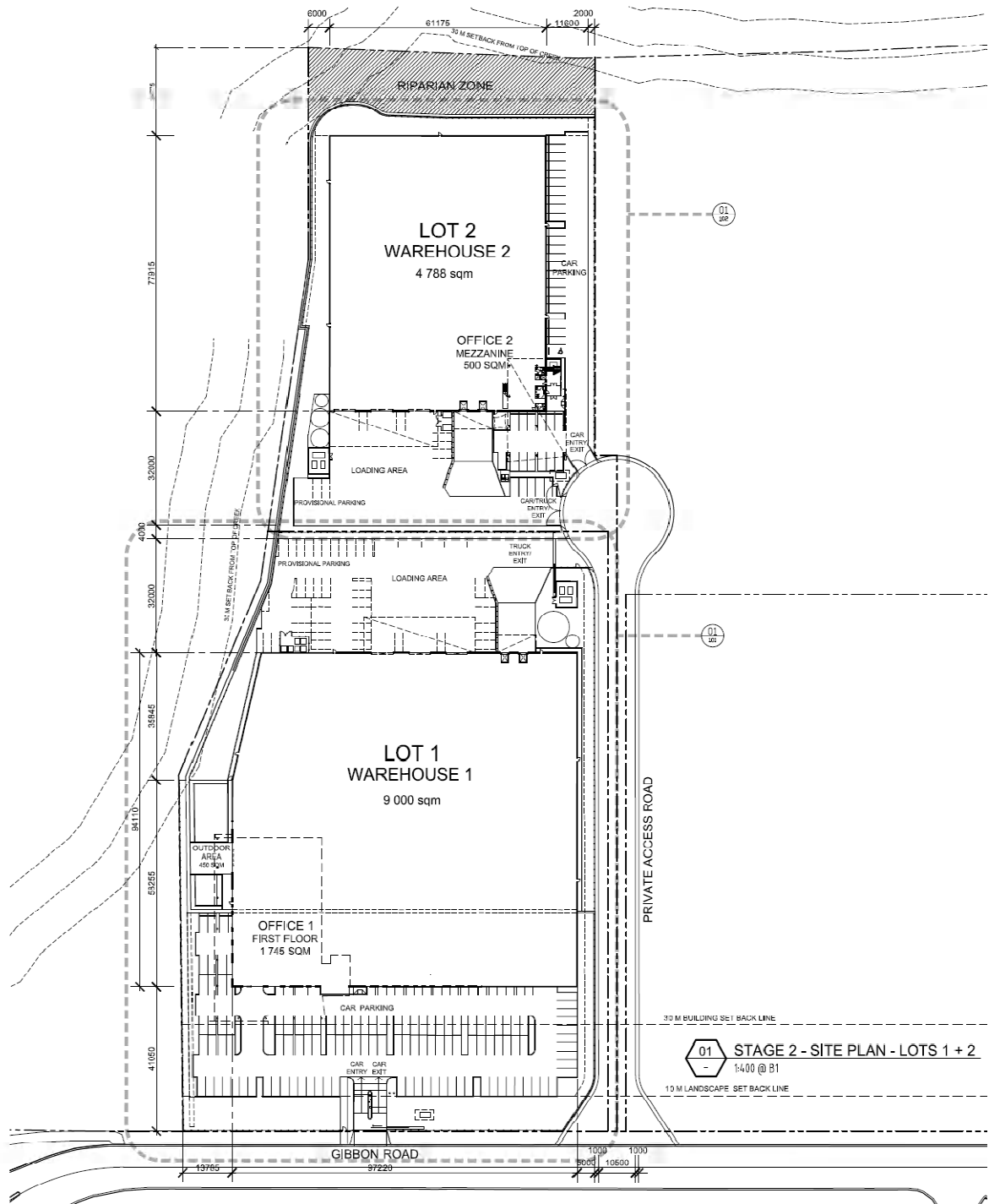
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2/12/2011

ATTACHMENT 3 – MASTER PLAN

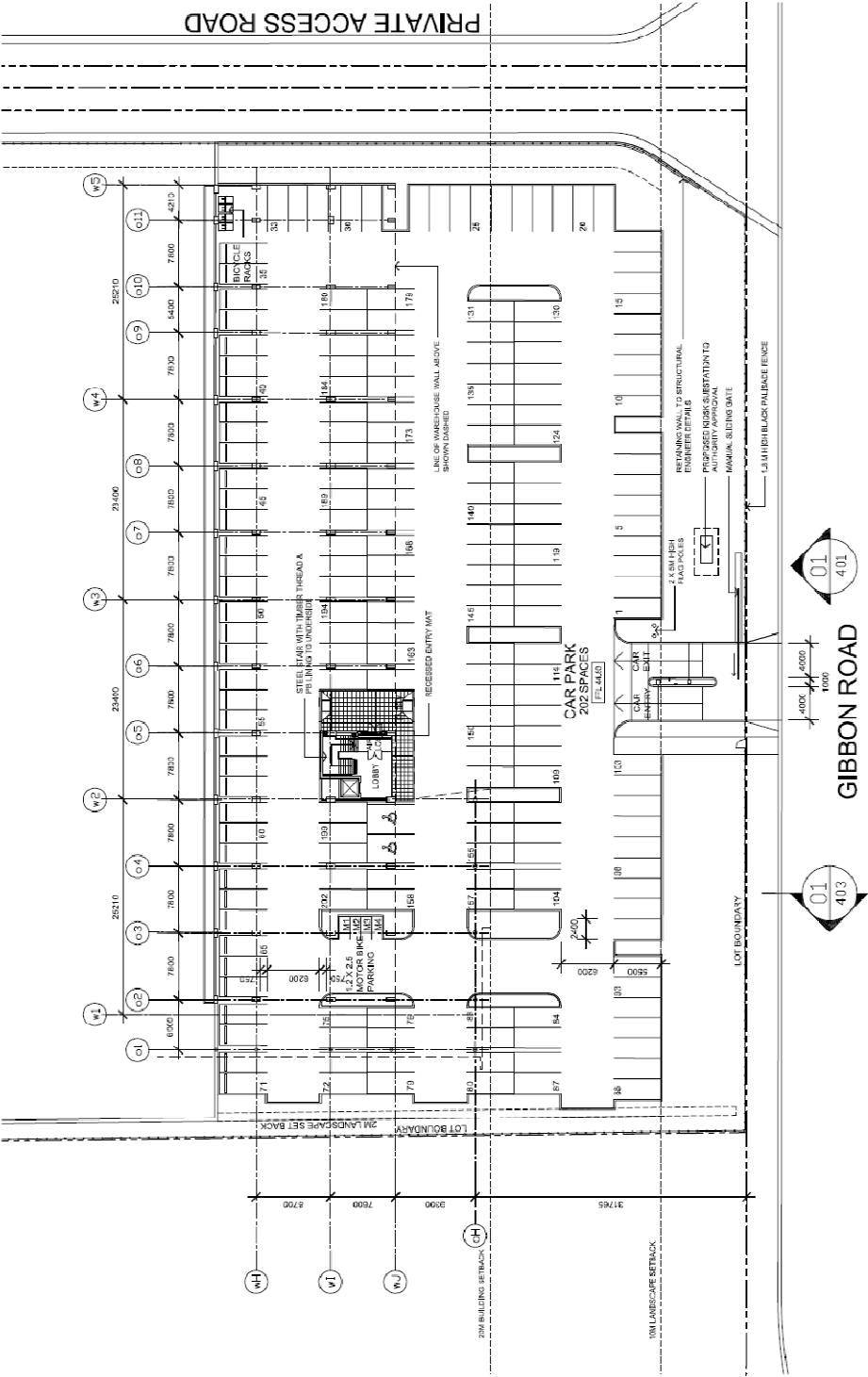


# ATTACHMENT 4 – STAGE 2 SITE PLAN



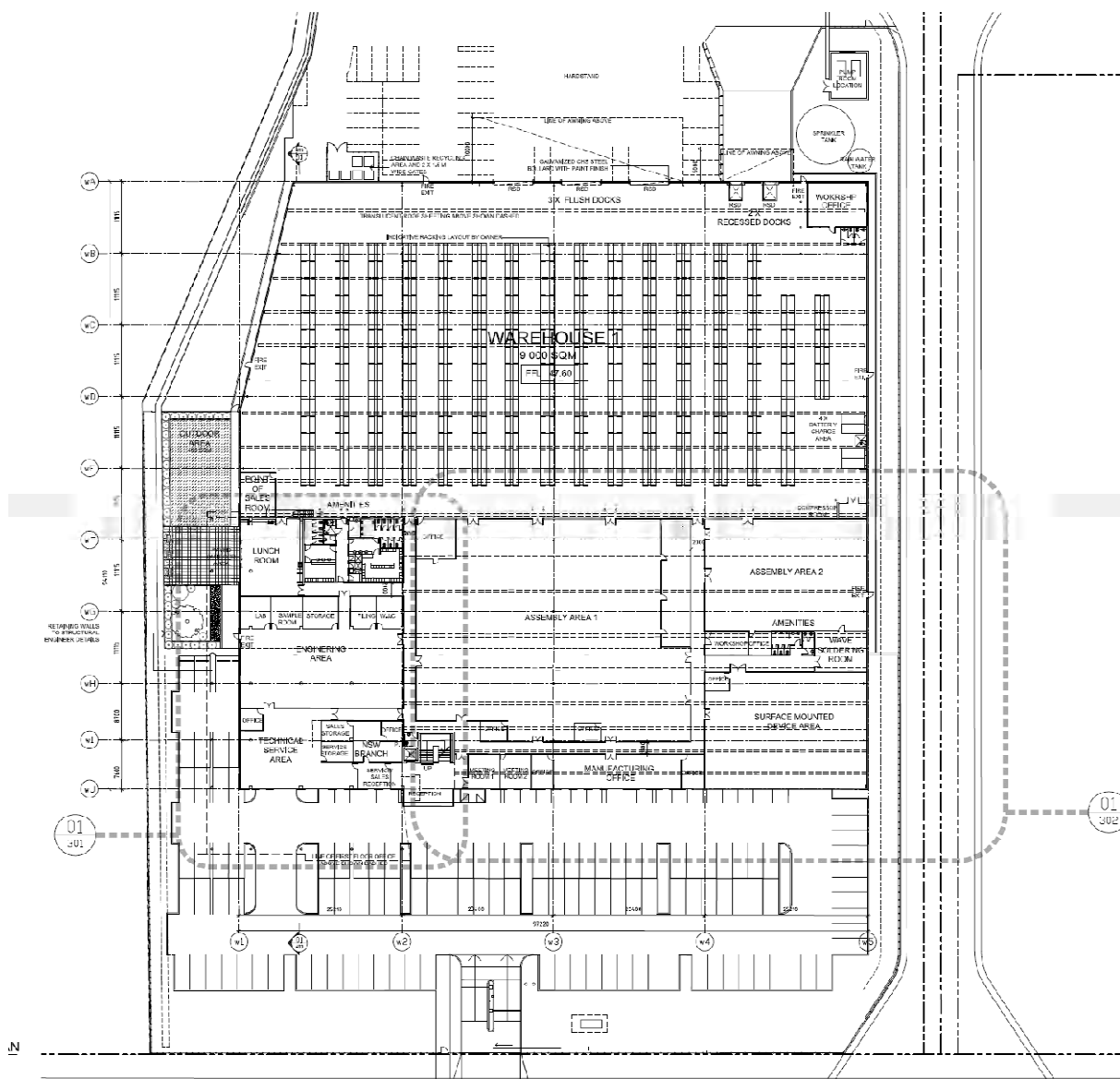
ATTACHMENT 5 – BASEMENT PARKING DETAILS

ALL LEVELS /  
IN CONJUNCTION



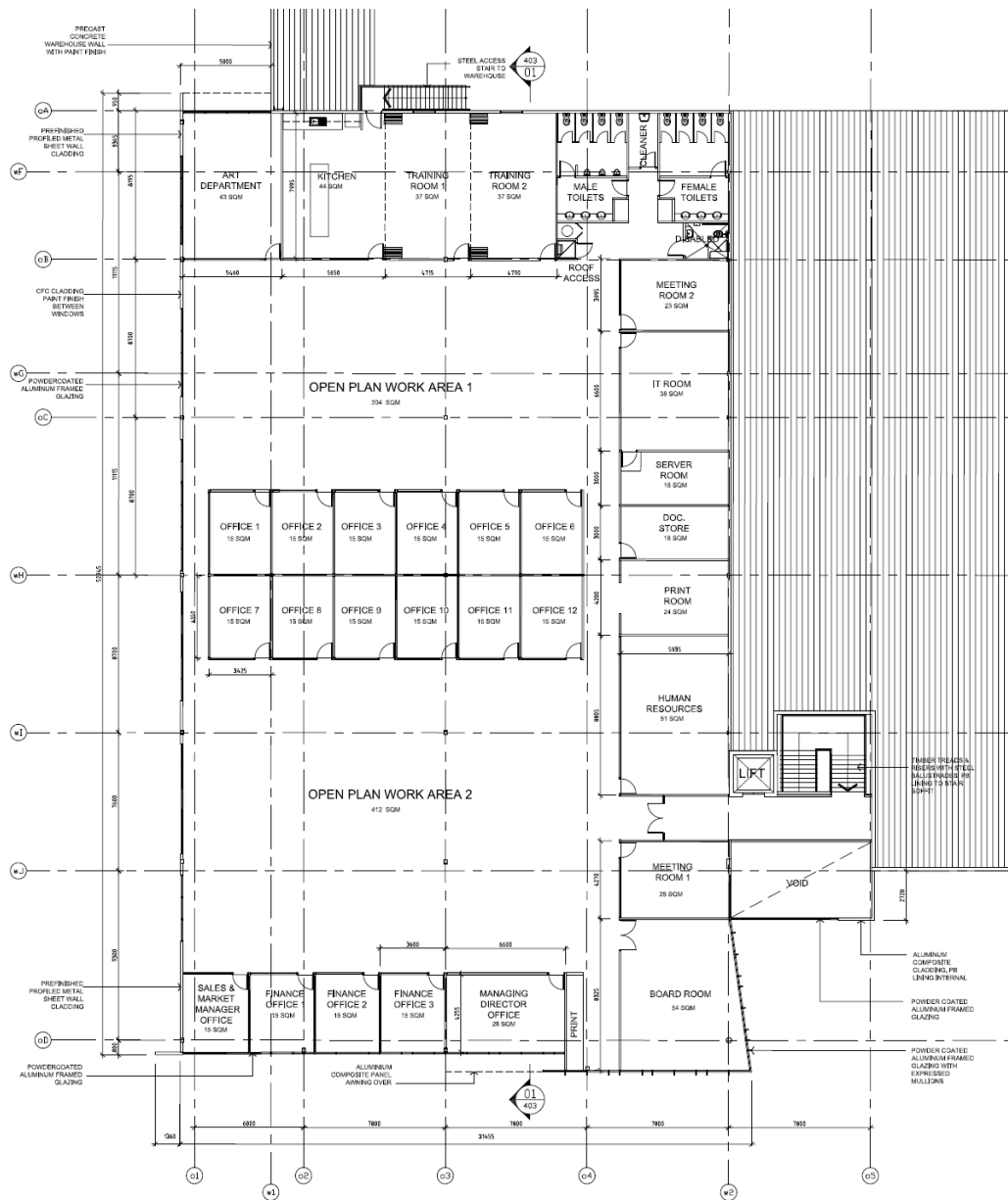
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ATTACHMENT 6 – WAREHOUSE 1 PLAN

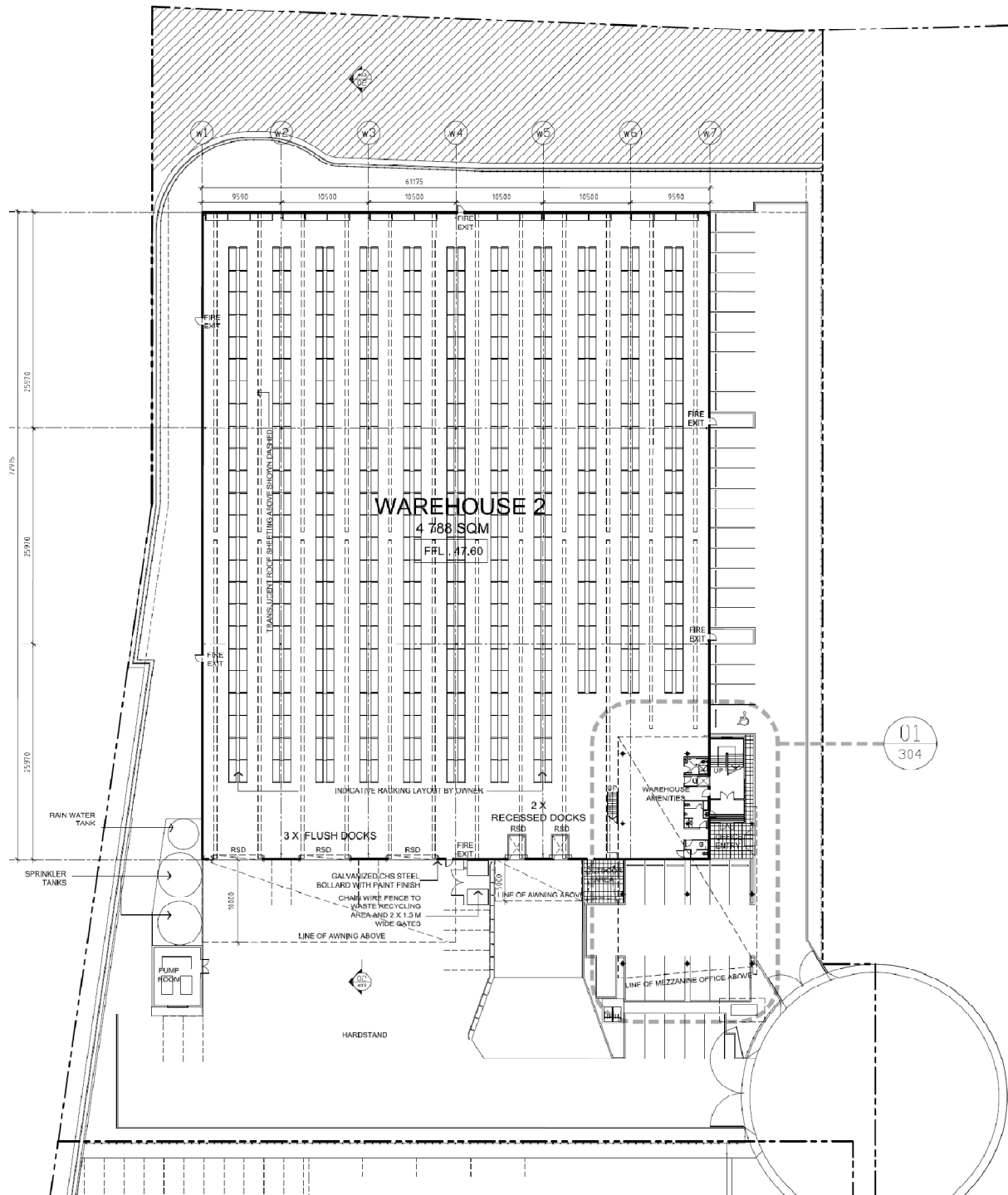




# ATTACHMENT 7 – WAREHOUSE 1 OFFICE FIRST FLOOR PLAN



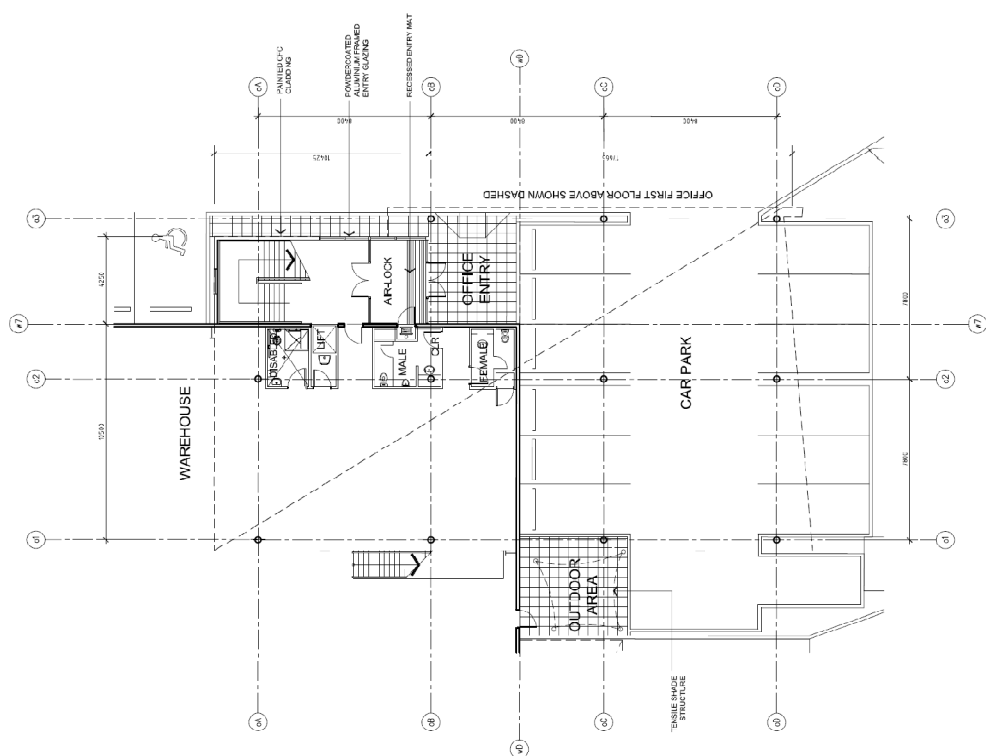
# ATTACHMENT 8 – WAREHOUSE 2 PLAN



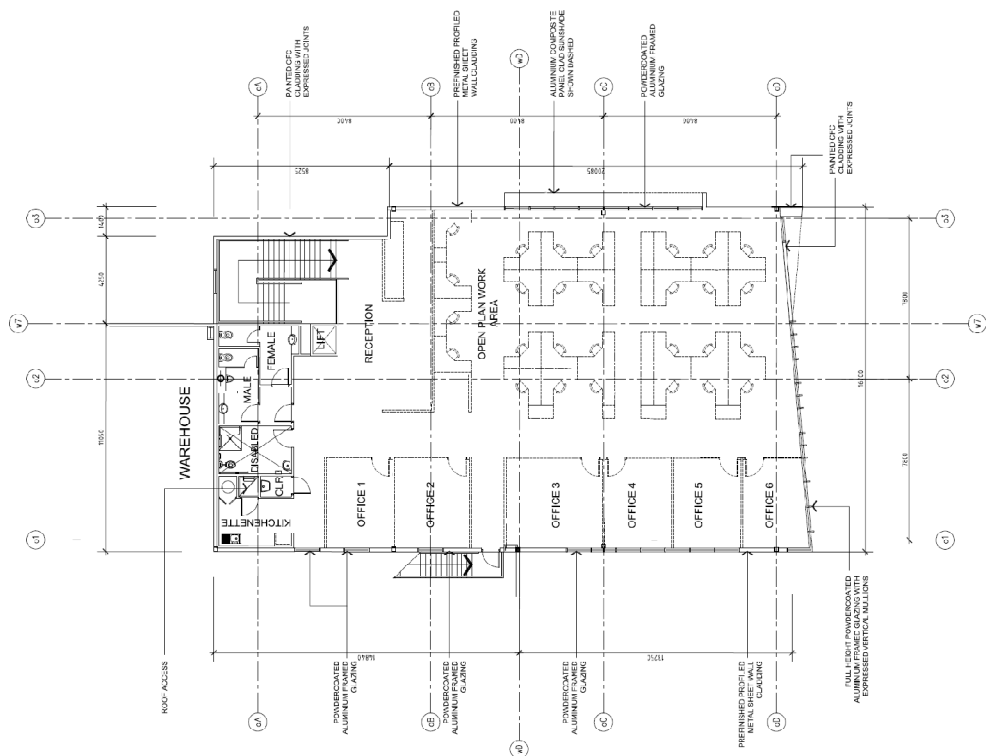
01 WAREHOUSE 2 PLAN  
- 1:250 @ B1



SCALE	1:100
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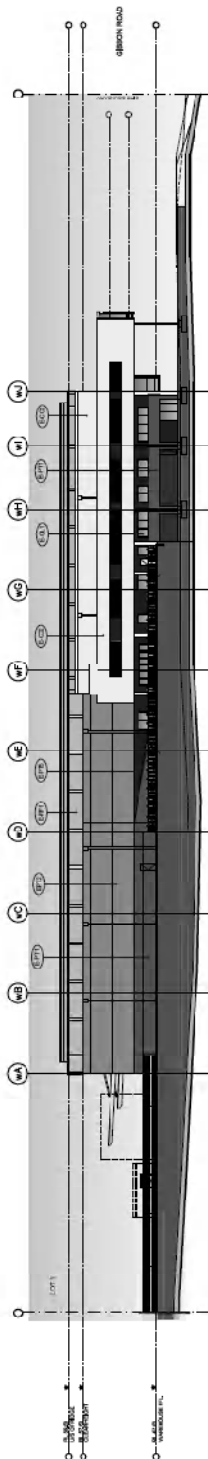


02 OFFICE 2 GROUND FLOOR PLAN  
- 1:10 @ B1

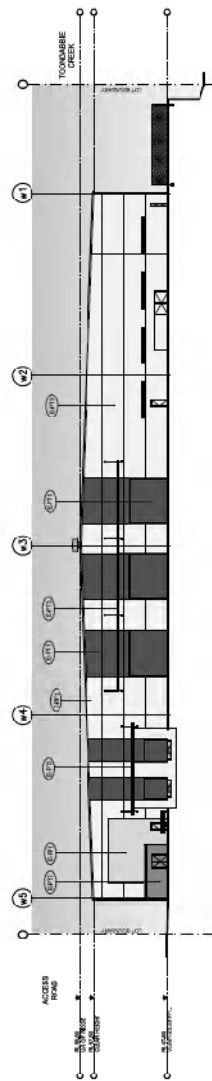


01 OFFICE 2 FIRST FLOOR PLAN  
1:400 @ B1

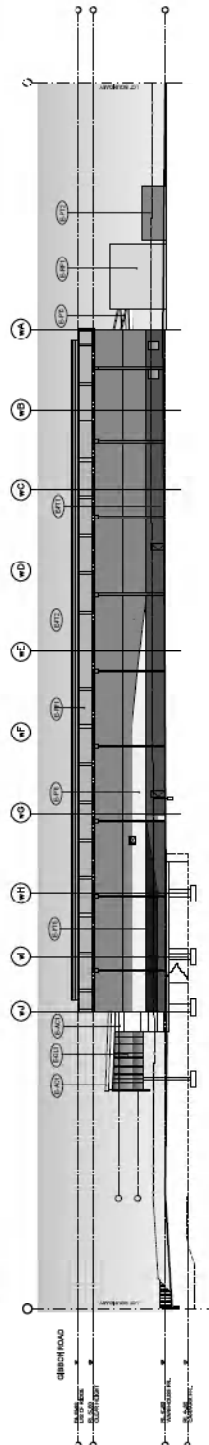
1 D50 ILLUMINANT, 2 DEGREE OBSERVER  
2 D65 ILLUMINANT, 2 DEGREE OBSERVER  
3 D50 ILLUMINANT, 2 DEGREE OBSERVER  
4 D65 ILLUMINANT, 2 DEGREE OBSERVER  
5 D50 ILLUMINANT, 2 DEGREE OBSERVER  
6 D65 ILLUMINANT, 2 DEGREE OBSERVER  
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24 D65 ILLUMINANT, 2 DEGREE OBSERVER



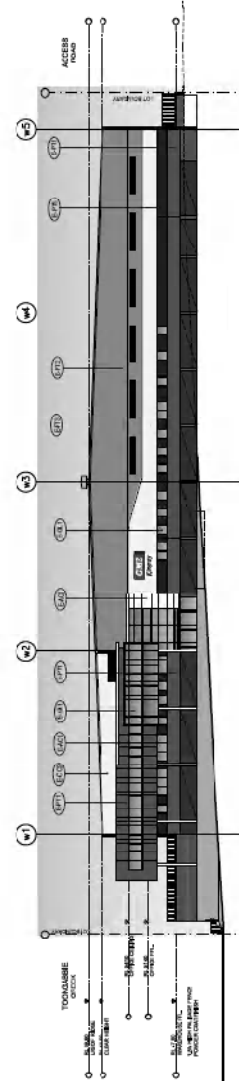
04  
015



03	ELEVATION
015	1250 @ B1



02  
015



01 ELEVATION 1250.81



## ATTACHMENT 12 – WAREHOUSE 1 PERSPECTIVE



## ATTACHMENT 13 – WAREHOUSE 2 PERSPECTIVE



[illegible]



VEGETATED RIPARIAN ZONE

LOT 2 WAREHOUSE 2  
4755 SQM

CAR PARKING  
42 SPACES

OFFICE 2  
MEZZANINE  
500 SQM

3 X CO  
3 X MD  
4 X GF  
12 X ER  
2 X ER  
4 X AT  
4 X ER  
4 X MD  
7 X MD  
3 X MD  
3 X AT

REFER SHEET 111640  
REFER SHEET 111641  
REFER SHEET 111642  
REFER SHEET 111643

## ATTACHMENT 16 – RTA REQUIREMENTS

Our Reference: RDC IIM2306 SYD11/00849  
Your Reference: 294/2012/JP  
Contact: Pahee Sellathurai  
Telephone: 8849 2219

**SRDAC**

**SYDNEY  
REGIONAL  
DEVELOPMENT  
ADVISORY  
COMMITTEE**

The General Manager  
The Hills Shire Council  
PO Box 75  
CASTLE HILL NSW 1765

Attention: Claro Patag

**WAREHOUSE DEVELOPMENT, CARPARKING AND ASSOCIATED SIGNAGE  
11-13 GIBBON ROAD, WINSTON HILLS**

Dear Sir/Madam,

Reference is made to Council's correspondence dated 19 September 2011 with regard to the abovementioned development application, which was referred to the Roads and Traffic Authority (RTA) in accordance with Clause 104 and Column 2 of Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007.

I wish to advise that the Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of this development application at its meeting held on 5 October 2011.

Below are the Committee's recommendations and RTA comments for consideration in the determination of the development application:

1. All vehicles must enter and leave the site in a forward direction.
2. 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 usage. Car parking provision should be to Council's satisfaction.
3. Council should request the applicant to provide turning areas at dead-end aisles within the car parking areas. These turning areas are to be kept clear of any obstacles, including parked cars, at all times.
4. All business identification signs are to be wholly within the property boundary.
5. All works associated with the proposal shall be at no cost to the RTA.

Roads and Traffic Authority  
ABN 64 480 155 255



27-31 Argyle Street,  
Parramatta NSW 2150

PO Box 973 Parramatta CBD NSW 2124  
DX 28555 Parramatta

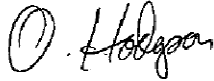
T 131 782

[www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)

In accordance with Clause 104 (4) of State Environmental Planning Policy (Infrastructure) 2007, it is essential that a copy of Council's determination on the proposal (conditions of consent if approved) is forwarded to the RTA at the same time it is sent to the developer.

Any enquiries on this matter can be directed to Pahee Sellathurai on phone 8849 2219.

Yours sincerely

A handwritten signature in black ink, appearing to read 'O. Hodgson'.

Owen Hodgson  
Chairman, Sydney Regional Development Advisory Committee  
Transport Planning Section, Sydney Region

14 October 2011

## ATTACHMENT 17 – PRELODGEEMENT NOTES



### DEVELOPMENT ASSESSMENT PRE-LODGEEMENT MEETING NOTES 5 July 2011

**APPLICANT:** Paul Solomon – Australand Holdings Ltd  
**TELEPHONE:** 0417 480 730  
**PROPERTY:** Lot 3 DP 234036 and Lot 3 DP 538765  
Nos. 11-13 Gibbon Road, Winston Hills  
**ZONING:** Light Industry 4(b)  
**SITE AREA:** 80, 973m<sup>2</sup>  
**SUBJECT:** Subdivision and Warehouse Development

#### **OFFICERS IN ATTENDANCE:**

Claro Patag (Development Assessment Coordinator)  
Greg Samardzic (Senior Town Planner)  
Ben Hawkins (Subdivision Coordinator)  
Jaye Hawkins (Waste Management Projects Officer)

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#### **PROPOSAL:**

- The proponent seeks to lodge three (3) separate Development Applications, each encompassing the following components (indicative master plan submitted):
  - DA 1 - Demolition of existing structures and three (3) lot torrens title subdivision.
  - DA 2 - Bulk earthworks/tree removal, access road and construction of buildings 1 and 2.
  - DA 3 - Staged four (4) lot torrens title subdivision and construction of building 4.

#### **DEVELOPMENT ASSESSMENT:**

- The Statement of Environmental Effects (SEE) is to address BHDGP Part C, Section 9- Light Industry with particular reference to operational details for usage.
- The proposed car parking structure (2 storey) to Gibbon Road does not achieve compliance with front building setback requirements (30m) of BHDGP Part D, Section 9- Light Industry. Please redesign the proposal to ensure compliance.

- Applicant indicated that the proposed provision of car parking would not achieve compliance with BHDGP Part D, Section 1- Parking, however compliance with the RTA's Guide for Traffic Generating Developments would be achieved. The SEE is required to provide a detailed justification for any proposed car parking shortfall.
- The SEE is required to provide details in relation to the impact of light spill on the surrounding residential properties. Compliance with the relevant Australian Standard is to be demonstrated.
- BHDGP Part C, Section 9- Light Industry requires that loading docks must not be visible from adjoining residential areas. Measures are to be taken to reduce the visibility of the loading docks. The applicant is to consider loading docks to be located to the rear of the buildings.
- Details of any proposed retaining walls are to be provided.
- The subdivision/warehouse application is to be referred to the NSW Office of Water as Integrated Development, as the works are located within forty (40) metres of the watercourse at the rear of the site. Accordingly, a cheque in the amount of \$250.00 (made out to the NSW Office of Water) is to be submitted.
- A landscaping plan is to be submitted, prepared in accordance with the requirements of BHDGP Part D, Section 3- Landscaping.
- Details of any proposed signage are to be provided and compliance with the Baulkham Hills Development Control Plan Part D, Section 2- Signage and SEPP No. 64 (Advertising and Signage).
- The Draft Hills Local Environmental Plan 2010 stipulates that the maximum building height for the subject area is 16 metres and the maximum permitted floor space ratio is 1:1.
- A flora and fauna report is required to be submitted due to the existence of Sydney Sandstone Gully Forest to the rear of the site.
- An arborist report is required to be submitted to support the proposed tree removal.
- Details of site fencing are to be shown on the site plan.
- Bicycle and motor cycle parking is required to be provided in accordance with the requirements of BHDGP Part D, Section 1- Parking.
- The pedestrian access to and from the site is to be addressed.

- Works within the Sierra Place Reserve to modify the flood retarding basin will require approval from the Dams Safety Committee, as with previous approval – DA 7/2009/HC/A.

#### **WASTE:**

- A private contractor is to be engaged to service the site.
- A Waste Management Plan is required to be submitted, covering demolition and construction works. A template can be located at the following link: [http://www.thehills.nsw.gov.au/IgnitionSuite/uploads/docs/Appendix\\_A\\_Waste\\_Management\\_Plan.pdf](http://www.thehills.nsw.gov.au/IgnitionSuite/uploads/docs/Appendix_A_Waste_Management_Plan.pdf)
- Estimates of waste generation rates and the type of waste to be generated from the development are to be provided. In addition, details are required in relation to the frequency of servicing.
- The location of waste bins are to be indicated on the plans.

#### **ENGINEERING:**

- As part of the previous application, the Rural Fire Service required that access for fire fighting purposes was to be provided on the rear perimeter of the site. Any further application is to address how this access will be provided.
- The design of the internal road is to be based on a traffic report which would address the volumes and types of vehicles to access the site.
- The subdivision layout is to be designed so that the four (4) owners would share ownership of the private road. Reciprocal rights easements would be created over the private road.
- A concept stormwater design is required, depicting on-site detention in accordance with the Upper Parramatta River Catchment Trust (UPRCT) handbook. The design should include Water Sensitive Urban Design measures, a bio-retention system and should be based on MUSIC modelling. The plan should detail a legal point of discharge for each of the four (4) lots.
- The proponent indicated that land to the north and west of the site is owned by the crown. Any proposed works on the crown land should be discussed with the Land and Property Management Authority (LPMA) prior to lodgement.
- Pit and pipe drainage is required along the private access road.

- Car parking details are to be provided in accordance with Australian Standard (AS) 2890.1 and AS 2890.6 for the disabled car parking.
- Longitudinal sections of all driveways are required. The templates in the Australian Standards should be used.
- The flood impact of the development should be addressed in the application.

**HEALTH:**

- A detailed acoustic report is required to be submitted, which addresses the proposed use, truck noise, proposed hours of operation and construction noise. The construction noise is required to comply with Department of Environment, Climate Change and Water (DECCW) guidelines. The acoustic report is required to address the impact on the residential properties on the opposite side of Gibbon Road.
- Truck noise during the night was a primary concern of objectors in the previous Development Application. Measures are to be taken to minimise truck noise and queuing of trucks on Gibbon Road. The loading docks and private road should be of an adequate capacity to accommodate queuing trucks.
- A water management plan is to be submitted to address the impacts of bulk earthworks.

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**PLEASE NOTE THAT THE APPLICATION WILL NOT BE ACCEPTED UNLESS ALL THE REQUIRED INFORMATION IS SUBMITTED.**

**FURTHER MEETING REQUIRED:**

**No-** subject to the above matters being addressed.

*Finally, it should be acknowledged that the above advice is preliminary only and is based on the information provided to date and limited research into the sites history and constraints. Any application submitted would be subject to a more thorough assessment that could potentially add to or amend the above advice. This advice does not bind Council to a decision should an application be received.*

**Development Applications presented to the Duty Planner at Customer Service for lodgement will not be accepted after 4PM**

**Applicants lodging large Development Applications should provide a PDF copy of all documents on disc.**

**PRELODGE MENT**



Claro Patag

**DEVELOPMENT ASSESSMENT COORDINATOR**

27 July 2011

**DOCUMENTATION REQUIRED FOR DEVELOPMENT APPLICATION LODGEMENT**

REQUIRED (Yes ✓ /No -)	DOCUMENTATION	NO. OF COPIES
✓	<b>Development Application Form</b> The Development Application form is required will all necessary components completed including Lot, DP, Address, Development Description, Applicant and Owners Details and Cost of Works (or CIV)	1 copy
✓	<b>Quantity Surveyors Report</b> Required for all proposals with a construction value or capital investment value of \$2 million or greater.	1 copy
✓	<b>Owner's Consent</b> (If a Company, then written consent must be under Company Seal indicating the capacity of the signatory)	1 copy
✓	<b>Development Application Fee</b>	N/A
✓	<b>Advertised Development (Nominated Integrated Development) – Requires Additional Fees</b>	N/A
✓	<b>Integrated Development (NSW Office of Water) – Requires Additional Fees</b>	N/A
✓	<b>PDF Disc Copy of all Documents (large DA's only)</b>	1 disc except JRPP matters where 2 discs are required.
✓	<b>Required Plans</b> <ul style="list-style-type: none"> <li>• Survey Drawing</li> <li>• Site Plan</li> <li>• Floor Plans</li> <li>• Elevation Drawings</li> <li>• Section Drawings (including Longitudinal Sections of the Driveway / Parking Areas)</li> <li>• Concept Stormwater Drainage Plans with Associated Hydraulic Calculations</li> <li>• Subdivision Plans</li> <li>• Water Management Plans</li> <li>• Landscape Plans</li> <li>• Natural and Finished Levels</li> <li>• Bulk Earth Works Plan</li> </ul>	8 copies of all plans (except Landscape Plans and Stormwater Plans where only 4 copies are required)  <b>Note:</b> JRPP matters required 12 sets of all drawings except Landscape Plans and Stormwater Plans where only 6 copies are required)
-	<b>Solar Access Table</b> (An example of a satisfactory Solar Access Table is detailed below)	N/A - To be included within the SEE or on the Shadow Diagrams
✓	<b>SEE Requirements / Considerations</b> <ul style="list-style-type: none"> <li>• Section 79C of the EP&amp;A Act, 1979</li> <li>• SEPP (Infrastructure) 2007</li> <li>• BHLEP 2005</li> </ul>	N/A - To be included within the SEE



	<ul style="list-style-type: none"> <li>• Draft LEP 2010</li> <li>• BHDCP Part C Section 9- Light Industry- Detailed Table of Compliance</li> <li>• BHDCP Part D Section 1- Parking- Detailed Table of Compliance</li> <li>• BHDCP Part D Section 2 – Signage</li> <li>• BHDCP Part D Section 3 - Landscaping</li> </ul>	
✓	<b>Waste Management Plan</b> <ul style="list-style-type: none"> <li>• Addressing demolition, construction and on-going waste generation and removal</li> </ul>	4 copies <b>Note:</b> JRPP matters require 6 copies
✓	<b>Speciality Consultant Reports</b> <ul style="list-style-type: none"> <li>• Acoustic Report</li> <li>• Bushfire Threat Assessment Report</li> <li>• Traffic and Parking Assessment Report</li> <li>• Flooding</li> </ul>	4 copies <b>Note:</b> JRPP matters require 6 copies
-	<b>Scale Model</b> (Required for Villa Housing, Town Houses and Apartment Building Developments in excess of 10 dwellings)	1 x Model
✓	<b>Coloured Perspectives / Photomontage</b>	4 copies
✓	<b>Schedule of Colours and Finishes</b> <ul style="list-style-type: none"> <li>• External brick work or cement render (including colour and manufacturer);</li> <li>• Garage door treatment (colour and design detail);</li> <li>• Driveway surface (colour and treatment);</li> <li>• Window frames (colour);</li> <li>• Roof (construction material and colour); and</li> <li>• Gutter, down pipes and the like (colour)</li> </ul>	4 copies

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED UNLESS ALL THE REQUIRED INFORMATION REQUESTED ABOVE IS SUBMITTED.**